

ENVIRONMENTAL SCRUTINY COMMITTEE

22 SEPTEMBER 2021

Present: Councillor Patel(Chairperson)
Councillors Derbyshire, Owen Jones, Lancaster, Jackie Parry,
Parkhill, Owen, Sandrey and Wong

10 : APOLOGIES FOR ABSENCE

Apologies were received from Councillor Caro Wild.

11 : DECLARATIONS OF INTEREST

No declarations of interest were received.

12 : MINUTES

The minutes of the meeting held on 15 June and 6 July 2021 were approved by the Committee as a correct record.

13 : CARDIFF REPLACEMENT LOCAL DEVELOPMENT PLAN

The Committee received a report providing information to assist scrutiny of a Cabinet report entitled 'Cardiff Replacement Local Development Plan: Vision, Issues and Objectives and Integrated Sustainability Appraisal Scoping Report' prior to its consideration by Cabinet on 23 September 2021 and Council on 30 September 2021.

Members were advised that the Cabinet would consider the findings from the replacement Local Development Plan (LDP) consultation process, the draft vision and objectives for the replacement LDP and a draft Integrated Sustainability Appraisal Scoping Report which will be used to assess the replacement LDP. As this was a major Council policy, it was agreed that each Scrutiny Committee would consider the Cabinet report insofar as it related to the terms of reference of that Scrutiny Committee. A collective letter from the five committees capturing their concerns and observations would then be presented to the Cabinet.

The report provided details of the current LDP and the statutory framework under which the Council is required to undertake a full review of the LDP. The replacement LDP will need to respond to key issues and be guided by an over-arching vision and supporting objectives. The agreed vision and objectives will set the context for the plan and ensure a balance between the economic, social and environmental objectives in order to deliver sustainable development. The response to the consultation exercise and the vision and objectives set out in Appendix 1 of the report will form part of the Preferred Strategy which will be considered by the Council in the Autumn of 2022.

The Chairperson welcomed Councillor Michael Michael, Cabinet Member for Clean Streets, Recycling and Environment; Neil Hanratty, Corporate Director; Andrew Gregory, Director of Planning and Environment; Simon Gilbert, Head of Planning;

Stuart Williams, Group Leader (Policy) and Matt Wakelam, Assistant Director to the meeting.

Following brief statements the Chairperson opened the debate on this item. Members were asked to comment, raised questions or seek clarification on the information received. Those discussions are summarised as follows:

- Members asked how the replacement LDP would address community needs. The Cabinet Member stated that the authority has made provision for a new cemetery which will be opened in October. Consideration continues to being given to needs of the service in the future. In terms of waste management, the service area is changing and responding to the challenges of climate change. Those challenges will form part of the replacement LDP objectives. The Assistant Director – Street Scene stated that the service's objectives have moved on since the adoption of the current LDP. Sustainability is being built in to all new homes and the LDP sets the framework to move those issues forward. The officer acknowledged that a new recycling facility in the north of the city was still on the agenda but there is capacity in Lamby Way and Bessemer Close. The Cabinet Member stated that he has challenged officers to consider how recycling can be sustainably managed in the future. The Director of Planning and Environment stated that the LDP is a plan for development in the city and how that development interacts with the key issues in the city. The replacement LDP provides an opportunity to establish the vision and objectives addressing those issues across the City.
- Members sought to clarify how the Well Being of Future Generations Act, the climate emergency and the impact of the covid pandemic, including becoming a carbon neutral city, would be balanced with the pressures associated with new development. The Director indicated that the One Planet Strategy, the Covid Recovery Strategy and a number of other strategies overlap. It was critical, therefore, that those strategies are aligned in order to achieve 'added value' and officers are mindful of this. For example, the One Planet Cardiff Strategy has identified that 20% of the work needed to attain carbon neutral status will be attained by Transport White Paper targets. The Head of Planning added that whilst the authority is mindful of the contribution good planning can make we are also legally obliged to make positive contributions towards biodiversity and sustainability through regulatory processes other than planning.
- Members noted that the current LDP had forecast the number of new homes required in Cardiff and that many of those new homes have not yet been built. Members asked how many homes beyond the number currently forecast will be required. The Head of Planning advised that the authority will be consulting on a range of options for growth during the winter of 2021. The consultation will take the Welsh Government population projections as a benchmark and then, through analysis and consultation, formulate a range of options for growth including housing but also other uses such as employment. The preferred strategy will then be reported to Cabinet in September 2022.
- Members asked how much open space would be factored into new developments, including in areas identified in the LDP for employment. The Head of Planning stated that access to open space and the protection of existing open

spaces has featured highly in the consultation responses already received. A main theme in the LDP will be to secure infrastructure, including green infrastructure such as parks and open spaces.

