

Neath Road/Fairyland Road Tonna

Tonna Community Council submit the following comments in response to the Clarification note provided by NPTCBC.

1. Background

- 1.1 At the hearing on the 17th March 2015 it was the contention of Tonna Community Council that prior to mid 2011, NPTCBC were not supporting the Neath Road/Fairyland Road site as a Candidate site. However, following Welsh Government's instruction that additional housing land needed to be identified, NPTCBC brought forward this site as a direct response to this requirement despite serious planning related concerns and have subsequently dismissed all objections to the development of the site with the sole intent of meeting its housing land availability needs
- 1.2 NPTCBC Planning Officer's response to this contention was categoric that this site was always being considered and that it was sustainable and deliverable.
- 1.3 The Inspector requested that a timeline be prepared identifying key stages in the bringing forward of this site which would be the subject of participant comment. Whilst the timeline provided is partial and does not directly address the key issues identified above it has provided the opportunity for the Community Council to further review Examination documents and interrogate NPTCBC's contentions and it is clear from the response below that the Community Council's original contention is indeed correct.

2. Submission of Neath Rd/Fairyland Road as a Candidate Site and NPTCBC's response to this up to June 2011

- 2.1 The Note indicates that a Candidate Site submission for the site (ref N35) was received on the 16th July 2009. (para 1.2.2)

TACP Landscape Assessment – June 2011

- 2.2 TACP Consultants were commissioned in January 2010 to provide landscape advice for the preparation of the LDP. Their final report was presented in June 2011 (nearly 2 years after the Neath Rd/Fairyland Rd site had been submitted as a candidate site). This report considered a review of the 5 green wedges identified within the UDP. As part of this review of each area all Candidate sites which had been identified within these green wedges were assessed for their impact.
- 2.3 A number of candidate sites were identified in the other green wedge areas but no candidate sites were identified or assessed within the Neath/ Tonna/Cimla/Efail Fach Green wedge – why was this if the Neath Road/Fairyland Road Candidate site was submitted in July 2009 which was prior to TACP's commission? There can only be one conclusion that the site was not being supported as a candidate site at least at June

2011. If it was being supported why didn't TACP assess this as part of their study?

LDP Pre Deposit Stakeholder Engagement – Neath Spatial Area – May 2011

- 2.4 Para 1.4.2 of the Note describes a LDP Pre Deposit Stakeholder Engagement event held on the 10th May 2011. The actual presentation document is available on the NPTLDP web site and a copy is attached for your information.
- 2.5 As you will see Para 1.4.3 from the Note is a misquote from the presentation omitting in option 3 that it was **smaller** sites that would be promoted. This mistake is significantly important as it could mistakenly be interpreted that Neath Road/Fairyland Road site was actually one of the options presented. At the hearing on the 14th April, NPTCBC Planning Officers continued to promote this representation in the Note as factual. This position is irrefutable and clearly the Note is wrong.
- 2.6 The presentation from the 10th May 2011 is explicit in promoting a housing strategy for Neath which involves Coed Darcy providing the majority of units with an additional 240 units being required over and above this.
- 2.7 Three strategic options were presented to meet the need for 240 additional units:
 1. A major new community at Aberdulais; or
 2. A major northern extension to Bryncoch; or
 3. The release of a number of **smaller** sites to disperse the growth around the urban area.
- 2.8 Option 3 was preferred and this was translated into the pre deposit Plan. The Plan indicating Distribution of Growth (para 1.4.5 in the Note) provides a broad indication of where these smaller sites could be found and the star in the Tonna area is generic and some way from the Neath Road site and is purely indicative.
- 2.9 NPTCBC need to make it clear that Neath Road/Fairyland Road as a candidate site accommodating 300 units did not form part of the option for sites dispersed around Neath as presented to the public in May 2011.
- 2.10 NPTCBC's own documents quite clearly indicate that prior to June 2011 the strategy for housing in Neath was Coed Darcy plus a number of dispersed smaller sites which in aggregate would provide 240 units. Whilst a candidate site submission had been made for the Neath Road site in July 2009 this must have been disregarded at that time as it did not form part of the Council's commissioned landscape assessment whilst a number of other candidate sites were considered in this process and it was not presented as an option to meet Neath's Strategic Housing Growth needs which was subject to public participation

