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12 April 2024

Dear Simon,

Rhondda Cynon Taf Council – Replacement Local Development Plan (LDP) Preferred Strategy Consultation: Welsh Government Response

Thank you for consulting the Welsh Government on the Rhondda Cynon Taf Council Replacement Local Development Plan (LDP) – Preferred Strategy. It is essential the authority is covered by an up-to-date LDP to give certainty to local communities and businesses and provide a robust basis for decision making.

Without prejudice to the Minister's powers, the Welsh Government is committed to assisting Local Planning Authorities (LPAs) to minimise the risk of submitting unsound plans by making comments at the earliest stages of plan preparation. The Welsh Government looks for clear evidence that the plan is in general conformity with Future Wales: The National Development Framework, aligns with Planning Policy Wales (PPW) and the tests of soundness, as set out in the Development Plans Manual (DPM).

In addition to compliance with Future Wales, national planning policies set out in Planning Policy Wales (PPW) Edition 12 seek to deliver high quality, sustainable places through a place-making approach. The implementation of the core policy areas in PPW, such as adopting a sustainable spatial strategy, appropriate housing and economic growth levels, infrastructure delivery and place-making, are articulated in more detail in the LDP Manual (Edition 3). **We expect the core elements of the Manual, in particular Chapter 5 and the 'De-risking Checklist(s)' to be followed. Failure to comply with these key requirements may result in unnecessary delays later in the plan making process.** The development plan system in Wales is evidence-led and demonstrating how a plan is shaped by the evidence is a key requirement of the LDP examination.

After considering the key issues and policies in Future Wales, the Welsh Government is of the opinion that Key Site 4: Llanilltud Faerdref (Ystrad Barwig) / Efail Isaf is not in general conformity with Future Wales: The National Development Framework, for the reasons stated.

Specific comments are set out in the Statement of General Conformity (Annex 1). **Annex 2 highlights a range of issues that need to be addressed for the plan to align with the requirements in Planning Policy Wales (PPW) and the Development Plans Manual (DPM).** Collectively, our comments highlight a range of issues that need to be addressed for the plan to be considered 'sound' as follows:

Annex 1 – General Conformity with Future Wales:

- Key Site 4: Llanilltud Faerdref (Ystrad Barwig) / Efail Isaf - **Not in general conformity.**
- Regional Collaboration - **Further clarity / explanation is required on the relationships and implications for the scale and location of growth in the plan.**

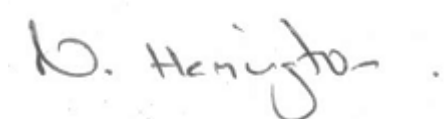
Annex 2 – Core matters that need to be addressed (PPW and the DPM)

- Spatial Strategy – Consistency and Coherence
- Spatial Strategy – Clarity of the Spatial Distribution of Housing Supply and the Settlement Hierarchy
- The Level of Growth - Homes and Jobs
- Delivery & Implementation - General
- KS3: Land at Llanilid – Delivery, Placemaking and Comprehensive Development
- Local Housing Market Assessment and Affordable Housing Provision
- Gypsy and Travellers
- Minerals
- Renewable Energy

I would urge you to seek your own legal advice to ensure you have met all the procedural requirements, including the Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA), as responsibility for these matters' rests with your authority. A requirement to undertake a Health Impact Assessment (HIA) arising from the Public Health (Wales) Act 2017, if appropriate, should be carried out to assess the likely effect of the proposed development plan on health, mental well-being and inequality.

My colleagues and I look forward to meeting you and the team to discuss matters arising from this response.

Yours sincerely,



Neil Hemington
Chief Planner Welsh Government

For matters relating to general conformity with Future Wales and planning policy please contact: PlanningPolicy@gov.wales / For matters relating to Local Development Plan procedures and compliance with the Development Plans Manual please contact: mark.newey@gov.wales and candice.coombs001@gov.wales

Annex 1 - Statement of General Conformity

The Welsh Government considers that Key Site 4: Ystrad Barwig / Efail Isaf is not in general conformity with Future Wales as set out in paragraphs 2.16 – 2.18 of the Development Plans Manual (Edition 3).

This conformity statement is based on the evidence currently available. The Welsh Government reserves its formal position until the full suite of policies, proposals and finalised evidence base is available to scrutinise.

