MINUTES OF AN EXTRAORDINARY MEETING OF
TORFAEN COUNTY BOROUGH COUNCIL
held on Tuesday 21 February 2012 at 2.00pm till 6.35pm
in the Council Chamber at County Hall, Cwmbran

NB the agenda for and the reports presented to this meeting are available to view at

Following prayers by Canon Brian Pippen on behalf of the Mayor’s Chaplain before the meeting formally started, the Mayor:

- welcomed everyone to the meeting, especially the many members of the press and public in the public gallery and anyone else who was attending a Torfaen Council meeting for the first time
- outlined the emergency evacuation procedures
- asked everyone to switch mobile phones or other noisy devices off or to silent mode
- asked members to stand to speak if they were able to do so, and to speak directly into their microphones, so they could be seen and heard clearly
- advised everyone present that there may be comfort breaks during the meeting at appropriate times, and of the location of the toilet facilities
- advised members that, if they had motions or amendments, they should be handed in writing before the vote was taken, to ensure clarity
- informed everyone present of the large number of petitions and public questions for today’s meeting and of the procedures for speaking and
- asked everyone present to conduct themselves appropriately and respect the right of other people to speak when it was their turn to do so.

1. Attendance

Councillors

Philip Seabourne (Mayor)

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<th>Philip Seabourne (Mayor)</th>
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<td>Mary Barnett</td>
<td>Mike Jeremiah</td>
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<td>Cynthia Beynon MBE</td>
<td>Sarah Richards MBE</td>
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<td>Ron Burnett</td>
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<td>Peter Cathcart</td>
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<td>Gwyneira Clark</td>
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<td>Richard Clark</td>
<td>Wayne Tomlinson</td>
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<td>John Cunningham MBE KSG</td>
<td>Bob Wellington (Leader)</td>
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<td>Stuart Evans</td>
<td>Brian Whitcombe</td>
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<td>Maria Graham</td>
<td>Kathleen Williams</td>
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<td>Elizabeth Haynes</td>
<td>Paul Williams</td>
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<td>Tom Huish</td>
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Officers

Peter Durkin  Deputy Chief Executive
Richard Gwinnell  Lead Officer, Council and Member Support
Tim James  Assistant Chief Legal Officer
Rob Murray  Principal Planner, Local Plan Team
Duncan Smith  Chief Planning and Public Protection Officer
Paul Wheeldon  Group Leader, Highways (Development Control)
Adrian Wilcock  Principal Planner, Local Plan Team
Lynda Willis  Chief Legal Officer and Monitoring Officer

and, for various items/lengths of time: Alison Ward (Chief Executive), Ros Gwynn and Liz Monk (Democratic Services), Hywel Davies, Ian McGill, Nikki Marsh and Nansi Salkeld (Members Services), Steve Williams (Public Services Support), Richard Edmunds (Strategic Services), Steve Williams (Ecologist), Keith Rutherford (Social Care and Housing), Tony Walker (Education), Richard Lewis, Helen Smith and Luke Moseley (Planning, Development Control), Steve Thomas, Brian Davies and Craig Mead (Local Plan Team)

Others

49 members of the press and public (in the public gallery)
Canon Brian Pippen, standing in for the Mayor’s Chaplain (for introductory prayers only)

2. Apologies for absence

Councillors

Julianna Biggs  Keith James  Margaret Pead
Fiona Cross  Ron Jones  Barry Taylor JP
Alastair Cunnington JP  Norma Parrish *

*apologies received after the meeting had started

Absent

Councillor Veronica German

3. Declarations of interest

3.1 The Chief Legal Officer and Monitoring Officer advised that members were unlikely to have personal or prejudicial interests in the Local Development Plan, as it potentially affected the whole of the County Borough for many years to come and any potential future interests in particular sites would be too remote from the decisions required today.
3.2 Councillor Mawby declared a personal but not prejudicial interest in unspecified elements of the Local Development Plan, as a member of the Aneurin Bevan Health Board.

3.3 The Chief Legal Officer and Monitoring Officer answered queries from several members about whether or not they had interests, emphasising the different status of members who were nominated by the Council to serve on an organisation on its behalf, compared to those who served on organisations on their own behalf. None of the queries led to interests being declared, so the specifics are not listed in these minutes.

4. Receipt of petitions

4.1 Two petitions were received for this meeting as follows:

1. Signed by 100 persons (with a further 9 signatures “by proxy” and the submitter Mrs Carol Parry of Llantarnam Village Residents Association stating that the petition represented the views of over 400 residents of Llantarnam):

“We, the undersigned, register our perception that Torfaen County Borough Council disregards the consulted views of the residents of Torfaen, their best interests, the biodiversity of their environment and the provision of the services that support their communities. We call upon Torfaen County Borough Council to clearly demonstrate that they consider the consulted views of the electorate in Torfaen above those who seek to develop the land of Torfaen; by destroying our greenfield sites, by destroying our listed historic structures, by destroying the habitats of our local flora and fauna and placing additional strain upon our overloaded service provision.”

2. Signed by 3 persons (with the submitter Mrs Carole Jacob indicating that she had signed it on behalf of other members of Torfaen Friends of the Earth):

“Torfaen Friends of the Earth, on behalf of all who opposed the allocation of South Sebastopol as strategic development site SAA6 in the proposed Local Development Plan, and the outline planning application for this site refused by the Council on 21 July 2011, confirmed on 27 September 2011, and all who opposed the Phase 1 detailed application, request the Council to delete the South Sebastopol strategic development site SAA6 from the proposed Local Development Plan.”

4.2 The Mayor informed Council that both petitions needed to be considered today, as part of the decisions to be made about the Local Development Plan. He handed the petitions in the meantime to the Chief Officer, Planning and Public Protection.
5. Public question time

5.1 There were 11 public questions as follows.

NB

- **Q** = Question (all of which are quoted in full)
- **A** = Answer (which was given in each case by the Chief Officer, Planning and Public Protection unless stated otherwise) (and is summarised below)
- **SQ** = Supplementary Question (summarised)
- **SA** = Answer to the Supplementary Question (given in each case by the Chief Officer, Planning and Public Protection) (summarised)

5.2 Asked by Pam James of Torfaen Friends of the Earth:

Q  Re: SAA6 South Sebastopol - In the light of the knowledge that the Local Development Plan was going out for public consultation with the likelihood that South Sebastopol would be vehemently opposed by a large number of people, why did the council agree to accept the outline and Phase 1 planning applications for this site, which has resulted in the Council finding itself in a difficult situation?

A  The Council on 21 July 2011 decided the planning application for the South Sebastopol site. One of the first motions at that meeting was that it should not be considered as a refreshed application. Council voted against that motion and, in so doing, agreed to accept the status of and to determine the application at that time.

SQ  Is the Local Development Plan not subject to change?

SA  Yes but the LDP has to be “sound” when it is placed on Deposit. There is very little room to change the LDP once it has been placed on Deposit. The Deposit LDP was agreed by Council on 15 February 2011 and was sound. The ability to change it now is therefore very limited.

5.3 Asked by Carole Jacob of Torfaen Friends of the Earth (TFOE):

Q  Re: SAA6 South Sebastopol - Why did the Council, in September 2011 at its meeting to determine the reasons for rejection of the outline planning application for South Sebastopol, not take the additional third reason, as recommended to councillors in the TFOE newsletter emailed to them prior to that meeting, recommending reducing the housing allocation in accordance with their refusal for planning permission, which would have resulted in the omitting of SAA6 as a strategic site at that time?

A  All councillors received a letter from TFOE before the Council meeting on 27 September 2011, asking them to refuse the planning application for a third (“in principle”) reason. The Council on 27 September 2011, knowing about that request, nevertheless agreed to refuse the application for two non-principle reasons.