3. Strategic Housing Site Assessment - status of Neath Rd/Fairyland Road as a Candidate Site Post June 2011

- 3.1 Para 1.3.2 of the Note refers to the “Strategic Housing Site Assessment” which is available on the NPTLDP web site. This provides a summary review of comments received. In response to concerns that housing proposed on large sites in Neath is contrary to what was previously intimated NPTCBC indicated **“that there has been a need to find additional land for housing since the Pre-Deposit Plan consultation”**. This confirms that the Neath Road site was brought forward to meet this housing site need and previous concerns at the suitability of the site were immediately disregarded. NPTCBC need to confirm that this is the case despite denying this at the hearing as it is contained within their own documents.
- 3.2 NPTCBC officers at the hearing on the 14th April stated that options for alternative housing sites other than those allocated in the LDP are limited. It is easy to conclude from this admission that as more housing land needed to be allocated, that the Neath Rd/Fairyland Rd site which had been submitted as a candidate site, and although it wasn't suitable for development under established planning criteria, it was deliverable with a willing seller and an interested volume builder developer, that this site could be brought forward.
- 3.3 NPTCBC Officers at both hearings were adamant that a stringent assessment had been undertaken of the site and this is reinforced in para 1.3.1 of the Note. The actual detailed assessment is contained within Appendix A (Table A14) of the “Strategic Housing Site Assessment” referred to in the Note. Para 3.1.2 of the Strategic Housing Site Assessment states “

It should be emphasised however that the assessment itself was not designed to produce detailed technical information on a site by site basis, the process simply provided a comprehensive overview of the development potential of sites and critically is based on the best available information at the time of Plan preparation.

- 3.4 This statement is important as it confirms the Community Council's view that no detailed site assessment has actually been undertaken, only a partial, desk top level assessment of the site.
- 3.5 At the Examination on the 17th March NPTCBC Officers indicated that this was a strategic allocation and no detailed assessment of site development requirements and the cost of these had been undertaken and that these would be considered as part of future planning applications. They also confirmed that no viability assessment had been undertaken other than a basic valuation of the site by NPT Estate Officers to inform affordable housing requirements

3.6 The Neath Port Talbot LDP is supposed to be evidence based not anecdotal.

3.7 NPTCBC were adamant at both hearings that the site is sustainable and this is supported by the detailed assessment. The following table reviews this site assessment and this raises serious concerns at the actual sustainability and viability of the site and whether NPTCBC's conclusions are correct or whether this was a token exercise to support the justification for the release of this green wedge, open countryside site.

Site Assessment site at Neath Road/Fairyland Road, Tonna - Review of Appendix A - Table (A14) – Strategic Housing Site Assessment

Criteria	NPTCBC response	Tonna CC response
Is the site within or adjoining an existing settlement?	The site lies adjacent to the existing settlement of Tonna, close to its main services and facilities. It is also located close to the town centre of Neath and the development would help sustain the population of the urban area, spread growth and provide the population likely to support the town centre and the facilities in Tonna.	The Deposit LDP identifies Tonna as a small local centre with the capacity for limited development. Strategic Policy SC1 reinforces the importance of settlement limits and the roles of Settlement Hierarchy. This site is not close to the limited facilities of Tonna or Neath. The access to the Neath Road site is over 1.1km from both Tonna school and 1.5km from the post office. Neath town centre is over 1.6km away
Is the site located within or adjacent to a European, National, Regional or Local Landscape Designation?	Answer yes The site currently forms a relatively small part of the Neath /Tonna / Cimla / Efail Fach Green Wedge designated in the (UDP). Whilst it is acknowledged that the allocation of land for development reduces the overall gap between the settlements, it is nevertheless considered that the integrity of the green wedge will not be unduly undermined.	This justification is extremely disturbing. No professional assessment of the impact of this development on the landscape has been undertaken as the candidate site was not promoted by NPTCBC at the time of the landscape assessment
Is the site located within or adjacent to a European, National, Regional or Local Historical Designation?	Answer yes Glamorgan Gwent Archaeological Trust indicate that. Cefn-y-Don	As indicated answer within and adjacent to. A full site assessment should be undertaken before development could be

