

**Adroddiad i Gyngor
Bwrdeistref Sirol Castell-
nedd Port Talbot**

**Report to Neath Port Talbot
County Borough Council**

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Arolygyddion a benodir gan Weinidogion

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 64

**REPORT ON THE EXAMINATION INTO THE
NEATH PORT TALBOT LOCAL DEVELOPMENT
PLAN**

Plan submitted for examination on 30 September 2014

Examination hearings held between 11 March 2015 and 11 June 2015

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Abbreviations used in this report

AP	Action Point
AHVS	Affordable Housing Viability Study
AQMA	Air Quality Management Area
BCIS	Building Costs information Service
CCSA	Coastal Corridor Strategy Area
DAM	Development Advice Map
DAT	Development Appraisal Tool
dph	dwellings per hectare
EUV	Existing Use Value
ELR	Employment Land Review
FC	Focussed Change
GDV	Gross Development Value
HRA	Habitats Regulations Assessment
HIA	Health Impact Assessment
IMAC	Inspector Change
LDP	Local Development Plan
LHMA	Local Housing Market Assessment
MAC	Matters Arising Change
NPT	Neath Port Talbot
NNR	National Nature Reserve
NRW	Natural Resources Wales
Para.	Paragraph
PPW	Planning Policy Wales
SA	Sustainability Appraisal
SAC	Special Area for Conservation
SAM	Scheduled Ancient Monument
SEA	Strategic Environmental Assessment
SFCA	Strategic Flood Consequences Assessment
SLA	Special Landscape Area

SMP	Shoreline Management Plan
SPG	Supplementary Planning Guidance
SSA	Strategic Search Area
SSSI	Site of Special Scientific Interest
S106	Section 106 agreement
RSL	Registered Social Landlord
TA	Transport Assessment
TAN	Technical Advice Note
UDP	Unitary Development Plan
VSA	Valleys Strategy Area
WG	Welsh Government
WPA	Waste Planning Assessment
WSP	Wales Spatial Plan

Non-Technical Summary

This report concludes that, subject to the recommended Matters Arising Changes (MACs) and Inspector Changes (IMACs) set out in Appendix A, the Neath Port Talbot Local Development Plan (LDP) provides an appropriate basis for the planning of the County Borough up to 2026. The Council has sufficient evidence to support the strategy and has shown that it has a realistic prospect of being delivered.

A number of changes are needed to meet legal and statutory requirements and to ensure that the Plan is sound. These do not alter the thrust of the Council’s overall strategy and do not undermine the Sustainability Appraisal carried out by the Council. The main changes are summarised as:

- Clarification of essential elements of the LDP including the strategy, measures to address health and the settlement hierarchy;
- Bringing the approach on flooding in line with national policy, both generally throughout the LDP and specifically in respect of the Harbourside allocation;
- Adjusting the amount of housing provision in order to incorporate an appropriate flexibility allowance;
- Reducing the number of dwellings proposed at the Compair/GMF allocation in the light of the updated DAM maps;
- New housing allocations at Tirbach Washery, Ystalyfera and Parc Ynysderw, Pontardawe;
- Use of an alternative methodology for the calculation of affordable housing;
- Clarification that the affordable housing contribution to be made will depend upon the circumstances of each proposal including viability;
- Clarification in respect of the need for new Gypsy and Traveller pitches after the plan period;
- Provision of greater certainty with regard to the regeneration of the canal network during the plan period and beyond;
- Amendments to the renewable energy policy RE 1;
- Provision of a clearer and more realistic monitoring framework, particularly in respect of housing delivery, economic development and affordable housing.

Almost all of the recommended changes have been put forward by the Council in response to matters discussed during the examination. With the recommended changes the Plan satisfies the requirements of section 64(5) of the 2004 Act and meets the tests of soundness in LDP Wales.

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1 Introduction

- 1.1. Under the terms of Section 64(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a Local Development Plan is to determine:
 - a) whether it satisfies the requirements of sections 62 and 63 of the Act and of regulations under section 77, and
 - b) whether it is sound.
- 1.2. This report contains the assessment of the Neath Port Talbot Local Development Plan (from here referred to as “the LDP” or “the Plan”) in terms of the above matters, along with recommendations and the reasons for them, as required by section 64(7) of the Act.
- 1.3. The submitted LDP has been prepared pursuant to the Act and the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005. We have considered it against the tests of soundness set out in paragraph 4.35 of *Local Development Plans (LDP) Wales, 2005*. There are three groups of tests:
 - **Procedural** - whether the Plan has been prepared in accordance with a delivery agreement, whether it has been subject to a sustainability appraisal;
 - **Consistency** – does it have regard to national, regional and local policies and strategies;
 - **Coherence & effectiveness**– is it clear and logical, compatible with the plans of neighbouring authorities, realistic and appropriate, flexible and does it contain mechanisms for implementation and monitoring.
- 1.4. The starting point for the examination is that the Local Planning Authority has submitted what it considers to be a sound plan, together with the evidence base that supports its position.
- 1.5. Prior to submission of the LDP for examination the Council considered the representations received and decided to make a number of Focussed Changes to the deposit Plan. These changes were duly advertised and the responses taken into account. At the Pre-Hearing Meeting the Council confirmed that the Plan it wishes to be examined is the deposit LDP as modified by the Focussed Changes¹. Since the Focussed Changes have been consulted on and the SA has been revisited where necessary, they are accepted as part of the submitted LDP. The deposit Plan as modified by the Focussed Changes has therefore formed the starting point for the examination of the Plan’s soundness.
- 1.6. Since the purpose of the examination is to determine whether the Plan is sound we recommend changes in this report only where there is a clear need to amend the Plan in the light of the legal requirements and/or the tests of soundness. Throughout the examination the Council maintained a schedule of