SQ  Will you consider the request of TFOE again today?
Today's meeting is not about the South Sebastopol planning application – so we cannot consider the reasons for refusal again today. Today is about the Local Development Plan.

5.4 Asked by John Woodcock (owner of The Parkway Hotel):

**Q**
- Within which foundation study or upon what authority (by whom?) has the impact upon tourism in Torfaen been considered; and
- Why have the concerns of one of the largest employers in the area (100 staff) not been considered when I was assured by Torfaen Borough Council (upon building the hotel in 1985) that the area/views would be preserved to protect the business?

**A** This question is about the land next to the Parkway Hotel. As members know, we test proposals carefully at the planning application and detailed design stage. The design of any new development will take into account the existence of the hotel and nearby industrial estate as well as the views of the people who would be consulted as part of any development. I am quite sure it is possible to design something suitable.

**SQ** We have plans to significantly extend the hotel, employing 100 extra staff and building dozens more bedrooms. This plan is a serious threat to the business as it means removing the Green Belt. The buildings proposed next to our hotel will obliterate the views of the surrounding hills from the hotel bedrooms. I ask for this to be refused.

**SA** There are no proposals for the site at present for us to consider. Any application will take all the various views into account at that time.

5.5 Asked by Roger Alma of Llantarnam Village Residents Association:

**Q** Will Torfaen County Borough Council outline the findings of the feasibility study which determined that the road infrastructure can support the increased volume of traffic arising from developing Llantarnam Strategic Action Area SAA3?

**A** The Highway Authority (which is also part of Torfaen County Borough Council) has accepted the principle of this area being developed. It is not unusual to accept the principle before getting into the detail. If in future there is an application to develop the site, full traffic impact assessments (TIAs) would be done at that time, before any approval could be given.

**SQ** So you have not taken the inadequacy of the local roads into account?

**SA** (Reply given by the Group Leader, Highways Development Control):

It is not unusual to accept the principle of development first. Full TIAs will be undertaken when a planning application comes in. Depending on the results of those assessments, mitigation measures may be needed to make sure the local roads can accommodate such a development.
5.6 Asked by Sandra Thain of Llantarnam Village Residents Association:

Q Will Torfaen County Borough Council outline the findings of the feasibility study which determined the variety of flora and fauna habitats within this environment and how that biodiversity of this area will be sustained by the proposed development?

A Every site identified for development in the Deposit LDP has undergone a preliminary assessment for suitability by ecologists and others. This is done early in the process. All relevant survey documents are available for public inspection on request. A planning application was being prepared for the SAA3 site and would in due course have to be accompanied by full ecological and other surveys as appropriate.

SQ Torfaen has published policies to support and protect Green Belt areas: how can Torfaen support this plan, which will destroy the Green Belt and the habitats of flora and fauna including bats and kingfishers (and several other species which she listed)?

SA There is no statutory Green Belt in Torfaen. There are green wedges. We took those factors [mentioned by Ms Thain] into account when the allocation of this land was made in the Deposit LDP.

5.7 Asked by Sister Susan of the Sisters of Llantarnam Abbey and of Llantarnam Village Residents Association:

Q Will Torfaen County Borough Council demonstrate how it will stand by its commitment, outlined in Paragraph 4.2.5 of the LDP Strategy that, “The Historic Park & Garden and Conservation Area at Llantarnam has been affected by recent developments. This historic character should be recognised and protected in any future developments affecting this area”? 

A The historic nature of the site is recognised. The site has already been allocated and planning permission has been granted on part of the site. We would look very carefully at any detailed plans that came forward to assess the issues around conservation and archaeology and we would work closely with the expert bodies (e.g. Glamorgan Gwent Archaeological Trust) to make sure any future development of the site was suitable.

SQ There are lots of ancient archaeological features of interest and vital importance for tourism in this area. The SAA3 plans will destroy this area and the historical features in it. Please can you reconsider and prevent the destruction of our local history?

SA We will protect the site in terms of its archaeological significance – I have given assurances and reiterate my reassurance of this again today.

5.8 Asked by Alan Parry of Llantarnam Village Residents Association:

Q Will Torfaen County Borough Council confirm they have a policy of
developing greenfield sites in preference to brownfield sites in order to save private developers money?

A  This is a loaded question. The answer is no. The planning guidance is clear, that brownfield sites should be sought first, then greenfield sites. This has nothing to do with money. The Torfaen LDP proposes 62% of future development on brownfield sites and 38% on greenfield sites. This kind of mix is not unusual and there are many reasons for this mix. Part of the SAA3 site already has permission for industrial development and the site is very good in terms of its accessibility and other benefits.

SQ  We were told by officers at a recent exhibition that the Council could not expect developers to pay for the costs of demolition of old buildings. This means more greenfield sites are going to be built on. How can the Council demonstrate that it is working to protect the interests of the people over those of the developers?

SA  This is not true and an officer would not have said that. All development including site costs - including demolition and decontamination if needed - are often borne by developers (as is currently happening on a major site in Cwmbran town centre). I will refer to colleagues for clarification.

SA  (Further reply given by the Principal Planner, Mr Wilcock):

The questioner has misquoted my earlier statement, which I made at the Llantarnam exhibition. It is a fact that some brownfield employment sites may not be redeveloped for employment uses, as doing so would be uneconomic. The costs of redevelopment would make the development unviable. However, most brownfield employment sites are economically viable and are re-used as a matter of normal practice. The costs of development vary widely from site to site and depend on many factors.

5.9  Asked by Dr Amelia Pannett of Llantarnam Village Residents Association:

Q  Will Torfaen County Borough Council:

a)  confirm that it is aware that the land proposed for development to the south of Malthouse Lane forms part of the Medieval Parkland of the Cistercian Llantarnam Abbey and that it is Grade II listed on the CADW/ICOMOS Register of Parks and Gardens of Special Historic Interest in Wales; and

b)  demonstrate how the Council will protect this significant heritage resource?

A  I have already answered several other very similar questions. We work very closely with the Glamorgan Gwent Archaeological Trust, CADW and other appropriate organisations. Any plans which come forward for particular sites must take account of the archaeological and other features of the site – this is not unusual.

SQ  Why is the Council going against its own policies, which clearly talk about
the importance of preserving historic sites, and Welsh Government guidance, which clearly talks about the need to protect historic parks and gardens? The existing planning approval is for a small and discrete micro-business development – not 450 homes.

SA  Housing development probably provides more opportunity for a better designed scheme (than employment for example) in terms of the ability to protect the land. I cannot add much else to what I have already said. It is not unusual to develop land which has features of archaeological interest and we have policies to ensure those features are protected and conserved. We cannot however preserve features in aspic. Development must take account of existing features, and it will.

5.10  Asked by Glenn Parsons of Llantarnam Village Residents Association:
Q  Will Torfaen County Borough Council specify how Section 106 Agreement investment will enhance the environment and lifestyles of the residents within the proposed development area?
A  There is no planning permission and therefore no Section 106 agreement currently in force so I cannot specify now what might happen in future. There have been no negotiations yet. However Section 106 is about ensuring the local and wider area impact of development is dealt with. Broadly speaking at this stage, we would be looking for serviced employment land, up to 30% affordable housing, a neighbourhood centre (a shop, possible recycling facilities etc), highway improvements, a children’s play area, sports pitches, open space and other things, all to be paid for out of the development of the SAA3 land, through a Section 106 agreement or planning conditions as appropriate.

SQ  You have neglected the residents’ views expressed through consultation. How can you assure us that the residents of Llantarnam will really benefit from these plans?
SA  I cannot answer for the residents of Llantarnam and how they will view or benefit individually from any future development. However, developments of sites like this are not unusual in Wales or the UK. In addition, land development often brings with it previously unforeseen benefits, paid for from Section 106 monies for example, as explained previously.