Reasons

Future Wales (FW) places emphasis on the development of National Growth Areas in a sustainable manner. Growth areas must be sustainably planned, reduce the need to travel by car, encourage walking and cycling (active travel), maximise public transport usage and incorporate green infrastructure. Growth areas must embed these principles within a wider regional consensus, focussing on the opportunities they bring to promote social and economic benefits across a broader geographical area. The Welsh Government (WG) supports sustainable growth in National Growth Areas to respond to climate change and biodiversity emergencies and make the best use of our resources.

Policy 1 and 33 of FW identifies Cardiff, Newport, and the Valleys (that includes Rhondda Cynon Taf) as the main focus for growth and investment in the region. The ambition of FW is to co-ordinate regeneration and investment in the Valleys to improve well-being, increase prosperity and address social inequalities.

The WG considers that the scale of growth in the Preferred Strategy is in general conformity with FW (Annex 2). Annex 2 also explains WGs concerns regarding the coherence of the spatial strategy. However, the identification of strategic site KS4 Ystrad Barwig/Efail Isaf (1000 homes) is a key concern and considered to be contrary to the policies set out in PPW and FW.

Key Development Site 4: Ystrad Barwig/ Efail Isaf

The WG is concerned that KS4 represents a form of strategic development that does not align with the placemaking principles set out in FW/Planning Policy Wales (PPW). The supporting text to FW Policy 33 says:

*“Cardiff, Newport and the Valleys are identified in Policy 1 as a National Growth Area where development will be directed. This will be supported by policies 2, 3, 6 and 8 which will ensure that development is **sustainably located with easy access to public transport [emphasis added]** and other public services. Towns and cities must grow in a sustainable way and in a way which promotes placemaking”*

FW Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking promotes building places at a walkable scale, with homes, local facilities and public transport within walking and cycling distance of each other. Whilst **the Preferred Strategy highlights that new pedestrian and cycle access links will need to be incorporated into the development, the description of measures is too broad and generic and lacks the detailed understanding necessary to support this key allocation in a National Growth Area**, especially as facilities identified in Pontypridd and Treforest are not within walking distance and there is minimal existing (bus only) public transport infrastructure nearby. This is effectively a car-based development.

In addition, PPW, the Wales Transport Strategy, Llwybr Newydd, and the South-East Wales Transport Commission collectively emphasise the policy objective that development should reduce the need to travel, particularly by private vehicles, and support a modal shift to walking, cycling and public transport. The sustainable transport hierarchy in PPW, which prioritises active travel and public transport, is a fundamental WG principle that underpins FW and Llwybr Newydd.

In FW Policy 8: Flooding, the supporting text recognises that in selecting areas to develop authorities will need to prioritise places that are not at flood risk, followed by places where flood risk can be managed in an acceptable way. **The Preferred Strategy is silent on the flood risk issues associated with development of the site. The land (in part) is located within Flood Zone 3 where highly vulnerable development, which includes residential units, is not considered acceptable and where plan allocations must not be made. National policy on flood risk is clear in this respect and does not support this key allocation in a National Growth Area.** The Ystrad Barwig site has been refused planning permission previously on this matter, it is unclear as to what has changed to make it acceptable now.

Overall, we consider that the likely outcome from the development of Key Site 4 is that many residents will move to and from the site by private transport onto the major highway facility of the A473, which links to Bridgend and the A470 to the M4 into Cardiff. In the absence of any master planning work, it is unclear how active travel routes that will need to be incorporated into the development will connect the site with local facilities and public transport nodes. **It is therefore considered there is no evidence to justify how Key Site 4 conforms to FW Policies 2, 8 and 33 as well as the Wales Transport Strategy, Llwybr Newydd and national policy on flood risk.**

Regional Collaboration: Further clarity and justification

In the absence of a Strategic Development Plan (SDP), LDPs need to demonstrate how the regional policies in Future Wales have been considered and how they conform with Future Wales and Planning Policy Wales. The Rhondda Cynon Taf Preferred Strategy does not appear to have considered the relevant policies with no evidence to support regional thinking and decision-making. It is disappointing that the Preferred Strategy for a Valleys authority in a National Growth Area takes a predominately local perspective of key regional issues. There is extremely limited explanation of the links/or not, to adjoining LPAs and what influence this had on the scale of growth for RCT's plan. It remains the case that all authorities must demonstrate how their individual plans have been informed by regional working.