¹ SD20 Schedule of Proposed Focussed Changes

Action Points (AP) which included changes the Council suggested in response to matters raised during the examination. Many of these have become matters arising changes to the Plan (MACs); they do not alter the thrust and strategy of the LDP. The schedule has formed the basis of the MACs set out in Appendix A to this report. The MACs prefixed with an ‘I’ are Inspector changes (IMACs). The MACs and IMACs contained in Appendix A form the basis of our recommendations and are therefore binding changes which are necessary to ensure the soundness of the Plan. We are satisfied that no parties will be prejudiced by the MACs or the IMACs and that they will have no material impact on the findings of the Plan’s sustainability appraisal. All others were proposed by the Council and have been the subject of consultation. We have taken the MAC consultation responses into account in writing our report.

- 1.7. The MACs that are not highlighted are not required to make the Plan sound but are included because they improve clarity and precision. These MACs are only referred to in the report where they aid understanding of the matters being discussed. MACs relating to minor editing and typographical errors are not referred to in this report. The Council may make any consequential amendments arising from the MACs. We are satisfied that all of the changes including the IMACs are in line with the substance of the overall Plan and its policies, and do not undermine the Sustainability Appraisal (SA) and participatory processes that have been undertaken.
- 1.8. All duly made representations and the matters raised at the examination Hearings have been considered. Given the focus of the examination on soundness, our report does not refer specifically to the individual representations made in each case. Matters raised by individual representations are referred to only where it is considered that they raise substantive issues concerning the Plan’s soundness. Plan changes sought by any representor are the subject of a recommended change only where we have found, on the basis of the evidence, that such a change is required to make the Plan sound.
- 1.9. There are many allocations in the LDP, particularly for housing and employment. Many of our comments in respect of the allocations are generic and there has been no need for us to refer to them all separately in this report; in only a few instances do we refer to the individual merits of a site.
- 1.10. A number of representors have proposed alternative sites to those allocated in the Plan, most notably for housing development. What is required of the Council is that it produces a strategy, policies and allocations that are sound. There are likely to be a number of ways that the Council could meet the needs of its community, each of which may be valid. Some may consider that the allocations in the Plan do not present the best solution, but our remit is only to recommend changes where required to make the Plan sound. It is not our remit to seek to make a sound plan better. Our conclusions as to the submitted Plan’s soundness and the changes proposed by the Council in response to matters arising have thus guided how far we have needed to consider in detail other candidate sites for allocation. For this reason no specific reference is made to the majority of proposed alternative sites in this report.
- 1.11. The Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015 came into force in September 2015. These amend the 2005 regulations and, as the changes relate to plan revision

procedures and the alternative sites stage, they have no bearing on this examination. Chapter 2 of PPW has been updated in the light of the new regulations and a new LDP manual has been published. The new manual includes revised soundness tests, which have been reduced from 10 to three although the principles underpinning them remain the same. The NPT LDP has been prepared on the basis of the previous tests, but as the principles remain unchanged, there was no need to seek views from participants on the impact of the new tests on the soundness of the plan. Subject to the changes contained in the MACs and IMACs, we are satisfied that the LDP accords with national policy. These changes are included in the appendix.

2 Procedural tests

- 2.1. The LDP has been prepared in accordance with the Delivery Agreement² (as revised by agreement with the Welsh Government on 3 July 2013) and the Community Involvement Scheme.
- 2.2. Concerns were raised with regard to what was perceived to be a low level of response from the County Borough’s residents during the earlier consultation stages. In addition it was considered that the Council should have monitored the response rate and adjusted its approach to consultation accordingly. It is usual, however, that during the first, strategic stages of plan preparation most responses are from business interests and statutory consultees. Local residents tend to become involved as potential allocations, which will have a more tangible effect upon their properties and communities, are identified. At the deposit stage representations were received from 802 parties and, in relation to alternative sites, from a further 618 many of whom were residents of the County Borough.
- 2.3. From what was said at the hearings and our inspection of the Consultation Report³ we are satisfied that the Council did not wish to minimise contact with the public but, on the contrary, was keen to engage with all stakeholders at all stages. To that end an additional, non-statutory consultation was undertaken in the autumn of 2012 which, through measures including stakeholder events, press releases and a leaflet delivered to every household and commercial property, informed stakeholders about the LDP’s emerging proposals. Overall we consider that the requirements of the Community Involvement Scheme have been met.
- 2.4. The processes by which the Council selected potential development sites and consulted on them are described in the Strategic Housing Site Assessment Report⁴ and the Consultation Report⁵. Further information has been supplied in respect of the Neath Road/Fairyland Road allocation⁶ which was submitted as a candidate site in July 2009 and was the subject of the same level of assessment

² SD03

³ SD10: Consultation Report Volume 1: Stages of Engagement, Consultation and Participation.