5.11  Asked by Carol Parry of Llantarnam Village Residents Association:
Q  Will Torfaen County Borough Council reaffirm the requirement outlined in the Adopted Local Development Plan for the County Borough of Torfaen, adopted on 27 July 2000, that specifies:

‘Appendix 11. Archaeological Implications of Local Plan Development Sites: Definition of Terms - Archaeological Assessment. A thorough review of all existing archaeological and historical information relating to an area potentially affected by proposals for development. ED1/4 (iii) Land adjacent to Newport Road and Ty Coch Lane. Assessment recommended.’
A  I have already addressed this in my answers to earlier questions. All necessary archaeological and conservation assessments will be done. This is a normal part of the planning process. Where there are features of interest, such as archaeological remains, extensive studies have to be done, to the satisfaction of relevant expert bodies.

SQ  There is significant inherent value to this land: it is the only surviving area where there are historic remains of a medieval abbey in Torfaen and is adjacent to a conservation area. The site is wholly inappropriate for development of any kind. Will the Council accept that?

SA  No. The Council feels that this land is suitable for development. The Deposit LDP was agreed by Council in February 2011, with this site in it.

5.12  Asked by John Thain of Llantarnam Village Residents Association:

Q  Will Torfaen County Borough Council demonstrate that these proposals take into account an awareness of all other proposals, either already applied for or which can be realistically envisaged, within Llantarnam or the neighbouring areas, that will adversely impact upon the service delivery to the SAA3 area?

A  This is a standard part of the planning process. We consult with all relevant service providers, such as gas, electricity and other companies, about future land or development proposals. We also take into account other factors including predictions around the rate of childbirth, school places, housing need, highway capacity etc. The LDP is about dealing with the impact of development across the whole of Torfaen. In summary, the answer to your question is yes.

SQ  The Welsh Government and others are clear that the population of Torfaen is falling. There are many other sites available for housing, including the County Hall site and the sites of several schools which are due to close. The Llantarnam SAA3 area housing land is not needed. Can the Council confirm this?

SA  The housing need figures take account of the existing population and long term trends around migration, birth rate and the need to grow. 5000 new homes is a realistic figure for Torfaen during the life of this plan. There is an element of flexibility, as some sites may not come to fruition, so we need reserve sites too. This is not unusual. We stand by these figures: the population numbers alone are only part of the picture – housing need is also driven by changes in demographics and lifestyle (e.g. more people living alone and therefore more houses being needed). The Welsh Government population projections are not always consistent and change year on year, so again they are only part of the picture. The LDP is about ensuring adequate provision until 2021 – within which time many things will change – so we have to take account of the ups and downs which occur, as best we can.

5.13  The question previously submitted by Mr Nigel Levi was not asked, as
neither Mr Levi nor any substitute was present at the meeting.

6. Torfaen Local Development Plan – report of consultation

6.1 Council considered a report of the Chief Officer, Planning and Public Protection:

1. informing Council of the results of the public consultation on the Deposit Torfaen Local Development Plan (LDP) and the resultant ‘alternative sites’ consultation;
2. seeking consideration and agreement of the recommendations in the Consultation Report on the representations received on the Deposit LDP and associated ‘alternative sites’ and agreement of any resultant Focused and Minor Changes to the Deposit LDP;
3. seeking consideration and agreement of a position on late representations;
4. seeking agreement that the Schedule of Focused Changes should be subject to 6 weeks public consultation, with any resultant representations being forwarded to the LDP Inspector for consideration;
5. seeking agreement that the Deposit LDP and all associated documents can be submitted to the Welsh Government/Planning Inspectorate with a view to the LDP being ‘examined’ by an Independent Inspector later this year; and
6. seeking agreement from Council to delegate relevant decisions with regards to the finalisation of documents to be submitted and decisions to be made on behalf of the Council during the ‘examination’ to the Chief Officer Planning and Public Protection.

6.2 Prior to his presentation of the report, the Chief Officer Planning and Public Protection explained that

- a late letter had been received from a complainant about the notice given of this meeting and about the inclusion in the LDP of industrial units on the Llantarnam site
- additional papers had been circulated in the meeting, containing small amendments of fact and grammar in relation to appendices 1 and 2 to the report
- there were 2 grammatical changes and 5 factual changes to appendix 1
- there were 2 changes - 1 factual and 1 grammatical – to appendix 2
- he understood that members would have time to consider these in detail during a short adjournment later in the meeting.

6.3 Councillor Mawby asked for clarification of several elements of minor amendment MA23 (shown on page 47 of the agenda) in terms of

- the grammar of the sentence which began with the words “A refreshed planning application was refused”
- the meaning of the words “If the appeal is lost” in the last
sentence of that paragraph – i.e. lost by whom – and whether that sentence was appropriate given the Council’s refusal of the South Sebastopol planning application?

- whether it was appropriate in the following paragraph to imply that the South Sebastopol site would deliver 690 dwellings over the LDP period in any event (given the Council’s refusal of the refreshed planning application last year)?
- whether, if the amended LDP specified 690 dwellings, that number could subsequently be increased (e.g. to the 1200 previously applied for)?

6.4 The Chief Officer, Planning and Public Protection responded that

- the South Sebastopol planning application had been refused by the Council last year on non-principle grounds; he had made clear at the time that the principle of development on that site would remain in the LDP, if the planning application was refused on non-principle grounds (whereas, if it had been refused on “in principle” grounds, the allocation of the site in the LDP would have had to be reviewed)
- it was not unusual to consider in advance the potential implications of winning or losing an appeal
- he would consider further the wording of the sentence which began with the words “If the appeal is lost”, with a view to clarifying that wording later in the meeting
- it was appropriate to anticipate that the South Sebastopol site would deliver 690 dwellings over the plan period, even though the last application had been turned down; again because the application was turned down on non-principle grounds
- the South Sebastopol site allocation remained in the LDP and the site was one of the most deliverable in Torfaen: it was still assumed that development for housing would go ahead (but not on the basis of the last – refreshed - application)
- as close as possible to 1200 houses would still be needed on the South Sebastopol site, given that it remained in the LDP
- it was however reasonable to assume a more realistic number of houses which may go on that site during the LDP period (given the recession and the length of time it takes to build).

6.5 The Chief Officer, Planning and Public Protection then gave a detailed presentation of the report. A copy of the full presentation is available from the Democratic Services Team on request. In summary, the Chief Officer outlined:

- how the Council got to this stage, including
  - that work on the LDP had started in 2006
  - that the preferred strategy was adopted as a sound basis for the plan in 2008
  - that 14 Members Seminars had been held up until now
  - that the Deposit version of the LDP had been approved by Council on 15 February 2011
recent progress and steps taken in the LDP process including
  - when consultation had taken place on the Deposit LDP itself and the alternative sites proposed during consultation
  - 6 petitions received about various sites (and 2 additional petitions received earlier during this meeting)
  - the main areas on which people had commented during the consultation process, as listed in paragraph 5.2 of the report
  - that a report on the consultation had been prepared, all comments had been considered and the appendices attached to this report (the minor and focussed changes to the LDP) had been formulated in response to those comments
  - on the main focussed changes in terms of
    - some of the policy wording
    - the deletion of strategic opportunity areas
    - the deletion of a number of small sites
    - amending dwelling numbers at various sites
    - the addition of constraints or policies to the Constraints Map
    - the Tirpentwys aggregates allocation
    - the deletion of Policy W1 (as the need to identify strategic waste sites had been met already)
  - the main issues arising from the consultation process, for example
    - whether the level and distribution of growth was appropriate
    - whether the plan maximised the delivery of affordable housing
    - whether allocated sites were deliverable and
    - objections to specific sites (e.g. Tir Pentwys, Llanfrechfa Grange link road and various strategic action areas/sites)
  - the Welsh Government advice (in summary)
    - that the LDP should be submitted for examination with changes in response to consultation which do not jeopardise the soundness of the plan itself
    - on the tests of soundness
    - that late changes should be on an exception basis only
    - that changes after the deposit version should be avoided wherever possible
    - that the LDP should be sound at the Deposit stage
    - that changes should be very limited and not go to the heart of the plan (and that other councils’ plans had been nullified as a result of this advice not being followed)
    - that if a council was considering making fundamental changes that may go to the heart of their plan, the whole plan may have to be reconsidered
  - other issues which needed to be mentioned, for example
    - the need to agree on the handling of a representation which had been received 5 minutes after the deadline
    - the need to allocate further land for a gypsy/traveller site before the examination
the fact that various supplementary planning guidance had been adopted since the LDP Deposit version (e.g. the Blaenavon Design Guide and Planning Obligations in 2011) and
the separate consultations which had taken place in respect of various sites including the Llantarnam Action Area and the Mamhilad Action Area

