

# P-05-1069 Save the farmland and green fields at Cosmeston

Y Pwyllgor Deisebau | 15 Rhagfyr 2020  
Petitions Committee | 15 December 2020

Reference: RS20/14687-4

Petition Number: P-05-1069

Petition title: Save the farmland and green fields at Cosmeston

**Text of petition:**

We call on Welsh Ministers to adhere to their environmental and climate change policies and to the principles of the Well-being of Future Generations (Wales) Act and urge the Welsh Government to withdraw their plans for a 576 housing units development on the scenic coastal fields and farmland at Lower Cosmeston Farm, Cosmeston

These green fields lie on an area of coastline and farming landscape between the Bristol Channel, Wales Coastal Path and Cosmeston Lakes Country Park (SSSI) and any development on these fields will greatly affect the local wildlife ecology and biodiversity here and in the surrounding areas together with a loss of the areas countryside amenity and local cultural historical heritage.

Such a large development will be unsustainable due to the lack of local highway and health infrastructure and will exacerbate traffic congestion and flooding in nearby areas. The land should be kept for farming and associated



businesses which together with local community amenity projects will maintain the prospects of the landscape for the well-being of future generations.

## 1. Background

This petition relates to an outline planning application submitted to the Vale of Glamorgan local planning authority (LPA) by the Welsh Government. The outline planning application is for a development comprised of residential development, a primary school, community space and public open space.

Planning applications are determined in accordance with national and local planning policy unless material considerations indicate otherwise. In this instance, the development is located on a site allocated for housing in the Vale of Glamorgan's Local Development Plan (LDP).

A number of documents relating to the application, including an environmental statement have been published on the Vale of Glamorgan's online planning register.

### Outline planning applications

The petition relates to an outline planning application. Most planning applications are full applications, which means they include all details of the proposal. However it is also possible to apply for permission in two stages.

First, an outline application is submitted for the LPA to decide if the principle of development on the site is acceptable. The second application will be for approval of 'reserved matters', which will include the remaining details of the proposal.

Even if an outline permission has been granted, the reserved matters application will need to be approved before work can start.

In this instance, the outline permission relates to access, with all other matters reserved.

## Pre-application consultation

As this application is for a 'major' development, it has been subject to pre-application consultation.

The requirement for developers to undertake pre-application consultation is set out in part 1A of the *Town and Country Planning (Development Management Procedure) (Wales) Order 2012* (DMPWO). It applies to all planning applications for major development, whether for full or outline permission.

Major development is defined in article 2 of the DMPWO; this particular application is classed as a major development.

Prior to submitting an application for major development, a developer must:

- publicise a draft of the application;
- consult community and specialist consultees; and
- produce a report about the pre-application consultation undertaken.

The pre-application consultation report for this application has been published on the Vale of Glamorgan Council's online planning register (link above). The report shows detail of the consultation undertaken and of the support and objections received.

## Planning decisions

Ultimately it is for a LPA to determine planning applications in accordance with its LDP.

Anyone can comment on an application. At the time of preparing this brief the application was open for public consultation and has not yet been determined by the LPA.

However once a decision is made, there is no third party right of appeal. The applicant and the LPA are the main parties to an appeal and any other interested parties are classed as a third party.

The only basis for a third party to challenge a decision would be through judicial review. The grounds for judicial review may only be from one of the following three broad classes: illegality; irrationality and procedural impropriety i.e. on a point of law. An application for judicial review to the High Court must be made within six weeks of the decision and can be an expensive process.

## 2. Welsh Government action

In her letter to the Chair dated 23 November, the Minister for Finance and Trefnydd, Rebecca Evans MS, highlights the procedures this application is subject to, such as the pre application consultation procedure outlined above.

The Minister highlights that the site is allocated in the LPA's adopted LDP, which has been subject to the independent examination process that applies to developing an LDP.

The Minister also suggests that the scheme will contribute to meeting the identified housing need for the area and highlights that the scheme will provide a number of affordable housing units. The LPA published its Local Housing Market Assessment in 2017.

The Minister states:

I do not consider the application should be withdrawn as to do so would result in the failure of the Welsh Government to deliver much needed affordable homes and would run counter to the strategy identified in the adopted Vale of Glamorgan Local Development Plan which sees this site as key to helping to address the identified housing need in the area.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.