⁴ EB06

⁵ SD10

⁶ AP4.2 Matter 4 (AP4) Clarification Note – Policy H1 11 (Tonna)

and consultation as all other potential sites. It is clear that this site has been the subject of much objection. However, decisions, including whether sites should be allocated, must be made on planning grounds not popularity.

- 2.5. During the plan preparation period Local Planning Authorities must respond to changes which take place such as the development of new national policy or the release of more up-to-date evidence. There is not, therefore, anything untoward in the Council having increased its housing allocations and dwelling numbers in line with more recent data. The critical factors are that all allocations must be based on robust, consistent assessments and be the subject of proper consultation.
- 2.6. All proposed changes made to the deposit Plan, as outlined in the above Introduction, have been advertised and consulted on. The Plan thus complies with the requirements of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 in this respect, including in relation to consultation, advertisement and the publication and availability of prescribed documents.
- 2.7. The Plan has been subject to SA including Strategic Environmental Assessment (SEA)⁷. Further changes put forward by the Council as part of the examination process have likewise been tested where necessary for any impacts they have upon the SA and SEA⁸. We are satisfied that the SA/SEA process undertaken is robust and satisfies procedural and legal requirements.
- 2.8. In accordance with the Habitats Directive⁹ a Habitats Regulations Assessment (HRA) of the Plan has been undertaken, and reviewed as necessary in the light of changes put forward during the examination. We are satisfied that the results of the HRA Screening demonstrate that an Appropriate Assessment is not required. It can therefore be concluded that no significant effects upon the integrity of the European sites¹⁰ within the plan area or in adjacent areas are likely to occur (either alone or in combination with other plans or projects) as a result of implementing the Plan.

Conclusion

- 2.9. Accordingly, procedural requirements have been satisfied and the relevant legal requirements complied with.

3 The Plan Strategy

Vision, objectives and principles of the development strategy

- 3.1. Located between the Brecon Beacons National Park and the coast, and in close proximity to the city of Swansea, Neath Port Talbot is an area of variety and

⁷ Sustainability Appraisal of the Deposit LDP – SD05 Main Report, SD06 Appendices & SD07 Addendum

⁸ ED040: Sustainability Appraisal of Proposed Schedule of Matters Arising Changes.

⁹ European Union Habitats Directive (92/43/EEC)

¹⁰ As defined in PPW Edition 7, Chapter 2 (August 2015), paragraph 2.3.13

contrasts. Attractive countryside – there are six designated Special Landscape Areas (SLAs) – and sites rich in biodiversity and geodiversity, three with European designations as well as 20 Sites of Special Scientific Interest (SSSIs), sit alongside large tracts of previously developed land from which former industrial and commercial uses have withdrawn. The County Borough is particularly rich in mineral resource and also has an interesting and varied history, exemplified by many listed buildings, ancient monuments and six conservation areas.

- 3.2. The recent recession combined with a decline in the County Borough’s traditional mining and manufacturing industries, has affected not only the physical fabric of the County Borough but also the wealth and well-being of its communities. There is already evidence on the ground, however, in the form of new and recently completed development, of a resurgence in the local economy. This is generally focussed on the County Borough’s good transport links running along the coastal corridor; revitalising the more remote valley areas will be harder to achieve.
- 3.3. These circumstances are neatly encapsulated in the LDP Vision¹¹ and addressed in the twenty five objectives which spring from it. Logically organised under the themes identified in the Wales Spatial Plan (WSP) they are thus carried through into the policy groupings. Subject to **MAC6**, which will add a reference to ‘countryside’ to OB 15 (as this will be an element of the environment protected by policy¹²), the objectives cover all the identified issues.
- 3.4. The overall plan strategy, which comprises several components, is generally clearly explained but there is some inconsistency in the naming of the various parts and the layout of the chapter. The changes made by **MAC7** may appear to be stylistic and minor but as they will enable full understanding of the strategy they are necessary for coherence and thus soundness. Subject to **MAC8** which will significantly improve their legibility, Map 1.1 *Spatial Context of Neath Port Talbot*, Map 1.2 *Topography and Main Settlements of Neath Port Talbot* and Map 2.1 *Waterfront and Western Valleys Spatial Area* are valuable illustrations which augment the written descriptions of the County Borough’s location, topography and relationship to the surrounding region.
- 3.5. The Proposals Map is broken down into A3-sized tiles and bound into the back of the LDP. Whilst we have found the large sheets provided to us by the Council most helpful, the A3 format of the document allows each tile to cover a sufficiently large area for the map to be useable. Its clarity is, however, more of a problem. The County Borough’s rich mineral resource and expanses of protected landscape particularly require that a large number of designations and areas covered by policies must be identified on the Proposals Map.
- 3.6. The Council has considered relieving the pressure on the Proposals Map by producing a separate Constraints Map which would illustrate the following layers of information:

¹¹ Deposit LDP page 13

¹² Policy SP14 The Countryside and Undeveloped Coast

- Special Areas of Conservation (SACs);
 - Sites of Special Scientific Interest (SSSIs);
 - National Nature Reserves (NNRs);
 - Landscape of Historic Interest;
 - Historic Parks and Gardens; and
 - Scheduled Ancient Monuments (SAMs).
- 3.7. As shown on the illustrative Constraints Map produced by the Council¹³, the extent of these areas is not significant, however, and their removal from the Proposals Map would not result in its substantial improvement. We therefore agree that there would be little benefit in the production of a Constraints Map.
- 3.8. The addition of settlement names and better distinction between the Core Road Network and Strategy Area boundaries will make the Proposals Map considerably clearer and easier to use (**MAC55**).
- 3.9. The LDP’s Development Strategy is to facilitate growth in the County Borough, focusing on the Coastal Corridor whilst reinvigorating the communities in the Valleys. This strategy reflects and formalises the existing position; the Coastal Corridor has good transport infrastructure, accommodates the majority of the population and businesses, and has significant sites available for development whilst the Valleys are less accessible with fewer development opportunities. Other considerations, such as the results of consultation, viability, market demand and the SA, have been fully considered in developing the strategy.
- 3.10. At the start of the plan-making process the County Borough was divided into eight sub-areas, namely the towns of Neath and Port Talbot and each of the six valleys radiating from them. Notwithstanding the strong identity of each of these original sub-areas, the two coastal towns share many common characteristics and problems, as do the valleys. Consequently other important considerations, including the regional context; settlement review and candidate site assessment; market, viability and deliverability issues; and environmental and sustainability constraints, supported the merging of the sub-areas into the two strategy areas now designated.
- 3.11. In respect of the strategies to be pursued in the areas four options were consulted on:
- **Option 1: Continuation of the UDP strategy**
some new development in the main urban areas and coastal belt; some new housing and regeneration activities in the valleys;
 - **Option 2: Focus on the M4/Fabian Way Corridor**
all new development in the main urban areas and coastal belt; decline in the valleys;
 - **Option 3: Promote Significant Growth in the Valleys**
large scale housing-led development in the valleys; increased commuting and travel; relocation of public sector jobs to the valleys; and
 - **Option 4: Focus on Coastal Corridor & Reinvigorate Valleys**

¹³ Matter 2 AP2.7

majority of development in the main urban areas and coastal belt; greater emphasis to reinvigorate the valley communities through the promotion of housing, small businesses and tourism.

- 3.12. The Council’s preference was Option 4 and, it being something of a hybrid, ‘best of both worlds’ choice, it is not surprising that it was supported by a majority of stakeholders. We consider, however, that the other options could also have been implemented and were genuine alternatives.
- 3.13. In prioritising growth in identified key settlements the Development Strategy is consistent with the WSP and also with the strategies of neighbouring authorities.

Growth Model

- 3.14. The LDP was prepared in a challenging economic climate. For that reason the overall strategy is aspirational in its approach; it is based on the economic prospects for the County Borough and the performance of the wider South Welsh economy rather than on trend-based forecasts which would depress projections. The aim of the aspirational strategy is to generate a prosperous society fostering economic and sustainable growth in Neath Port Talbot.
- 3.15. The basis of the aspirational strategy is an employment-led growth model which capitalises on a large, untapped labour supply. Based on job growth and projected economic activity rates, the model calculates the working-age population necessary to support the anticipated number of jobs and, related to that, the amount of housing needed. Comparisons with the Welsh Government (WG) population projections have been made, and when necessary adjusted, to ensure consistency.
- 3.16. It is predicted that the number of jobs in the County Borough will increase by 3,850 during the plan period¹⁴. This calculation is based on Experian Economics forecasts, adjusted slightly to iron-out inaccuracies, with a 20% increase reflecting the potential and aspiration for growth. The model was updated early in 2015 to take account of the Welsh Government’s 2011-based population and household projections. The Experian forecasts were retained, however, as there were not more up-to-date projections. The components of the model, explaining the assumptions made, sources of data and rationale, have been clearly set out in the review document¹⁵. Adjustments were made to the level of economic activity, which was increased following a recent actual improvement in the rate in Neath Port Talbot.
- 3.17. In addition, the figure for average household size was amended. That used in the 2012 model was based on the 2008-based population projections but was unrealistically low. Neither was it consistent with the 2011-based projections but, as those were likely to have been depressed by the recession, they were not symptomatic of a growth agenda. A rate of 2.15, which is almost mid-way

¹⁴ EB14 Economic Assessment and Employment Land Provision for Swansea and Neath Port Talbot , paragraph 5.3.8

¹⁵ ED009 Review of Levels of Growth 2015

between the figures generated by the 2008 and 2011 projections, has therefore been used, this being supported by a downward trend in household size in the County Borough since 2011.

- 3.18. The approach is in line with Planning Policy Wales’ (PPW) support for economic and employment growth within the context of sustainable development as well as its advice that jobs and services should be aligned with housing wherever possible¹⁶. It is also compatible with that taken in Swansea thus contributing to PPW’s requirement that local planning authorities should work strategically and co-operatively¹⁷.
- 3.19. Since the LDP base-date (2011) the rate of unemployment has reduced considerably in comparison with the Welsh average. In 2011 the Neath Port Talbot rate, 9.9%, was 1.4% greater than the Welsh average. By 2013 it had reduced to 8.25%, only 0.13% above that of Wales as a whole¹⁸. During the past decade there has been a corresponding increase in the rate of economic activity; from 67% in 2005 to 73.6% in 2014.
- 3.20. Important infrastructure, such as Harbour Way and the bridge linking both sides of the Baglan Energy Park, has recently been completed, and improvements to Port Talbot Parkway station are in progress. Other major construction projects, including the Science and Innovation Campus, Coed Darcy and continuing development at the Baglan Bay employment site, are well underway.