- the next steps in the LDP process – including
  - agreeing the timetable with the Welsh Government
  - informing everyone who commented on the LDP of what the Council decided as a result
  - consulting on the focused changes themselves and publishing the minor changes
  - taking the LDP through the examination process (likely to be in Summer 2012) and
  - the fact that the independent Inspector would consider the overall soundness of the plan at that stage
- the detailed recommendations contained in the report.

6.6 The Mayor adjourned the meeting at this point to give members time to read the motions and the factual and grammatical changes which had been circulated in the meeting. The adjournment lasted approximately 20 minutes. The meeting reconvened at 3.50pm.

6.7 Various members of the Council then asked questions for clarity, and the Chief Officer, Planning and Public Protection replied, as summarised below:

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<td>Whether, if the Council removed the South Sebastopol site from the LDP and the Inspector subsequently asked for it to be put back in, the Chief Officer would put the site back in the plan under the delegated power sought in recommendation 6?</td>
<td>If South Sebastopol was taken out, the plan would not be sound and would not stand up to the test of soundness. If the recommendations were agreed, he would be able to make minor changes in response to requests from the Inspector as he thought appropriate. He would consult a sub-committee of the Planning Committee if those changes were beyond his decision-making powers. If the change was of such significance that it went to the heart of the plan, which he could not anticipate (e.g. in relation to South Sebastopol), then he would consult members and perhaps report back to Council for a decision</td>
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That a decision to submit the plan (in the knowledge of the test of soundness) was for the Council to take, not the Chief Officer, was that correct?  
If the Council agreed to take South Sebastopol out of the plan at this stage, officers would consult on that change. However, he envisaged that the Welsh
Government would be very concerned at the removal of the South Sebastopol site from the LDP at this stage, given that the Deposit version of the LDP was agreed (and was sound) a year ago, with South Sebastopol in it. If Council wished to remove the site from the LDP, it could however do so – it was for the Council to decide.

**Could access to the allotments adjacent to the former St Peters School site be maintained and protected?**

**How the delegation which was sought in recommendation 6 was interpreted (in terms of what was a minor change compared to a major change) could be an issue – could local ward members be consulted and could they make representations to the sub-committee?**

This would be dealt with at the detailed stage of any future planning application.

A balance would be needed: decisions may have to be made very quickly but would also need to be made properly. It would be possible to alert local ward members of proposed changes affecting sites in their wards. Recommendation 7 was therefore amended to take account of this suggested change in process.

The developer had failed to implement the planning permission for the South Sebastopol site which was decided in 2004. The refreshed application of 2011 had been refused. Would not keeping the site in the plan help the applicant if they decided to appeal – and would not removing it from the plan now perhaps strengthen the Council’s case for refusing the application?

If South Sebastopol was removed from the LDP and the LDP was submitted to the Welsh Government, the Inspector The Council refused the application for the South Sebastopol site last September. That refusal was on non-principle grounds. My advice then about the grounds for refusal built on the advice I gave (which is recorded in the minutes) at the Council meeting held on 15 February 2011. The refusal of the application on non-principle grounds meant the site stayed in the plan. I stand by the advice I gave at the time and the site is still in the plan.

The Council asks me to give the best possible planning advice. I have given – and continue to give - the best possible professional planning advice I am able to give. That advice has been consistent. As the site was allocated in the LDP, it would be illogical to refuse a planning application on “in principle” grounds. I therefore advised Council, if it wished to refuse the application, to do so on non-principle grounds, as the site was in the LDP, which was approved last year. Torfaen Friends of the Earth asked members to refuse the application on “in principle” grounds last September – and the Council decided not to do that.

The fact of reversion is correct. The LDP currently before Council offers more up to date policy, but if we have...
may require that it be put back in. This had happened elsewhere and in Wrexham, the Council had had to start again with its LDP. If therefore this LDP fell, the Council would be left with the existing Torfaen Local Plan (adopted in 2000). South Sebastopol was allocated in that plan for housing – so the Council would have achieved nothing by removing the allocation of the site from this plan. Was this analysis correct?

Could the South Sebastopol planning applicant tell the LDP Inspector that he thinks the LDP is unsound, and if so, is the Inspector obliged to take account of that view?

The refusal notice relating to the South Sebastopol planning application had been issued to the developers. They were considering whether to appeal. Any appeal would need to relate to the grounds on which the application was refused.

They could try to do so – and it would be up to the Inspector to decide what weight to give to that view and how long to permit the presenter of that view. An Inspector has to take account of any “duly made representations”

6.8 Following the above questions, the Chief Officer Planning and Public Protection clarified in answer to earlier comments that:

- representor number 39 submitted comments on the changes to the plan 5 minutes after the deadline; this was not the same deadline as the deadline for questions to this meeting - for which the dates, times and rules were different
- he was happy to change the description of the former Police Training College site to include “St Dials, Cwmbran”
- on page 47 of the agenda, the third complete sentence should start with the words “If the appeal allowed the development to proceed, it is likely ....” rather than “If the appeal is lost, it is likely ....”

6.9 The Mayor at this point reminded members of the motions submitted for this meeting and the order in which they would be taken.

6.10 Councillor Mawby spoke to his first motion, commenting in brief that:

- he hoped his first motion would be agreed and he would not therefore need his second motion
- he was concerned about a number of issues in the plan, but the most important of these was South Sebastopol
- the Chief Officer Planning and Public Protection had given the best possible advice; he thanked him for it and had no criticism of it; but the Council was entitled to disagree
- councillors were elected to represent the views of constituents
- the people of Torfaen had much more interest in the future of the land which they occupied than others did: it was their home
- the LDP was meant to be a vision – of how people aspired to live – and how the Council could help meet those aspirations
- these decisions were very difficult – and members were advised not to do certain things that people in Cardiff Bay (the Welsh
Government) may not agree with – but these decisions were for local people to take – and their local representatives must do what was right

- the housing need figures were overstated – the figures dropped year on year – and 5000 new homes in the life of this plan would represent twice the actual new-build rate since 1992
- it was not the aspiration of Torfaen people to have so many new homes built in so small an area – 5000 to 6000 was far too many and was unrealistic
- the Council was being asked to take very important decisions, which would irretrievably change the landscape
- in the case of South Sebastopol, this involved the urbanisation of green field land, when there were many other sites which could be used to meet the housing need up until 2021
- he urged members to support his motion, which effectively would remove the South Sebastopol allocation from the LDP
- if successful, his motion would mean other consequential changes would need to be made to the LDP, in terms of the housing numbers
- if any other sites were subsequently taken out of the plan, the housing figures would then need to be adjusted further.