The absence of any meaningful "regional analysis" (as demonstrated in recently and currently ongoing statutory LDP consultations in the region) and the opportunity to consider strategic issues across local authority areas is very poorly developed, especially given the high functional relationships between neighbouring urban authorities that exhibit common spatial issues. **Moving forward further work will be required to understand how a Preferred Strategy has been developed within the wider regional context and how it will promote the role of the Valleys within the wider region, in particular with links to Bridgend and Cardiff.**

Annex 2 – Core matters that need to be addressed (PPW and the DPM)

Spatial Strategy – Consistency and Coherence

The Preferred Strategy and Spatial Strategy Options Paper summarise the eight spatial options considered comprising:

1. Continuation of the current LDP Strategy
2. Strategic Highway Network considering the Principal Towns
3. Town Centre First
4. Southern Growth Strategy
5. Metro and Public Transport Nodes
6. Key Strategic Site in the South
7. Urban Containment
8. Local Needs Strategy

The authority has concluded that no single option could deliver the authority's needs, aspirations, and objectives, and on this basis has sought to take forward the "positive elements" from each of the eight options to create a hybrid strategy, which in turn, has then been split into a strategy of 'Northern Sustainable Communities and Southern Sustainable Growth'. The WG does not object to the principle of a hybrid strategy or a North/South strategy area approach, however, **WG is of the view that the spatial strategy as currently justified and explained is incoherent and inconsistent.** The following comments should be read in conjunction with Annex 1 and Annex 2.

It is unclear what 'positive elements' of each option have been taken forward and why, and how those options have resulted in the proposed key allocations as being the most appropriate. There appears to be an over reliance on Option 4 and Option 6 to deliver most of the new housing growth. Two key sites have been identified in the South, KS3 - Land at Llanilid of 3000 homes (1500 in the plan period) and KS4 - Ystrad Barwig/Efail Isaf (1000 homes). Options 4 and 6 are recognised by the Council to increase car use due to minimal public transport (bus only) accessibility in the area and proximity to the M4 and other strategic highway networks. This does not accord with the fundamental principles set out in PPW and FW to support a modal shift to walking, cycling and public transport.

There also appears to be a misalignment between the strategy and the Councils own settlement hierarchy. KS4 is located in Efail Isaf which is within the lower Tier 3 Smaller Settlements, which the plan identifies to support to meet local needs. **It is unclear how the large-scale development proposed on KS4 aligns with the Councils own sustainable settlement hierarchy.**

Only one key site (KS1) which is a redevelopment of the Penrhys Estate is identified in the North. While it is noted the Council has undertaken an Urban Capacity Study and there are significant constraints in relation deliverability/viability, flooding, coal tip safety and topography, **the Council must explain and justify why only one key site of 200 units (net gain) is the only site suitable for identification in the Northern Strategy area.** Are there any other more sustainable sites more aligned with the Town Centre First approach and/or close to public transport/metro nodes put forward in the Candidate Site process? Whilst the viability evidence identifies significant headroom on both greenfield and brownfield sites in the south, it also identifies that larger greenfield and brownfield sites (of 50+ units) are viable in the north of the County Borough, particularly in the Cynon Valley.

While it is noted that the Council has sought to ‘balance deliverability with sustainability’ proposed development sites, especially those of strategic nature must be sustainable and align with FW and PPW. This is currently not the case as explained as explained Annex 1.

In summary the WG has fundamental concerns on the clarity of the spatial strategy, which is incoherent and inconsistent with the Council’s own evidence base, the requirements in PPW, FW and the Wales Transport Strategy, Llwybr Newydd. The evidence base and written statement needs to be clearer on what the strategy is, the rationale, and how the scale and location of growth aligns with the strategy.

Spatial Strategy – Clarity of the Spatial Distribution of Housing Supply and the Settlement Hierarchy

In addition to the previous comments made in relation to the Spatial Strategy, WG has the following comments on the settlement hierarchy and the clarity of spatial distribution of all components of housing supply that must be addressed.

The plans spatial strategy is delivered through its settlement hierarchy, which is set out in Policy SP8: Settlement Centres. The policy identifies three tiers of settlements; Principal Settlement Centres, Key Settlement Centres and Smaller Settlement Centres, with the Council acknowledging that most of the plan’s growth will be directed towards the more sustainable Principal and Key Settlements.