Conclusion

- 3.21. Robust evidence thus supports the aspirational approach based on an economic growth model and indicates that it is well-founded, realistic and deliverable. We consider it to be a pro-active and appropriate strategy which will help the County Borough to benefit from locational and other advantages in order to recover from previous economic stagnation.

4 Overarching Policies

Health

- 4.1. Key Issue 2, that residents in Neath Port Talbot experience some of the worst health in Wales, encapsulates findings set out in the *Health Topic Paper*¹⁹. Neath Port Talbot is ranked as the worst of all local authorities with 16% of the population suffering from long term illness or disability which limits activity, in England and Wales. With regard to chronic conditions the County Borough experiences the highest level of asthma and diabetes in Wales, the fourth highest level of hypertension and the fifth worst rate of coronary heart disease and stroke²⁰.

¹⁶ Planning Policy Wales edition 7 paragraph 7.1.3

¹⁷ Planning Policy Wales edition 7 paragraph 7.1.5

¹⁸ ED009, Table 2.2

¹⁹ SD39

²⁰ Ibid. Table 4.4

- 4.2. PPW identifies that one of the main outcomes WG wishes to deliver is a sustainable society; the enjoyment of good health is identified as integral to that objective²¹. It is appropriate therefore that one of the LDP’s objectives should address poor health and encourage more active, safe and generally healthier lifestyles. This is an ambitious objective which can only be fully achieved through multi-agency initiatives; a land-use plan such as the LDP can, nonetheless, contribute significantly. Additional explanation in Chapter 2, which describes the LDP’s strategy (**MAC11**), references to the relevant policies against each criterion in Policy SP 2 (**MAC12**) and an expanded accompanying text (**MAC13**), will result in a coherent LDP strategy for health which can be implemented. This will be enhanced by amended wording for criterion 2 of Policy SP 2 to clarify what is meant by ‘the determinants of poor health’. The addition of retail facilities to those listed in criterion 3, will reflect the importance of easy access to shops selling fresh foodstuffs (**MAC12**) whilst a reference to cultural facilities will emphasise the holistic nature of good health (**IMAC2**).
- 4.3. Key Issue 13 identifies the problems of air quality within the County Borough and particularly within the Port Talbot area. Although 'Welsh Index Multiple Deprivation - Air Emissions Index (2011) indicates that air quality has improved since the designation of the Port Talbot Air Quality Management Area (AQMA) in 2000, the LDP recognised that this is an on-going issue²². To this end the LDP, in accordance with PPW²³, seeks to: protect and where possible manage water, ground and air quality (Policies SP16 and EN8); manage development activity in central Port Talbot to minimise the impact on air quality (EN9); identify quiet areas throughout the County Borough (EN10); and reduce pollutants through the promotion of a sustainable transport system (SP20).

Settlement hierarchy and limits

- 4.4. The definition of a settlement hierarchy, together with boundaries around each of them determining the limits of development, are essential for the delivery of sustainable communities and, consequently, the protection of the open countryside. The evidence for both is the Settlement Review and Urban Capacity Study, undertaken in 2011, which is described in the Settlement Topic Paper²⁴. Following a review of the existing function of each settlement, the relationships between them, and their future role²⁵, a six-tier hierarchy was defined. The LDP assigns each settlement to one of the tiers which range from towns at the top through district, large local and small local centres, to villages and dormitory settlements at the bottom. In addition a settlement limit is defined around each, with the exception of dormitory settlements, taking into account the assessed capacity and potential for development.

²¹ PPW paragraph 4.1.5

²² SD47 Environment Topic Paper (2014)

²³ PPW, Chapter 13

²⁴ SD40

²⁵ SD40 Settlement Topic Paper Appendix A

- 4.5. Through Policy SC 1 this framework directs appropriate levels of development to various categories of settlement in order to contribute towards the objectives of delivering sustainable communities and maximising accessibility to a range of facilities²⁶. It will also help to conserve the countryside consistent with OB 15. The addition of a column to Table 3.1 explaining the role and function of the settlements in each tier, together with further explanation in the text, are necessary to clarify the type and scale of development that is likely to be suitable. A new paragraph will explain the approach to be taken in dormitory settlements which have insufficient facilities to be classed as sustainable locations (**MAC14**, **MAC15** and **MAC16**).
- 4.6. Settlement limits were defined following an assessment of each settlement’s capacity to accommodate growth and consideration of a number of factors including: relevant extant planning consents; the location of small candidate sites; physical constraints to development; the functional and visual relationship between land and/or buildings; and the settlement and opportunities for large scale expansion. We are satisfied that the identification and delineation of the settlement limits in the LDP has been undertaken in a logical and consistent manner. Consequently, boundaries have been defined that strike an appropriate balance between the growth requirements of the area and the need to protect the countryside.
- 4.7. Several settlement limits will be amended by **MAC60**, **MAC61**, **MAC62** and **MAC63** to include additional land as follows:
- AS(N)12 – Land at Moorlands, Dyffryn Cellwen
 - AS(N)49 – Land at Rutherglen Yard, Felindre
 - AS(SL)3 – Land adjacent to Tavancore, Pentwyn Road, Cynonville
 - AS(SL)7 – Land adjacent to Brookside, Pontrhydyfen, Neath
- 4.8. The additional areas of land to be included in the boundaries are considered to be functional and visual parts of their respective settlements.