6.11 Councillor Mawby then formally moved the first motion which he had submitted and which had been circulated around the Chamber before the meeting as follows:

“That section SAA6 (South Sebastopol Strategic Action Area Cwmbran) and any other references to that section be deleted from the plan, or amended as necessary in order to meet grammatical requirements and/or the clear intent of this amendment; with the following revised wording being applied to section S5, Housing:

‘Provision is made for the development of 4,310 dwellings in Torfaen (by identifying approximately 5,300 dwellings during the Plan Period 2006-2021 broken down within the following Housing Sub-Market areas (HSMAs):-

a) North Torfaen – approximately 675 dwellings;
b) Pontypool – approximately 1,752 dwellings; and
c) Cwmbran (south & east and north & west combined) – approximately 1,883 dwellings.

These figures include .... [no change until after the words] ..... dwelling requirement.

Policy Justification

The LDP strategy attempted to justify a target of 5,000 dwellings, but on reflection and in light of the extremely difficult economic circumstances and the council’s priority to favour brownfield development over intrusion into the countryside, this figure has
been reduced to approximately 4,310, plus an over allocation of approximately 20%, taking the total for allocated dwellings to approximately 5,300 in order to help ensure .... [no further change]."

6.12 The motion from Councillor Mawby was seconded.

6.13 Other members commented in summary that:

- they did not necessarily disagree with Councillor Mawby’s motion, but it should have been moved a year ago, not now
- the Deposit LDP was agreed a year ago – why did the public not come forward with their views then?
- members of the public would have a chance to express their views directly to the Inspector
- members needed to act on officer advice: other councils had been in a similar situation and the Welsh Government in Cardiff could effectively dictate the content of local plans
- members should approve the LDP as it stood – otherwise the Council would soon be left with the consequences of the Local Plan which was adopted in 2000
- members could and did challenge the recommendations on planning applications – but should not now try and change the strategic plan
- members did not try to remove South Sebastopol from the plan a year ago – could the local elections in May possibly have an influence?
- the LDP was a plan for many years to come – not only for South Sebastopol but also Llantarnam and numerous other sites
- the Council should look to the future and meet the needs of all the people of the area
- there was a need for much more affordable housing: the only realistic way to meet that need was to have significantly more private house building
- the Deposit Plan had been approved last year, but members then saw it as a holistic plan - not specific to particular sites
- the plan was now about the specifics – the Welsh Government said councils had to listen to the people – and Torfaen was doing so
- members may have misunderstood previously – but now was the time to listen to the people and act in the local interest
- there had been concerns for many years about the plan and various sites within it
- local authorities knew a lot more about local sites and local issues than the Welsh Government did
- the Welsh Government issued guidance – this was not law – and guidance could be, was sometimes, and could again be not followed, if it was not right for Torfaen
- the population of Torfaen was declining; Council on 31 January 2012 passed a resolution containing new ways of dealing with the lack of affordable housing; and the current LDP, with South
Sebastopol in it, was not sound

- all services needed to adjust with population changes – and the
  housing need figures were out of step with reality
- some members had consistently opposed South Sebastopol –
  last time, in relation to the planning application, on the green
  wedge argument, and now on the principle of the allocation of
  the site for housing in the LDP
- there had been very many meetings about the LDP – the LDP
  was a plan for the whole of Torfaen, not just part of it – and any
  concerns about developments could be addressed at the
  planning application stage
- members had not objected at the numerous seminars held
  about the LDP and to overturn it now was nonsensical given the
  work that had already gone into it
- some local ward members had been voicing the concerns of
  residents about South Sebastopol for many years, in some
  cases since before the Welsh Government came into being
- some residents supported development of the site, but the
  overwhelming majority were against it
- this was nothing to do with the forthcoming elections and any
  suggestion of that was offensive; this site had been the subject
  of debate for very many years
- times had changed since the 2000 plan was put together;
  everyone knew about the need for housing and employment
  land – but residents also had many other needs
- residents should be entitled to expect their elected
  representatives to stand up and voice their concerns – doing so
  was courageous – and the motion should be supported
- some members had consistently supported major housing
  development at South Sebastopol – it was for others to make up
  their minds on the question of electioneering – but the Council
  unanimously supported the LDP on 15 February 2011 (with the
  exception of one member, who abstained from the vote)
- everyone supported the idea of new housing – but nobody
  wanted houses near them – this was called NIMBY-ism ("Not In
  My Back Yard-ism")
- members should ask themselves why they voted for the LDP
  last year but were not apparently able to do so now
- the principle of housing on the South Sebastopol site had been
  agreed years ago – people needed to be consistent - and the
  motion to change the allocation should not be supported now
- this debate was not about overthrowing the plan – it was about
  overthrowing the South Sebastopol allocation
- many people had objected to and opposed development of the
  South Sebastopol fields for many years – to many people it was
  not acceptable under any circumstances
- there was no need for so many houses; a new village was being
  built at Llanwern (with 3000 houses) and there were enough
  other sites within Torfaen on which to build to meet the needs of
  the people of the valley
- the situation at South Sebastopol had changed; the permission
which was agreed in 2004 had expired.

6.14 The Chief Officer Planning and Public Protection advised that

- in 2004, a decision was made by Council to approve the then South Sebastopol planning application, subject to a Section 106 agreement: that agreement was never completed, so the approval never became effective; consequently it never expired
- there had been 14 members seminars on the LDP – specific sites had been shown, with houses on them, and officers knew some of the proposals were controversial, so had been very careful to point out the detailed implications clearly
- it was therefore disappointing to hear in principle objection now to the South Sebastopol site allocation, a year after the Deposit LDP had been agreed
- the Welsh Government was not dictating the plan for Torfaen – but did make it very clear that councils must submit a sound plan
- Torfaen did submit a sound plan – a year ago
- in terms of the decision-making history, the Council approved the Deposit LDP in February 2011 - it refused the South Sebastopol planning application in September 2011 on non-principle grounds, having initially decided in July 2011 to refuse it, pending agreement of the detailed wording of the grounds it intended
- the LDP would now go to the Inspector with South Sebastopol removed from it
- in his view, it should not be submitted without South Sebastopol, as to do so would be illogical given the decision-making history and the officer advice
- he was concerned about Torfaen’s reputation, which may be put at risk if the motion was agreed.

6.15 Councillor Mawby replied in summary that:

- he was respectful of and had no complaints about the officer advice – and had not intended to indicate otherwise
- officers were reporting to Council today to seek changes to the plan in response to consultation
- members could also seek changes to the plan
- the public had been consulted and members had their views
- mistakes had clearly been made last year: he thought South Sebastopol could not be removed from the Deposit LDP last year because that may then have affected members’ ability to determine the planning application that was submitted last year
- the public consultation on the plan was thorough and genuine – now was the time to listen to the public’s views
- officers had advised the Council well
- nevertheless he sought to remove South Sebastopol from the plan and consequently sought support for his motion.
A recorded vote was requested and more than 6 members supported the request. The names of members voting were taken by the Lead Officer Council and Member Support as listed below:

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<th>Councillor Mawby’s motion</th>
<th>FOR</th>
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NB Councillor Marlene Thomas had left the meeting earlier and was not present for the vote.

The Lead Officer, Council and Member Support declared the result and declared that the motion (set out in paragraph 6.11) was CARRIED.
6.18 The Mayor at this point adjourned the meeting. The adjournment lasted 15 minutes approximately.

6.19 Councillor Mawby confirmed that the second motion he had submitted (for use only if his first motion had failed) was no longer required.

6.20 The Mayor asked members to confirm that they were content with the late papers circulated by the Chief Officer Planning and Public Protection (containing minor grammatical and factual changes to the wording of appendices 1 and 2 to the report). This was confirmed without dissent.

