



Ein cyf/Our ref KS/00594/20

Janet Finch-Saunders AM

Government.Committee.Business@gov.wales

17th March 2020

Dear Janet,

RE: Petition P-05-948 Save the Green Fields at Cefn Yr Hendy, Miskin

I refer to your letter dated 11 February 2020 to Julie James, Minister for Housing and Local Government, I am responding to your letter as the subject site falls within my portfolio. The Property concerned is subject to a joint venture agreement between Welsh Ministers and Talbot Green Developments Limited where the joint venture parties are obligated to jointly promote the Property for residential development and to dispose of the Property with the benefit of planning consent for residential development. This land is a 'legacy' from agreements entered into by the former Land Division of the Welsh Development Agency.

A non-statutory inquiry was held on 12, 13, 14 and 15 March 2019 at Tyla Garw Community Centre, Pontyclun with Mr Michael Bedford QC acting as Inspector. The inquiry considered an application made by Ms Sophie Seymour that the fields be registered as Town and Village Green. In his report prepared following the inquiry, Mr Michael Bedford QC concluded that the statutory test for registration had not been met, namely that it had not been demonstrated on the balance of probabilities that "a significant number of the inhabitants of [the neighbourhood of Miskin village] have indulged as of right in lawful sports and pastimes on the land [subject to the application] for a period of at least 20 years." Following the recommendation of the inspector, on 19 December 2019 the Commons Registration Authority for the land in question rejected the application for registration of the land as a Town or Village Green under Section 15(2) Commons Act 2006.

Outline planning permission was granted on 8th February 2018 for "approximately 460 dwellings, primary school, local centre (up to 200 sq. net sales), open space and associated drainage and landscaping" with all matters reserved other than access. The permission remains extant. The site is allocated in the adopted Local Development Plan for residential development as part of a strategic site allocation.

The permission is subject to 31 planning conditions including (*inter alia*) conditions requiring tree protection measures, a wildlife protection plan, a habitat management plan and a scheme of mitigation for protected species. An accompanying planning obligation ("s106 agreement")

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

secures an employment and skills plan, a park and ride financial contribution, provision of the local centre, implementation of a 25 year long habitat land management plan and woodland buffer zone management plan, provision of public open space and play areas (in line with the LPA's standards) and associated management, and 20% affordable housing. There is also a requirement for payment of a Community Infrastructure Levy which will be calculated at the time of the reserved matters approval, as per the Regulations.

While in outline, the illustrative masterplan shows significant parts of the site remaining undeveloped (principally along the northern boundary) as well as areas of public open space within the body of the site. In total there will be 0.76ha of public open space, 3.3ha of informal open space and 0.65ha of woodland. Furthermore, open fields adjoining the northern boundary of the site will be kept open and managed for ecology and public access purposes as part of the 'habitat land management plan' referred to above. It should also be noted that NRW and the Council's Ecologist each raised no objection subject to the conditions and s106 agreement referred to above.

In conclusion, the relevant Council committee report notes "In the final analysis, the application is considered to be in accordance with the relevant policies of the Local Development Plan and in Planning Policy Wales with regard to the provision of new residential development. Furthermore, the proposal, subject to conditions and a legal agreement, has been shown to be acceptable in terms of all other material considerations, particularly in this case, highway impacts, amenity, impact on the character and appearance of the area, ecology, infrastructure provision, and health impacts when the key issues involved are balanced."

Yours Ever,

A handwritten signature in black ink, appearing to read 'Ken', written over a light grey rectangular background.

Ken Skates AC/AM

Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru
Minister for Economy, Transport and North Wales