The Housing Supply Background Paper and the Written Statement collectively explain the components of housing supply (e.g. land bank, windfalls) and contain some information in relation to spatial distribution of growth. However, this information is inconsistent and does not comply with the presentational requirements of the DPM. **On this basis it is difficult to understand how the housing provision of 9,295 homes has been distributed between the North/South Strategy area and the settlement hierarchy.** The Council refers to ‘sub regions’, North/South and specific settlements which is confusing. In addition, there appears to be a mismatch of base dates between the housing components of 1 April 2022 and 31 August 2023 which is also confusing. All components of housing supply must have the same base date as required by the DPM.

On this basis WG is not able to understand the location of all components of housing supply across the plan area and how this relates to the strategy. **The plan should be clear how the majority of housing growth has been directed to more sustainable locations as defined in the Councils own settlement hierarchy.**

In the north of the County Borough the Council is proposing ‘flexible settlement boundaries’ to allow suitable sites to come forward for development over the plan period. It is unclear what is meant by ‘flexible settlement boundaries’ which should relate to the settlement and be well defined. Development outside settlement boundaries should be strictly controlled in line with the requirements of PPW. This approach requires clarification.

The Level of Growth - Homes and Jobs

The Preferred Strategy (Policy SP6) makes provision for 9,295 homes to deliver a housing requirement of 8,450 new homes (563 p/a) over the plan period 2022-2037, of which 2,385 homes will be affordable. The flexibility allowance proposed by the Council is 10%. The delivery of new jobs is for 3,990 over the plan period.

Homes: The 2018 Welsh Government (WG) principal projections are the latest projections for the Preferred Strategy. **Any future population and household projections based on the latest 2021 Census will need to be considered by the Council.** The 2018 principal projection would result in

a requirement of around 560 units per annum or 8,420 units over the plan period (using the Council's 5.3% vacancy rate).

The demographic evidence (June 2023, Edge Analytics) tested 9 growth scenarios comprising: demographic-led, dwelling-led, and employment-led scenarios. The Councils housing requirement is aligned with the WG 2018-based principal projection which results in a population growth of 3.3% over the plan period with an annual net migration of 705 persons. After undertaking a range of technical work on urban capacity opportunities and an assessment of the current permissions and future windfall assumptions, the deliverable land bank is 5,925 homes resulting in a need to allocate around 3,370 units on new sites.

We note that historic completion rates in Rhondda Cynon Taf have fluctuated considerably over recent years. The past 11-year (2010-2021) average completion rate is 495 dwellings p/a. This has been exceeded in the 5-year period (2013-2017) with 585 dwellings p/a, which may coincide with the adoption and implementation of the current LDP in March 2011. On this basis, the Council considers that achieving 563 dwellings p/a in the preferred WG 2018-based principal projection scenario is realistic and would provide a level of job growth (3,990 jobs) that is above most other options tested.

The level of housing growth proposed in the plan is considered by the Council to be deliverable and the most appropriate option because it is realistic and will deliver affordable housing and employment growth to support an increase in the working age population. This scale of growth is also considered by the Council to reflect the authority's position as a National Growth Area in the wider south-east region. However, as clearly explained in Annex 1, **it is the view of the WG that with minimal evidence has been submitted in relation to how the level of growth in Rhondda Cynon Taf has been considered in a regional context. Further work is essential in respect of regional collaboration to demonstrate this conclusion**, particularly the relationship between Rhondda Cynon Taf and neighbouring authorities.

In summary **the WG has no concerns with the level of housing growth proposed in the plan but demonstrating delivery and suitability of the Key Sites will be essential** as required by PPW/FW and the DPM.

Jobs: The Council's preferred WG 2018-based principal projection scenario results in a requirement for 3,990 new jobs (266 p/a) over the plan period. The WG notes that this level of employment growth is aspirational when considered against the range of growth scenarios tested and Oxford Economic forecasts. However, job growth is not limited to the B-Class sector with significant increases expected in health, wholesale, retail, and construction over the plan period. On this basis, **the WG has no significant concerns on the level of job growth proposed in the plan.**

In summary, and subject to the above clarification, the WG has no significant concerns with the level of homes and jobs proposed in the plan, which is in general conformity with FW.

Delivery & Implementation – General

In line with the key requirements of PPW, Chapter 5 of the DPM contains guidance on the requirements in respect of the delivery and implementation of plans. Moving forward the plan should set out site-specific details for each of the Key Sites, which includes planning history, general phasing timescales, key infrastructure requirements, placemaking principles (including concept / schematic masterplan frameworks), constraints and developer requirements, where appropriate. **It is disappointing that minimal information has been provided to support the key sites in relation to placemaking principles and delivery.** The phasing, timing, funding, and delivery of Key Sites will be critical to ensure the plan delivers the scale of growth required over the plan period.