6.21 Councillor Paul Williams then moved the first motion he had submitted (and which had been circulated around the Chamber before the meeting) as follows:

**FC2 LDP Strategy paragraph 4.2.5**

To amend the sentence in paragraph 4.2.5 “This historic character should be recognised and protected in the future developments affecting this area” to read “Torfaen County Borough Council acknowledges that the historic character is not recognised and further destroyed in the future developments outlined for SAA3 that impact upon this area”.

6.22 Councillor Paul Williams explained that the new sentence he proposed was a statement of fact and would bring the LDP into line with reality.

6.23 The motion was seconded.

6.24 The Chief Officer Planning and Public Protection responded that he had explained and given assurances earlier in the meeting that the historic nature of the SAA3 area would be taken into account as part of any future planning application for that site. He advised that the original sentence should remain intact and that the LDP should not contain a statement to the effect of that proposed by Councillor Williams.

6.25 Other members commented in summary that:

- considerable resources had been put into designing policies and practices which would ensure protection for sites of importance
- there was a need for consistency – and if this plan was rejected, the Council would be left with the existing Local Plan and
- the motion was opposed and should be rejected.

6.26 Councillor Paul Williams responded that the statement he proposed was accurate and logical and that the Council’s reputation would be at risk if the LDP did not adequately reflect the truth.

6.27 The vote was taken and, with 2 members voting in favour of the motion and 31 voting against, the motion was declared **LOST**.
Councillor Paul Williams then moved the second motion he had submitted (and which had been circulated around the Chamber before the meeting) as follows:

To reject the inclusion of the proposed additional sentence to paragraph 4.2.5 “The Llantarnam Strategic Action Area is to unite the fragmented employment and residential areas in Llantarnam through the creation of a quality mixed use community”.

Councillor Paul Williams explained that the SAA3 site adjoined the Parkway Hotel. He asked, was the Council now saying people should come to Torfaen to get married at a hotel in the middle of an industrial estate? He stated that there would be offices 30 yards from the hotel bedrooms if the LDP proposals went ahead and reminded members that the hotel had permission to extend the building and create 100 extra jobs. He felt that the proposals put the business at risk. He also stated that the proposals would destroy the long-established local community by engulfing it in totally unsuitable development.

The motion was seconded.

The Chief Officer Planning and Public Protection responded that the area of Llantarnam already contained a mix of very old and new development, including industrial estates built in the days of the Cwmbran Development Corporation. It was correct to say the area was at present fragmented and the LDP would address this issue and create a quality mixed use community, so he opposed the change of wording.

No other members commented.

Councillor Paul Williams responded that the proposals in the LDP would take the current triangle of development and make it bigger. The area was not currently fragmented in his opinion, but there had been a lack of a coherent planning strategy for the area in the past. This plan in his view was not coherent either.

The vote was taken and, with 10 members voting in favour of the motion, 22 voting against, and 1 abstaining, the motion was declared LOST.

Councillor Paul Williams then moved the third motion he had submitted (and which had been circulated around the Chamber before the meeting) as follows:

Torfaen County Borough Council:

i. reaffirms its commitment to the shared objective, between TCBC and Newport City Council (described in paragraph 1.11.34), to maintain their physical separation and retain their distinctive characters,

ii. acknowledges that the SAA3 development proposals encroach on the physical separation of these two distinct communities,
iii. agrees to form a joint working party to liaise of developments on the borders of these two authorities, and
iv. further agrees to suspend all proposals for development until the joint working party has made its considerations.

6.36 Councillor Paul Williams explained that there was a shared objective to maintain a separation between the areas of Torfaen and Newport and that the communities should be distinct from each other. He asked that all development along the border between Newport and Torfaen should be suspended whilst further discussions were held.

6.37 The motion was seconded.

6.38 The Chief Officer Planning and Public Protection responded that Newport City Council had not objected to Torfaen’s Deposit LDP on any issues relating to border separation. To ask Newport to agree to suspend all development proposals along its border with Torfaen would be unreasonable and Newport would undoubtedly refuse to do so. Welsh Government advice was that councils should liaise with neighbouring authorities when drawing up their LDPs, and Torfaen had done so. He therefore opposed the motion.

6.39 No other members commented.

6.40 Councillor Paul Williams did not comment further.

6.41 The vote was taken and, with 2 members voting in favour of the motion, 28 voting against, and 3 abstaining, the motion was declared **LOST**.

6.42 Councillor Paul Williams then moved the fourth motion he had submitted (and which had been circulated around the Chamber before the meeting) as follows:

**FC9b LDP Strategy paragraph 5.7.14**
Delete paragraph 5.7.14

6.43 Councillor Paul Williams explained that planning applications should not be considered if they involved destroying local heritage.

6.44 The motion was seconded.

6.45 The Chief Officer Planning and Public Protection responded that he opposed this motion because removing paragraph 5.7.14 would leave the policy unclear.

6.46 No other members commented.

6.47 Councillor Paul Williams did not comment further.

6.48 The vote was taken and, with 2 members voting in favour of the motion, 27 voting against, and 4 abstaining, the motion was declared **LOST**.
6.49 Councillor Paul Williams then moved the fifth motion he had submitted (and which had been circulated around the Chamber before the meeting) as follows:

**FC14 LDP SAA3 & MA13 SAA3**
Delete paragraphs 7.4.1 to 7.4.4

6.50 Councillor Paul Williams explained that decisions needed to be made for the whole County Borough and that new development should be attracted across the whole of the Torfaen area. He commented that the Llantarnam area already had a 4 star hotel, the largest shopping area for miles around, the Boating Lake, the canal and river, two swimming pools, an athletics track, two schools, a snooker hall, a theatre and numerous other facilities – and that it was not appropriate for the majority of development to be attracted only to Llantarnam.

6.51 The motion was seconded.

6.52 The Chief Officer Planning and Public Protection stated that this motion did not make sense, as it attempted to remove a policy justification from the LDP, but not to remove the policy itself. If the motion was agreed, that would leave the policy in the plan, with no justification.

6.53 Councillor Paul Williams responded that his intention was to remove policy SAA3 from the plan.

6.54 The Chief Officer Planning and Public Protection stated that this motion would not serve that purpose. The motion would remove the justification for the policy, not the policy itself.

6.55 No other members commented.

6.56 Councillor Paul Williams did not comment further.

6.57 The vote was taken and, with 2 members voting in favour of the motion, 30 voting against, and 1 abstaining, the motion was declared **LOST**.

6.58 Councillor Paul Williams then moved the sixth motion he had submitted (and which had been circulated around the Chamber before the meeting) as follows:

**FC16 LDP Strategy paragraph 7.8.2**
Amend the leading paragraph and proposed amendments to read "Acknowledges that SAA7 Llanfrechfa Grange Strategic Action Area, Cwmbran is scheduled as the location for the construction of a Specialist and Critical Care Centre Hospital; whilst understanding that the Assembly Health Minister awaits a further business case from Aneurin Bevan LHB for the siting of the Critical Care Centre Hospital at this location. This development, should it proceed will have approximately 300 dwellings, 4.8 hectares of associated employment land (healthcare related uses), community facilities, playing pitch provision, children’s play..."
areas and public open space aided by strategic highway infrastructure improvements”.

6.59 Councillor Paul Williams explained that the Minister was reconsidering the siting of the Specialist and Critical Care Centre and that it may not come to the Llanfrechfa Grange site. He stated that it would not make sense to have the site in the LDP, assuming the Specialist and Critical Care Centre (S&CCC) would be on the site, if that may not come about.

6.60 The motion was seconded.

6.61 Councillor Cathcart stated that he was the Council’s representative on the Aneurin Bevan Community Health Council. The S&CCC was going to be on the Llanfrechfa Grange site, according to the latest reports from the Chief Executive of the Aneurin Bevan Health Board.