- Members noted that 'staying local - creating 15 minute neighbourhoods' was the highest ranked consultation response. A Member commented that there was a sense of frustration with the planning process in relation to district shopping centres, insofar as it has led to more and more similar types of business saturating the high street. It was doubtful that the business case supported those businesses but the authority is powerless to prevent this and dictate what sorts of businesses it would like to see in local high streets. Members asked whether there were any protections that could be implemented within the LDP or within the law to protect the vibrancy of district shopping centres. The Head of Planning stated that national policy is looking for district and local shopping centres to accommodate more uses than planning policy has traditionally had. The Head of Planning supported this and considered that there was an opportunity to improve the narrative around retail policy and consider the possibility of bespoke strategies in district and local shopping centres to shape and inform those areas. The Director stated that this issue related to wider council policy. The vision for local shopping centres would need to be established and the authority would consider it in a holistic way, including wider Council policy on estate management and regeneration.
- Members queried what effect the revised downwards population growth forecasts would have on the provision of major infrastructure for existing communities. The Head of Planning stated that the current LDP advocated a large level of growth and a number of greenfield sites that benefit from planning permission with Section 106 agreements in place that will deliver new schools and new affordable housing, etc. Should a lower level of growth be forthcoming in the revised LDP the opportunity to provide those would be diminished. However, commitments to infrastructure need to be proportionate and officers would seek to maximise the benefits from new development for existing communities by providing the best infrastructure through negotiation with developers. The Planning Department produces an Infrastructure Delivery Plan as part of the process which identified the infrastructure needs in the city, including facilities for schools, affordable housing, transport, health, community facilities and open spaces.
- Members asked how 'zero carbon' housing would be achieved and what guidelines and policies would be included in the revised LDP to ensure that zero carbon is achieved and micro-generation is supported. The Head of Planning advised that the One Planet Cardiff Strategy aims for the city to be carbon neutral by 2030. There are also strong policy requirements in planning policy and building regulations requiring developers to build more environmentally friendly and sustainable developments. Some of the more innovative developments, in terms of carbon reduction, currently underway are being built by the authority itself. The Head of Planning considered that the authority needed to use those examples as benchmarks. Those aspects can be captured in the policy framework in the revised LDP. Members commented that previous scrutiny of this issue has identified that a strong policy framework is required to support these requirements. The Director stated that the revised LDP would be ambitious in terms of low carbon development and the One Planet Cardiff policy position.

The Committee considered that some SPG's had been in place for a considerable length of time and the revised LDP would provide an opportunity to refresh the SPG's.

- Members referred Figure to 3.1.7 of the Integrated Sustainability Appraisal – Index of Multiple Deprivation of Housing. Members considered that much needed to be done to improve existing housing stock and asked how the revised LDP would address this. The Cabinet Member stated that there many thousands of properties in the city that needed some form of retrofitting to bring them up to standards in terms of their insulation and efficiency. This would need to be supported by the national government. For example, replacing millions of gas boilers and using ground source heating will require considerable investment.
- Members raised concerns regarding the consultation responses and the numbers of responses received from certain demographics, particularly black and ethnic minority people, 16-24 year olds and over 75s. Members asked what specific measures would be adopted during the next stage of consultation to increase engagement with those groups. The Head of Planning stated that as it was not possible to hold public meetings during the consultation period, this may have made it more difficult for some groups to engage. Therefore, providing more face-to-face opportunities may lead to improved engagement. The Cabinet report identifies target engagement groups who traditionally would not participate in consultations, including younger people and children. The Cabinet Member and officers have identified 8 focus groups and will work with leaders and representatives of under-represented communities to encourage engagement.
- Members questioned whether consideration has been given to consulting with students and universities. In particular, Members questioned whether students want to be using the types of student accommodation that have recently become more commonplace in the city. The Head of Planning accepted that there was an opportunity to do more in terms of engagement with students and 16 to 24 year olds in general.
- Members noted the consultation responses in support of improvement to bus services. Members were surprised, therefore, that there is no mention of buses specifically in the section focussing on transportation within the LDP. Members asked for further details on how the LDP intend to improve bus services. The Director stated that the LDP will reference the work undertaken in the Bus Strategy proposals and the Transport Plan. The Head of Planning stated that the LDP identifies developments in sustainable locations and there are links to access to regular, frequent and reliable bus services in the location of those developments.
- The Committee considered that elected members can assist in identifying leaders within the under-represented communities who could potentially be engaged with.
- Members asked what infrastructure has been provided to support the current LDP. The Head of Planning stated that the current LDP identifies strategic development sites and includes a 'shopping list' of infrastructure that would support those developments. A similar approach would be employed on the

replacement LDP. An Infrastructure Delivery Plan for the city will be included based upon levels of growth and the location of that growth prescribing the level of infrastructure necessary to sustain those developments.