The Council will also need to demonstrate that the Key Sites and all other housing components are deliverable through a housing trajectory prepared by the Council and Housing Stakeholder Group. Statements of Common Ground (SoCG) for key allocations, especially any that have been 'rolled over' from the adopted plan, would be advantageous to demonstrate the sites are deliverable in the timescales set out.

The plan will also need to be supported by a high-level affordable housing study and site-specific viability appraisals for Key Sites, where appropriate. All viability work must be prepared in conjunction with the Viability Steering Group and site-specific promoters.

KS3 – Land at Llanilid – Delivery, Placemaking and Comprehensive Development

We note that KS3 already benefits (in part) from a planning permission with developers currently active on-site. However, no information has been provided to clarify the planning history on this site. Given this sites location, it is essential that the current proposal and any future phases are developed in a comprehensive and sustainable manner in line with more recent WG policy including FW, PPW and the Transport Strategy. As part of the proposals, and any future phases, the plan should usefully explain how a modal shift will be achieved to walking, cycling and more sustainable forms of public transport. Master planning is essential to ensure that good urban design, placemaking principles and connectivity to the wider area and to other district centres/employment areas, firstly by active travel and public transport, are embedded into a key site-specific policy within the plan. Opportunities to provide improved bus/active travel linkages to and from the site and its key facilities should be maximised. **The Authority should engage with the Design Commission for Wales to ensure good placemaking principles are considered and embedded at the plan-making stage.**

Local Housing Market Assessment and Affordable Housing Provision

The Local Housing Market Assessment (LHMA) calculates affordable housing need over the replacement plan period using the Council's preferred growth option of the 2018-based Welsh Government principal projection which results in a need of 5,672 affordable homes over the plan period (378 p/a) with a tenure split of 64% social rent and 36% intermediate with the largest demand in Greater Aberdare, Greater Pontypridd, Southwest Taf and Central Taf for one-bedroom properties. **It is unclear how the scale and distribution of allocations align with the findings of the LHMA, especially given the lack of proposed allocations in North and Pontypridd.** (See previous comments on spatial strategy clarity of spatial distribution).

The LPA needs to demonstrate how the delivery of much needed affordable homes has been maximised by the chosen growth strategy. To maximise the supply of affordable homes, the Council should consider whether it would be appropriate to allocate sites for affordable housing-led developments where at least 50% of the homes will be affordable.

Gypsy and Travellers

The Council's Gypsy and Traveller Accommodation Assessment (GTAA) (February 2022) referred to in the supporting text of Policy SP6: Housing does not form part of the plans evidence base. **The GTAA must be included to identify the type, level of need and timescales for delivery.** The plan highlights that the current assessment identifies a total for 27 pitches over the plan period up to 2037. A GTAA to meet its statutory duty and comply with the requirements in PPW (4.2.35), Circular 005/2018 (paragraph 35) and the DPM (5.80-5.85) will be required allocating sufficient and deliverable sites in the plan for unmet gypsy and traveller need, if appropriate.

Minerals

The Regional Technical Statement (RTS 2nd Review) identifies a nil apportionment for land-won sand and gravel provision in Rhondda Cynon Taf. The WG policy clarification letter (dated 11 November 2022) identifies a shortfall in crushed rock requiring new allocations totalling 9.295mt. The plan should explain how this shortfall will be met through a Statement of Sub-Regional Collaboration to be agreed by the Cardiff City Sub-Region.

Employment

The Council's Employment Land Review identifies a requirement for 49ha of employment land, which includes a 5-year buffer. The requirement is based on rolling forward past trends (over the last 12-years) and is of a sufficient scale to meet the 3,990 jobs forecast as not all will be within the B-Class sector. Policy SP7 identifies employment land allocations totalling 68.7ha. On this basis, **the Welsh Government does not object to the level of employment provision proposed in the plan.**

Renewable Energy

FW identifies pre-assessed areas for wind energy in Rhondda Cynon Taf. **The plan will need to be informed by a Renewable Energy Assessment, which is a key piece of evidence** to identify opportunities for renewable energy sources, particularly on key sites.

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