6.62 The Chief Officer Planning and Public Protection responded that the Council was working with Health Authority officials and consultants with a view to them submitting a planning application for the site later this year.

6.63 The Chief Executive confirmed her understanding (as a member of the Local Service Board) that the development of the S&CCC was still going ahead on the Llanfrechfa Grange site.

6.64 No other members commented.

6.65 Councillor Paul Williams acknowledged others’ contributions but stated that the Minister had made clear earlier in February that she was seeking a further Business Case. The location of the S&CCC was not therefore finally decided and the LDP should not therefore assume it was.

6.66 The vote was taken and, with 2 members voting in favour of the motion, 30 voting against, and 1 abstaining, the motion was declared LOST.

6.67 Councillor Paul Williams then moved the seventh motion which he had submitted (and which had been circulated around the Chamber before the meeting) as follows:

**FC25c LDP Strategy H4**

Torfaen County Borough Council delegates to the Chief Officer Planning & Public Protection, under points 5 & 6 of the recommendation to this meeting, the re-wording of this section to reflect the Council decision on 31 January 2012 with regard to affordable housing provision in Torfaen.

6.68 Councillor Paul Williams explained that the LDP would need to be reworded, to take account of the 31 January Council decision about affordable housing. He was suggesting that the Chief Officer be given authority to amend the wording of the LDP as appropriate.

6.69 The motion was seconded.
The Chief Officer Planning and Public Protection responded that the LDP policy did not conflict with the decision taken on 31 January. It would not be appropriate to state in the LDP that the Welsh Government should release their land for housing. This change was not therefore required and the wording of the LDP was appropriate as it stood.

No other members commented.

Councillor Paul Williams did not comment further.

The vote was taken and, with 3 members voting in favour of the motion and 30 voting against, the motion was declared LOST.

Councillor Paul Williams then moved the eighth motion he had submitted (and which had been circulated around the Chamber before the meeting) as follows:

**FC40e LDP Strategy paragraph 9.46.1**
To retain in full paragraph 9.46.1

Councillor Paul Williams explained his motion briefly.

The motion was seconded.

The Chief Officer Planning and Public Protection responded that he opposed this motion. The Countryside Council for Wales had asked for the existing wording in the LDP to be changed, as proposed in the report (on page 39 of the agenda). This wording change also impacted on other wording in the LDP.

The Principal Planner (Mr Murray) indicated that the policy referred to local designated sites only and gave further assurances about the protection given, both nationally and throughout the LDP, for the natural environment, the species that depended on that environment, and the geological heritage of Torfaen.

With that assurance, and with the consent of Council, Councillor Paul Williams WITHDREW this motion.

Councillor Paul Williams then moved the ninth motion he had submitted (and which had been circulated around the Chamber before the meeting) as follows:

**MA2 LDP Strategy paragraph 1.11.15**
Retain paragraph 1.11.15 with the exception of the last sentence. Add new last sentence which reads “The WAG 2006 and 2008 based Local Authority Household and Population projections do not support an additional 6,000 to be built in Torfaen up to 2021”.

Councillor Paul Williams explained that in 1991, the population of Torfaen was around 91,000. That figure had dropped by 800 or so over the 10 following years. Since then the population figure had remained static and
then dropped slightly. Only 4000 new dwellings had been built in the last 20 years. It was unrealistic therefore to make provision over the next 9 years for 5000 to 6000 dwellings. In addition, he felt that building too many houses would attract new people to Torfaen, not serve the existing residents of Torfaen.

6.82 The motion was seconded.

6.83 Other members commented in summary that:

- the population and consequent housing need figures taken from Planning Policy Wales should be the starting point – or the minimum growth assumption, which the Council should work upwards from (i.e. over-provide for)
- all local registered social landlords (RSLs) were represented at the members seminar held on the day before this meeting
- all of those representatives were agreed, that more affordable housing was needed, and the only way to get more affordable housing was to encourage more private house building
- this motion was not necessary, given the motion which had been agreed earlier – which had changed the figures already.

6.84 The Chief Officer Planning and Public Protection responded that he agreed with the last commenter: the housing figures had already been changed as a result of the motion agreed earlier. With changes to the housing figures, the policy justification would also need to change. In addition, if the housing provision figures were reduced, then specific sites would need to be removed from the plan, to effect that reduction.

6.85 Councillor Paul Williams responded that he was unable to attend the seminar held on 20 February but he was aware of the forthcoming Housing Bill, which would allow RSLs to borrow - to fund the building of new affordable homes. The purpose of the motion was in the meantime to reduce the housing need figures for Torfaen, and hence make it more likely that the actual demand could be met.

6.86 The vote was taken and, with 2 members voting in favour of the motion and 31 voting against, the motion was declared LOST.

6.87 Councillor Paul Williams then moved the tenth motion he had submitted (and which had been circulated around the Chamber before the meeting) as follows:

**MA7a LDP Strategy paragraph 5.5.1**

Retain the first sentence of this paragraph; and delete the following sentences.

6.88 Councillor Paul Williams explained that the stated need for 5000 new dwellings was unrealistic, let alone any more than that.

6.89 The motion was seconded.
The Chief Officer Planning and Public Protection responded that the housing provision figures would change anyway as a result of the motion agreed earlier in the meeting.

On that basis, and with the consent of Council, Councillor Paul Williams WITHDREW this motion.

Councillor Paul Williams then referred to the eleventh motion which he had submitted (and which had been circulated around the Chamber before the meeting) as follows:

**MA23 LDP Appendix 1 South Sebastopol**

Torfaen County Borough Council mindful of its decision of 27 September 2011, agree to remove the South Sebastopol Strategic Action Area from the LDP.

Councillor Paul Williams explained that, given the motion agreed earlier in the meeting, the South Sebastopol site had already been removed from the LDP. This motion was therefore no longer necessary.

On that basis, and with the consent of Council, Councillor Paul Williams WITHDREW this motion.

Councillor Maria Graham then moved the following motion:

To extend the buffer to 100 metres within the Llantarnam Strategic Development Framework for Pentre Lane properties.

Councillor Graham explained her motion briefly and handed a copy to the Mayor.

The motion was seconded.

The Chief Officer Planning and Public Protection stated that he opposed this motion. The current buffer zone (between Pentre Lane and the proposed development) was 40m approximately and included a sports pitch. A 100m buffer would undermine the viability of the development.

No other members commented.

Councillor Graham had no further comments.

The vote was taken and, with 4 members voting in favour of the motion, 26 voting against, and 3 abstaining, the motion was declared LOST.

Councillor Jeff Rees then moved the following motion:

Insert into paragraph 5.5, point 3, of the report, after “Sunnybank” the words “Ty’r-y-Wen Farm”

Councillor Rees handed a copy of the motion to the Mayor.
Councillor Rees referred members to page 15 of the agenda, where, he asked, the additional words should be inserted, and explained that the effect of this motion would be to remove this small site from the plan. He stated that this was a greenfield site, on the side of the mountain, and that it would be very expensive to build upon. The 25 houses proposed for this site could go elsewhere – there were plenty of brownfield sites available – and he urged members to be consistent and keep this greenfield site, by removing it from the plan.

The motion was seconded.

The Chief Officer Planning and Public Protection responded that he was opposed to this motion, as there were many sites allocated in the LDP for development – and the cumulative effect of removing particular sites on a piecemeal basis would make delivery of the plan very difficult. The site was on a slope no greater than that of nearby Rosemead and would not be difficult to develop compared to many other sites.

No other members commented.

Councillor Rees reiterated his views that the site would be very difficult to develop; that it would be difficult to attract a developer, that there were plenty of other sites available for housing; and that this site should be kept as green fields.