Conclusion

- 4.1. The overarching policies adequately reflect the central planks of the LDP strategy. They are clear, appropriate and based on up-to-date, credible and robust evidence.

5 Area Based Policies

- 5.1. The Area Based Policies set out the different approaches to development in the Coastal Corridor Strategy Area, Policy SP 5, and the Valleys Strategy Area, Policy SP 6. As development will be concentrated in the former, Policy SP 5 identifies the major schemes in the County including the strategic regeneration areas at Coed Darcy and Harbourside, strategic employment sites, mixed use regeneration projects in Neath and Port Talbot town centres and at Aberafan

²⁶ OB3 and OB 4

seafront, the university campus at Fabian Way and several transport improvements. The main objective for the Valleys Strategy Area is to reinvigorate communities and improve their economic prospects which will mainly be achieved through the encouragement of development by taking a flexible approach. Designations and allocations in the Valleys Strategy Area, which are, therefore, fewer and smaller, include the mixed use regeneration scheme at Glynneath, public realm improvements in Glynneath and Pontardawe town centres and a tourism site at Rheola.

Coed Darcy

- 5.2. Coed Darcy is a regeneration scheme of national importance which is being constructed on the former Llandarcy oil refinery site. It is a mixed use development, including 4000 dwellings, for which outline planning permission was granted in February 2008. Large amounts of land have been reclaimed and remediated, new infrastructure has been installed and development of the first phase of 300 houses began in 2012. There is strong interest in the site and we saw when we visited that the majority of completed dwellings appeared to be occupied.
- 5.3. Progress continues to be made and, at the time of the hearings, permission was anticipated for part of the second phase of residential development, including part of the local centre, and approval of a development brief for the whole of the second phase. An application for the first primary school was due to be submitted shortly. In addition improvement works to Junction 43, which were required as part of the package of highways works, were underway. Arrangements were also being made to adjust the section 106 agreement to enable development on the southern part of the site to commence sooner.
- 5.4. The status of the Coed Darcy project, the progress made so far, the high quality design as illustrated in the submitted development brief²⁷ and apparent on site, and the housing completion and occupation rates to date are all positive indicators. Consequently, we are confident that the predicted delivery rates, including the additional 250 units required as a result of the Council’s further consideration of the Focussed Changes²⁸, will be achieved.

Harbourside

- 5.5. The Harbourside Strategic Regeneration Area is also a large brownfield site, in this case former dockland close to the town centre of Port Talbot. Similarly to Coed Darcy its regeneration is well underway with some parcels of land having been developed and a new route, Harbour Way, which links the site to the M4 recently completed. The mixed uses on the site will include residential, employment and bulky goods retail.
- 5.6. Large parts of the site, indeed much of Port Talbot town centre, are within flood risk Zone C1 with a smaller area covered by Zone C2. National policy with

²⁷ Coed Darcy: Site Development Brief: Phase 2 Residential AP2.17

²⁸ ED008 para. 2.4.1.6

regard to development plans and flood risk²⁹ is that allocations should only be made in Zone C if the development is justified with regard to three tests and the consequences of locating development are assessed as acceptable. In respect of flood risk concerns, and through FC 13, the housing element of the allocation was reduced from 14.8 ha to 10 ha and from 520 dwellings to 385.

- 5.7. In the LDP, and through a revised masterplan, development proposed for the Harbourside allocation is located in Zone A wherever possible. Development is also phased with the most at-risk areas being within the final phase, beyond the end of the plan period. The development of those areas would depend upon the construction of an appropriate flood alleviation scheme.
- 5.8. Where allocated development is within Zone C1 it meets TAN15 test i) by reason of being necessary for the local authority’s Harbourside regeneration initiative, and test iii) through concurring with the aims of PPW and meeting the definition of previously developed land. In order to demonstrate that the potential consequences of a flooding event for the proposed development would be acceptable, as required for test iv), the Council has prepared a Strategic Flood Consequences Assessment (SFCA)³⁰ which includes extensive modelling. NRW expressed concern that the lack of extreme event modelling cast doubt over the delivery of certain parts of the Harbourside site. However, additional technical work, for example on flood mitigation, would be included in the SPG and the Council has explored the capacity of the Zone A land to accommodate the residential, retail and employment elements of the allocation. As a result of that work and discussions on changes to the Plan, NRW has accepted that additional flood modelling is not required at this stage in order to demonstrate that development is feasible. Consequently it has agreed to withdraw its objections; a formal, signed agreement to that end has been provided³¹.
- 5.9. Changes to the Plan as a result will be:
- Removal of Plots 11 and 12 from the Harbourside SRA2 allocation;
 - Reduction in the Harbourside employment allocation from 11 ha to 7ha;
 - Consequential additional 4 ha added to the Baglan Bay employment allocation;
 - Amendment of the SPG Masterplan to take account of the amended allocation boundary and to move Plot 10 from Phase 2 to Phase 3;
 - Other minor changes to site boundaries within the Masterplan.
 - Amendments to policy wording, text, maps and tables to reflect the up-to-date position (**MAC18, MAC19, MAC20, MAC21**).

University Campus

- 5.10. In order to reflect the significance and unique nature of the development at the University Campus a new, site-specific policy and text will be added to the Area Based Policies chapter. It will clarify the type of development which will be appropriate there (**MAC22**).