	<p>is a post-medieval farmstead which may have earlier origins.</p> <p>GGAT indicate that work will be required prior to any positive determination of a planning application.</p> <p>Gnoll Historic Park and Garden and Ivy Tower are adjacent the site.</p>	agreed
Would development of the site have an impact upon important views / vistas?	<p>Answer No!!!</p> <p>Careful design and layout would however be required in order to ensure there would be no impact on the views of the Gnoll and the Ivy Tower located above the site.</p>	Answered No. However no assessment has been undertaken and NPTCBC flag up potential impact on Ivy Tower and the Gnoll
Is the site located within or adjacent to a European, National, Regional or Local Ecological Designation?	<p>Answer Yes</p> <p>Parts of the site contain Local Biodiversity Action Plan (LBAP) habitat (hedges and other boundary features and rush pasture).</p>	<p>Therefore strong possibility of biodiversity issues and requirement for mitigation measures.</p> <p>Is the site the subject of a SINC designation?</p>
Are there any important habitats/ species on the site?	Yes in part	See above
Is there any contamination on the site?	<p>The historical records show the presence of a coal pit, cemeteries and garage located on the periphery of the site.</p> <p>It is recommended that a desk study and/or ground investigation is conducted in order to determine the potential risk posed by surrounding historical land use.</p>	Answer likely
Is the site accessible from the public highway?	Access from Neath Road and Fairyland Road.	Access from Fairyland Road would require significant off site improvements with significant impact on hedgerows and biodiversity
Is the nearby highway network capable of accommodating the	Yes but on-street car parking, particularly in the area outside Tonna Post	Development can only proceed if long established on street parking spaces

resultant traffic movements?	Office and in the vicinity of the harsh bend in the main road at Llantwit, has been highlighted as an issue and this would need to be addressed in order for development to proceed.	at Park Street and Llantwit Road are removed with no alternatives for those residents.
Proximity to public transport routes? (Minimum hourly service within 400m)	There is good accessibility to public transport into Neath centre with bus stops located along Neath / Henfaes Road. The site is also located within cycling and (for some) walking distance of the town centre.	There is a limited bus service during the day. Evenings and weekends limited Pedestrian links to Neath Town Centre are extremely poor and some considerable distance from the site and there is no direct cycle route
Are there identified existing water, sewerage, drainage, electrical, gas and telecommunications systems provision difficulties/ constraints?	Yes but they can be overcome	Adds to long list of development costs – viability?
Is the site identified as being susceptible to surface water flooding? Can this be overcome?	Yes	Cost again
Is the site within walking distance of at least two community facilities (e.g. Primary school, shop, Post Office, community centre)?	Within 800 metres	Total misrepresentation - Answer should be No Minimum distance: School 1.1km PO 1.5km
Is there sufficient capacity within the local schools?	With developer contributions	Unquantified
Is there sufficient capacity within the local health facility?	With developer contributions	Unquantified

3.8 In summary, the site assessment indicates:

- Located within the settlement limit of Tonna, a defined small local centre which should provide limited development opportunities
- Within a local landscape designation – green wedge
- Located within an area of historical importance – further investigation required
- No assessment on impact of local views and vistas
- Ecology - Parts of the site contain Local Biodiversity Action Plan (LBAP) habitat (hedges and other boundary features and rush pasture). Any SINC issues?
- Contamination – potentially from former uses – further investigation required

- Access from public highway – significant works required to Fairyland Road
- Capacity of existing highway network – no development without addressing pinch points at Park Street and Llantwit Road
- Public Transport – bus stops within 400m of site – hourly service to Neath daily – limited weekend and evening service – extremely poor pedestrian links to Neath some 1.5km away, no direct cycle links
- Key utility and infrastructure requirements – adds significantly to developer costs reducing funds for community benefits
- Site susceptible to surface water flooding
- Is the site within walking distance of 2 community facilities (800m) – answered yes but actually no - nearest facility at least 1.1km away (school)
- School capacity – developer contributions required
- Health capacity – developer contributions required

3.9 From the above there is significant uncertainty over archaeology, biodiversity and ecology, landscape impact and site contamination. There is an identified requirement to provide the full range of utilities and upgrade capacity in the generic systems. Contributions are required for schools and health. The site cannot be developed without off site highway works which will directly impact on a number of residents at Park Street and Llantwit Road.