The vote was taken and, with 7 members voting in favour of the motion, 23 voting against and 3 abstaining, the motion was declared LOST.

The Mayor announced that all motions received had now been dealt with and asked members if there were any other issues to be dealt with at this meeting.

Members commented or asked in summary:

- that some residents were concerned both with elements of the Canalside Area plans and that this meeting had been arranged hurriedly, without proper consultation
- a planning application to build houses on a piece of land in the Canalside area had been objected to by the Council, and yet another development (of a restaurant) had taken place nearby: this was seen as unfair by the residents concerned
- there were concerns about the possible compulsory purchase of the funeral home and nearby properties to make way for more future development in the Canalside area of Cwmbran
- there was no objection in principle to the site of the former Police Training College (Greenmeadow, Cwmbran) being used for housing (as the alternative could have been use of the site for a prison a few years ago) but there was concern about the loss of the lower land and the important grassland it contained
- this land was described as “St Dials” in Torfaen Talks, so Old Cwmbran residents did not realise it affected them
- the site was now described as “ex police training college and
adjacent land, Cwmbran” which made the problem worse
• there was anger therefore at the lack of notice of this change
• a neighbouring farm had been consulted on the plans (and the possible loss of their car park) some 18 months ago, whereas householders were only informed in the last few weeks – and the affect on them, having new houses within feet of their boundaries, would be much greater
• a number of detailed questions about this site had been refused at this meeting because the questioner missed the deadline (NB these detailed questions, about (a) the potential use of Section 106 monies (b) the site description (c) the location of site notices (d) the location of staffed exhibitions and (e) the loss of rare, irreplaceable grassland were asked at the meeting by the ward member concerned and were answered later by officers)
• any development which interfered with the canal was opposed
• the majority of the land surrounding the former police training college belonged to Greenmeadow Farm
• people in Old Cwmbran had been consulted about those plans
• there was a need for a gap between new housing on the former police training college site and any existing houses in the area
• would it have been better to conduct a survey at Shepherds Hill before allocating 10 extra gypsy/traveller plots at Rose Cottage?
• did the 10 extra plots at Rose Cottage reduce the overall need to allocate further gypsy/traveller plots?

6.112 The Chief Officer Planning and Public Protection responded that:

• this meeting was not hurriedly arranged: there had been a long consultation process on the LDP; the proper processes were followed; and members had known of the meeting for some time
• there was no requirement to notify members of the public of meetings such as this – except the usual statutory requirements – and Torfaen had acted in line with how other councils acted
• this was not the place to discuss individual planning applications
• there were no plans to compulsorily purchase the funeral home on the canalside in Cwmbran
• compulsory purchase powers were used extremely rarely and only where there was a very strong case to do so
• the funeral home operators had not objected to the plans for the canalside development
• the Rose Cottage site was immune from enforcement: the plans for that site were not reliant on the Shepherds Hill site
• the future provision of gypsy/traveller plots would be the subject of further work in due course; any provided in the meantime would form part of the overall need.

6.113 The Principal Planner (Mr Murray) reported in relation to the former police training college site that:

• it was a locally designated site of importance in terms of nature conservation, but this did not preclude acceptable development
on the site
- compensation for the loss of the land through Section 106 would
  not be relevant to this site – mitigation measures would however
  be needed to protect the site, in terms of nature conservation
- the site was in the St Dials ward in Cwmbran – the name of the
  ward would be added to the LDP for clarification
- the consultation over the former police college site had been
  extensive: site notices were only a small part of the process
- several exhibitions had been held; site notices had been put up,
  articles had been placed in Torfaen Talks, letters had been sent
  to hundreds of residents and the Council’s website had been
  used to publicise the plans: the proposals had been very clearly
  and very widely publicised
- the grassland was an important nature conservation feature and
  discussions were ongoing with the developers and Countryside
  Council for Wales
- any development of that site would include the necessary
  surveys and any planning application would take account of the
  special nature of the site - the focused changes to the plan
  allowed the current negotiations to continue.

6.114 There were no further questions.

6.115 The Deputy Chief Executive reminded members that the motion from
Councillor Mawby about South Sebastopol had been agreed earlier in the
meeting and that this affected the recommendations overall. He outlined
how the recommendations in the report could be adjusted to form a
substantive motion, which took account of the changes agreed earlier.

6.116 The Leader of the Council sought clarity and the Deputy Chief Executive
confirmed the wording of the recommendations in the Chief Planning and
Public Protection Officer’s report, as amended to take account of the
agreements made earlier in respect of South Sebastopol, the factual and
grammatical changes circulated and the delegations to officers.

6.117 The Leader of the Council moved the substantive motion, it was
seconded and (unanimously):

6.118 Council AGREED - subject to the inclusion of those amendments
which have been agreed at this meeting:

1. to approve the: -
   a. Consultation Report on the Deposit Torfaen Local Development
      Plan;
   b. LDP Scale and Location of Growth Background Paper;
   c. Schedule of Focused Changes to the Deposit Torfaen LDP
      (attached at Appendix 1 to the report);
   d. Schedule of Minor Changes to the Deposit Torfaen LDP (attached
      at Appendix 2 to the report); and
   e. schedule of corrections of grammar and fact circulated at this
      meeting
2. that the Schedule of Focused Changes be subject to 6 weeks public
consultation; with any resultant representations being forwarded to the LDP Inspector for consideration;
3. that all late representations received from representors after the advertised closing date and time for making such representations to the Deposit LDP and associated Alternative Sites, with the exception of representor 39, be treated as not duly made; and as such are not considered or submitted to the Welsh Government/Planning Inspectorate for consideration;
4. that the Deposit LDP and all associated documents can be submitted to the Welsh Government/Planning Inspectorate with a view to the LDP being examined by an Independent Inspector later this year;
5. to delegate authority to the Chief Officer Planning and Public Protection to agree the final minor amendments and updates (that do not go to the heart of the Plan) of all LDP documents including:
   a. the Consultation Report;
   b. the LDP Monitoring Framework;
   c. the Updated Sustainability Appraisal Report (incorporating Focussed Changes); and
   d. the Updated Population and Housing Background Paper;
6. to delegate authority to the Chief Officer Planning and Public Protection to make decisions on the LDP which may be requested by the Inspector during the examination - except that, in the event of a more substantial decision being required, and where the Chief Officer considers that Member involvement is needed, then such decisions are to be delegated to a Sub-Committee of the Planning Committee; and
7. that a report is presented at the first available meeting of the Planning Committee after the May County Borough Council elections to decide the composition of this Sub-Committee, and that consideration is given to consulting members whose wards are affected.

6.119 The Mayor thanked members of the Council and members of the public for their attendance and conduct; thanked members of staff for their support; reminded members that this would be the last Torfaen Council meeting which would be held in the County Hall Council Chamber; and closed the meeting at 6.35pm approximately.

Signed as a correct record by the Mayor .................................................................

Explanatory notes

1. The minutes do not generally list councillors leaving the meeting early, arriving late, or briefly leaving the room during a particular debate or decision. Members are only listed as having left or returned to the meeting if they were absent due to a declared personal and prejudicial interest (or specifically announced their departure or arrival for some other reason).
2. Councillors’ first names are used to identify their gender in the attendance and voting registers. They are referred to by surname only in the remainder of the minutes – unless there are two people with the same surname.

3. Where quotations are shown above, any clear typographical or grammatical errors (including proper names) have been corrected and/or abbreviations explained.

4. The minutes provide a summary of the meeting and the flavour of the discussions which took place, leading to the decisions made. They are not a verbatim record.

Minutes produced by Richard Gwinnell
Lead Officer, Council and Member Support,
on 22/23 February 2012 and 5/6/7 March 2012