²⁹ TAN15 *Development and Flood Risk*

³⁰ EB01 and EB02

³¹ Matter 7, AP 3, 4 & 5

The Valleys

- 5.11. The LDP recognises the need to reinvigorate the Valley areas and improve their economic prospects³². Pontardawe and the Upper Neath Valley are identified, through their Strategic Growth Area (SGA) designations, as settlements with existing services and links which are thus sustainable and suitable locations for further development. A range of housing, employment, retail and tourism allocations has been made within them. Although this designation will not result in any differentiation in the way planning applications are to be assessed it will assist in directing development to the most sustainable parts of the Valleys Strategy Area.
- 5.12. Development in other parts of the Valleys is desirable and necessary. As there is less certainty over viability and deliverability, however, the LDP strategy is to encourage proposals through a flexible approach, particularly in respect of employment and retail schemes of a suitable scale, rather than to allocate sites which might not come forward. These principles, as well as other specific proposals, are set out in Policy SP 6 which applies only to the Valleys Strategy Area. In combination with Policy SP 3, which defines settlement limit boundaries and a settlement hierarchy, and Policy SC 1, which identifies acceptable development both within and outside of settlements, the approach to proposals in the Valleys Strategy Area is appropriate and clear. Policies EC5, EC6, R3 and TO1, which apply to various types of development outside of the main urban areas, support and add further definition to the strategy for the Valleys area. In addition Policy H1 allocated land for the development of new housing within the Strategy Area.

Conclusion

- 5.13. The overall strategy of the LDP is coherent and based on a clear, robust and methodically applied preparation process. The various strategies set out in the LDP and its policies are realistic and appropriate in the light of relevant alternatives and are based on sufficiently up-to-date and credible evidence.

6 Amount, Distribution and Delivery of Housing Provision

Calculation of amount of housing

- 6.1. In line with the LDP’s overall aspirational strategy the housing requirement for Neath Port Talbot is derived from the economic growth model rather than being based on population projections. Over recent years the County Borough has experienced a decline in the working-age population. It is considered that the chosen strategy will result in population growth in order to enable an increase in economic activity and reduction in the unemployment rate, thus addressing the plan’s objectives³³.

³² LDP page 13 OB 5

³³ Deposit LDP, SD04, page 14, OB 12

- 6.2. The housing need set out in Policy SP 7 of the Deposit LDP was 8,000 which, with a 13% flexibility allowance, took the total requirement to 9,150. Following the release of some 2011 Census data and the publication of WG’s 2011 Household Projections, Focussed Changes³⁴ reduced the overall requirement to 8,350. These changes gave rise to several objections which led the Council, through its consultants, to review the economic model³⁵ and update the calculations.
- 6.3. Fundamental to these is the number of jobs, 3,850, forecast for the County Borough by 2026³⁶. The model then calculates the number of dwellings needed to accommodate the labour force necessary to maintain those jobs. Table 2.1 of the review document³⁷ sets out the methodology in clear steps with explanations of the information used and assumptions made which were updated in the review. In particular the model used a new economic activity rate, 76%³⁸, as that used in the earlier report³⁹, 73%, had been exceeded. In order to reflect this improvement in economic activity the average household size was adjusted. It was previously concluded that 2.25 people was a reasonable average but, as that figure might have been influenced by the recent recession limiting people’s ability to set up separate homes, it was reduced to a more realistic 2.13.
- 6.4. The review included a demographic-led housing requirement calculated using similar assumptions, where appropriate, to the economic model. The demographic model resulted in a population which would be sufficient not to constrain the proposed level of economic growth. Furthermore the figures from the two models corroborated one another. As a result of the review the Council adjusted the figures further⁴⁰ and it was these which formed the basis of discussion at the hearing.
- 6.5. Migration trends and flows between administrative districts have been taken fully into account in the Local Housing Market Assessment. This assessed the range of housing requirements for the area and provided the evidence on which the LDP housing strategy has been based. It reveals the comparatively high number of in-migrants to Neath Port Talbot from Swansea, a net figure of +840 between 2005 and 2010, at a time before houses were available for sale at Coed Darcy. No evidence has been provided, however, that the housing needs of these or other in-movers are not being adequately met, or that there are significant numbers of people who are unable to move for want of a suitable house in the right part of the County Borough to suit their lifestyle.
- 6.6. The number of dwellings projected for Neath Port Talbot using the 2011-based Household Projections is substantially lower than that derived from the 2008 projections. The economic-led method will thus avoid replicating a period of

³⁴ Schedule of Proposed Focussed Changes, SD20, FC06-FC12

³⁵ Review of Levels of Growth, Peter Brett ED009

³⁶ See explanation of *Growth Model* in section 3 above.

³⁷ ED009

³⁸ ED009

³⁹ Growth Strategy Supplementary Paper (2014) EB04

⁴⁰ Observations on the Focussed Change Representations (January 2015), ED008, pp16-19

very poor economic performance, as advocated by the (then) Minister for Housing and Regeneration⁴¹.

- 6.7. A certain level of vacancy is normal and necessary to enable the process of buying, selling and letting to work efficiently. As vacancy is a function of the housing market the Council has rightly removed the rate from the overall flexibility allowance and incorporated a trend-based vacancy rate of 4% into the basic housing need. This takes account of the County Borough’s initiative to bring empty homes back into use but, as data is only available for short term projections, a reducing vacancy rate has not been applied; we are satisfied with that position.