- Members raised concerns regarding the Council's response to consultation regarding biodiversity set out on Page 59 of the report. The Council's response stated that 'information on biodiversity will be included if it becomes available'. Members asked what assurances could be given that the information will be available in light of the Council declaring its climate emergency. Members were advised that a city-wide Green Infrastructure Assessment will be undertaken, including biodiversity. This will provide an evidence base for the LDP. The assessment will be made publicly available.
- A Member asked whether on the lack of a replacement HWRC in the north of the city was an example of Cardiff continuing to develop areas without providing the necessary infrastructure. The Cabinet Member stated that it is recommended that a city the size of Cardiff has two HWRCs. The provision of an additional HWRC requires a business case and evidence to demonstrate that it would be supported. Members asked whether it was environmentally sustainable for residents in the north of the city to drive to either of the HWRCs to dispose of garden waste.
- Members noted that in 2011 one-third of the population in Cardiff lived in single person households. Members asked how the LDP will deliver accommodation that will match their needs and whether that will include the provision of more one and two bedroom properties. Officers stated that a local housing market assessment is being undertaken. The assessment will identify housing needs in terms of the size of houses and this will subsequently inform policy.
- Members welcomed the proposal to not only consider the needs of the city in terms of development, but to also consider the needs of the locality. Members also welcomed the changes to the vision and objectives set out in the revised LDP as a result of the consultation responses received, particularly around realignment with the One Planet Cardiff Strategy.
- Officers were asked to clarify the requirement for new homes to be zero carbon before 2025. This is before the replacement LDP is due to be introduced. Members asked how much control the Council had in this area and whether we were reliant on Welsh Government changing building regulations. The Head of Planning stated that, as previously mentioned, this would be a national policy requirement. If national policy changes during the period of the LDP then it is adhered to.
- Members noted that the Integrated Sustainability Appraisal (ISA) report appended to the Cabinet report indicated that most waste in South Wales comes from the construction and demolition industries. However, little is known about this waste stream. Members asked what plans were in place to monitor waste created by new development and whether this waste would count toward recycling figures. The Head of Planning advised that there are licensing regimes that cover waste management. In terms of planning, developers are required to provide a Construction Environment Management Plan that define the extent of any waste material, condition, contaminants and how its is to be transported. This provides

a material consideration in planning applications. Members were advised that carbon neutrality in the building sector will require developers to reuse materials on site. The recycling of wood and cardboard will also help reduce the carbon offset required by the development.

- The ISA also predicted that Cardiff could potentially be faced with a water deficit by 2039/40 based on current trends. Officers were asked to explain how this was being addressed. The Head of Planning stated that water is considered to be an asset and the LDP will seek to maximise the use of that asset in the city. Innovative approaches to surface water capture and the reuse of surface water under SUDS legislation will feature. The Planning Authority also work closely with Dwr Cymru/Welsh Water on their 5-year planning process. The LDP projections will assist Dwr Cymru/Welsh Water with their forward planning.
- Responding to a question, the Cabinet Member stated that there were no plans to provide community skips in the future. However, mobile 'pop up' recycling facilities, that can set up in locations across the City are being considered.
- Members asked whether it was likely that Cardiff Council would seek to protect the green belt in partnership with neighbouring authorities. The Head of Planning indicated that those conversations have yet to progress significantly. However, protection of green belt beyond the city's boundaries must involve neighbouring authorities and the authority will need to undertake a collaborative approach. Members asked whether there were any potential conflicts or areas of concern at this stage when considering Strategic Development Plans that may clash with the LDP. The Head of Planning stated that national policy mandates the creation of regional governance and sets the framework for policies in Regional Development Plans. The authority is mindful that by the time the replacement LDP is introduced Regional Development Plans will be progressed and those processes are not independent from each other.
- Members asked whether Community Infrastructure Levies (CIL) would be different from Section 106 agreements. The Head of Planning suggested that this issue may be subject to further scrutiny in the future. CILs are fixed land charges and they are not subject to development viability considerations as Section 106 agreements are.
- Members asked whether Local Area Energy Plans would be used to assess the sustainability of development sites as part of their sustainability criteria. The Director stated that this would be considered as part of the energy management element within the One Planet Cardiff Strategy but it may also be referenced within the LDP. A Renewable Energy Assessment would also form part of the evidence base for the revised LDP. National policy around heat networks would also be factored in.

RESOLVED – That the Chairperson writes to the Cabinet Member on behalf of the Committee to convey any comments, observations and recommendations made during the way forward.

14 : ENVIRONMENTAL SCRUTINY COMMITTEE DRAFT WORK PROGRAMME
2021/22

Members received a report and were asked to agree and approve the Committee's Work Programme for 2021/22. The report included a draft work programme at Appendix B. Members were asked to note that the Work Programme 2021/22 only included items for September, October, November and December 2021. The Work Programme would be updated during the remainder of the year.

Members discussed the draft work programme and the potential items for consideration at future meetings, including Disabled Parking in the City Centre, future scrutiny of the LDP, Cycling Strategy and waste management.

RESOLVED – That the Committee Work Programme for 2021/22 be approved.

15 : URGENT ITEMS (IF ANY)

No urgent items were received.

16 : WAY FORWARD

17 : DATE OF NEXT MEETING - 5 OCTOBER 2021 AT 4:30PM.

Members were advised that the next Environment Scrutiny Committee is scheduled for 5 October 2021.

The meeting terminated at 6.45 pm