3.10 At the hearing on the 14th April NPTCBC Officers claimed that this site was the most sustainable and deliverable in the LDP. We would suggest that this view be reviewed. The site is clearly unsustainable as it is a 30% expansion of a small local centre which has not got the requisite community facilities. It is also at least 1.1km away from the nearest facility (school) when taken from the proposed site access with Neath Road and over 1.5km away from Neath Town Centre. Bus service are infrequent, pedestrian links are extremely poor, no direct cycle links – the site will be car dominated.

4. Public Participation or Tokenism?

- 4.1 Paras 1.5, 1.6 and 1.7 of the Note deal with participation during the LDP process. The Community Council does not dispute that this participation occurred but it would strongly contend the following:
- Planning is supposed to be a democratic process which encourages community participation
 - NPTCBC since being required to identify additional housing sites by Welsh Government in 2011 have claimed to have undertaken consultation but have totally disregarded the massive public objection to the allocation of this site which has been submitted hiding behind the site assessment discussed above.
 - In terms of Arnstein's ladder of Citizen Participation the communication undertaken whilst extensive has been no more than tokenism.

- NPTCBC has had no intention of listening or acting upon the extensive objections to allocating this site for housing and every point raised has been dismissed without question (green wedge, development in the Countryside, coalescence, settlement hierarchy, settlement limits, highway impact, infrastructure requirements and the funding of this, biodiversity)
- There have been detailed responses at each stage from the Community Council, individual objections, a number of thousand plus signed petitions at different stages, public rallies at the site and public meetings focussing on objection, a web site has been established to fight the proposal. Strong letters of objection have been received from the local MP and a number of AM's. Can there be no merit in any of the objections and concerns raised by so many people?
- NPTCBC have actively encouraged Barret's to submit a planning application in advance of the Examination of the LDP leaving in no doubt their impartiality in bringing this site forward

5. Conclusion

- 5.1 Section 1.8 of the Note concludes that this site was brought forward in the full spirit of public participation, that the site assessment confirms that it is a sustainable location and that it is a good fit for LDP and National policy
- 5.2 Tonna Community Council would contend that on all of these points NPTCBC are wrong and that they have not acted independently in assessing the merits of this site for development but rather they have pursued its allocation at all costs to meet its housing land needs.
- 5.3 Public consultation is discussed above and has been no more than tokenism. NPTCBC has actually been courting a developer in advance of a decision on the LDP.
- 5.4 The site assessment discussed in section 3. above is far from detailed as claimed by NPTCBC at both hearings and is indicative only as confirmed in the Strategic Housing Site Assessment. It does however raise serious concerns at the viability of the site given the significant unknowns, infrastructure requirement, and community contributions required and quite clearly being described as a sustainable site is a total misrepresentation of the facts
- 5.5 NPTCBC officers quite unashamedly at the hearing on the 14th April indicated that it would be difficult to identify any additional housing sites without compromising the LDP's settlement hierarchy. This is exactly what has happened in allocating the Neath Road/Fairyland Road site within the Tonna settlement limit in complete disregard of Tonna's settlement hierarchy status as a small local centre. It is also a complete whitewash of the sites status within an established green wedge and will lead to the coalescence of Neath with Tonna. All of this totally disregards national policy guidance contained in Planning Policy Wales

- 5.6 Development of the site could be delivered but at what cost. The site assessment identifies significant site development costs, site constraints which may need mitigation, community contributions and off site highway works. PPW quite clearly states that for sites of this nature in an exceptional environment the highest standards of design and layout would be expected over and above normal expectations. All of the constraints identified above will have a significant impact on developer profitability and hence viability
- 5.7 The current planning application submitted by Barret's provides a significant guide as to how the potential developer will seek to ensure viability – Minimum affordable housing, off street car parking massively below NPT's guidance requirements, little to no landscaping, maximum site coverage, poor internal housing network, national house types. The Community Council has no confidence in NPTCBC in determining the planning application that they will insist on the highest standards and to achieve its delivery they are quite likely to have to compromise significantly.
- 5.8 The Community Council would ask the Inspector to seriously consider whether the release of this site for housing, at all costs, out weigh erosion of established green wedge, coalescence of Tonna with Neath and breaching of strategic policies in terms of development in the countryside and settlement hierarchy and whether NPTCBC have acted with transparency and objectivity in this matter.