Delivery of housing allocations

- 6.8. Our main concern with housing provision has been in respect of the viability and thus likely development of several allocated sites; it was a worry to us that this might threaten the delivery of the total requirement. An additional hearing session⁴² and further evidence provided by the Council allayed most of these fears. In particular, given the overall high level of biodiversity interest in the County Borough, it is unsurprising that many sites have habitat or other features of some value. In most cases we are satisfied that development could be designed to incorporate and preserve valuable habitats, particularly as in many instances site boundaries, densities and unit numbers have been defined to allow for ecological management. Where this was not possible, adverse effects would need to be mitigated against and compensated for under Policy EN 6. This is the case with H1/20 Purcell Avenue, Sandfields⁴³ where a proposal for complete off-site mitigation has been agreed with the landowner.
- 6.9. The Council considers that delays in progressing sites caused by land ownership or market constraints are likely to be short term. None of the allocated sites have any significant physical constraints which would prevent development and it is reasonable to conclude that with continued up-lift in the housing market the allocations will be constructed largely as forecast⁴⁴.
- 6.10. In the case of H1/LB/13 Blaenbaglan Farm, however, we remained unconvinced that the development of the site was likely to commence before the end of the plan period. The extant planning permission for 219 dwellings dating from 1992⁴⁵, which was confirmed by the positive outcome of the lawful development appeal⁴⁶ in November 2000, was not reassuring; it seemed to us that, there apparently having been little interest in the site for over 20 years, the likelihood of any being generated in time for dwellings to be completed within the plan period was small.

⁴¹ Letter from Carl Sargeant to all local authorities dated 10 April 2014, ED013

⁴² Session 12 held on 14 April

⁴³ EB06, paragraph 4.2.9.6 -7

⁴⁴ ED010

⁴⁵ 92/8571

⁴⁶ AP4.14

6.11. However, further information has come to light, particularly with regard to the provision of appropriate access to the site⁴⁷. The landowner has confirmed that a thorough assessment, including drawings and profiles, of the land needed to create an access to the public highway has been carried out; the Council and landowner thus agree that the proposed access way is feasible and acceptable in principle.

6.12. They also agree that, as long as the site is included for development in the LDP and the Plan is adopted, a feasible and probable timescale for development of the site would be:

- Adoption of LDP: Jan/Feb 2016
- Agreement of Council to sale of land required for access purposes: July 2016
- Conclusion of arrangements for purchase of land required for access purposes: Late 2016
- Commencement on site following conclusion of design and planning stages: Late 2017 (earliest).

6.13. Policy H 1 of the Deposit LDP allocated the site for 260 units within the Plan period. This was later reduced to 160 units⁴⁸. The parties agree that the following is a realistic projection of the number of dwellings likely to be delivered on the site within the Plan period.

Year	20/21	21/22	22/23	23/24	24/25	25/26
Units	20	30	30	30	30	20

6.14. We now consider there to be ample evidence that the site will deliver a substantial number of dwellings during the plan period such that it should remain as a housing allocation.

6.15. In order to provide elsewhere for the number of dwellings which would have been lost had the Blaenbaglan Farm allocation been removed, **MAC25** allocated an additional site in Ystalyfera. Having heard from a number of site proponents at the additional site sessions and looked in detail at the consultation report on the alternative sites,⁴⁹ we considered that an appropriate option would be the allocation for development of part of the Tirbach Washery site⁵⁰. This is a brownfield site of nearly 11 ha in total, a size which would enable biodiversity, rights of way and other constraints to be mitigated and still provide 160 units on the remaining 7ha. It is in a sustainable location close to the facilities and services offered by Ystalyfera, classified as a large local centre, and Ystradgynlais, one of the larger settlements just over the boundary in Powys. At the hearing the site’s owner told us that, when the current use ceases in about a year’s time, he has the resources and motivation to remediate the site ready for residential development.

⁴⁷ ED046 Statement of Common Ground between the Council and Mr Williams on Blaenbaglan Farm

⁴⁸ FC14

⁴⁹ SD17

⁵⁰ AS(N) 56. NB AS(N) 57 is the western part only of the site.

- 6.16. Taking into account the loss of units at the existing site in Ystalyfera, Compair, and their replacement at the Parc Ynysderw site in Pontardawe (**MAC24**), the change in the distribution of housing would be slight and not contrary to the spatial strategy, as indicated in the amended LDP table 5.3 at para. 6.23 below.
- 6.17. The additional dwellings will result in a welcome boost to the flexibility allowance. This will be 960 dwellings, equating to a rate of 12.31% applied to the basic housing need which will help to ensure that housing need is provided for should not all sites come forward as anticipated. This is greater than the 10% commonly accepted as an appropriate proportion but, in these circumstances, we do not consider it unreasonable.
- 6.18. The delivery of the housing requirement depends upon windfall and small sites allowances amounting to 1,635 during the plan period, an average of nearly 150 per annum. On the basis of past trends⁵¹, which indicate that from 2001 to 2011/12 an average of 122 windfall/small site dwellings were completed each year, this is ambitious. In our view, the justification for the allowances set out in the topic paper⁵² is overly optimistic. The Council has provided additional information on the numbers of units likely to be provided by Registered Social Landlords (RSL)⁵³ and stressed that the provision of windfalls will increase in the latter years of the plan period, as previously unknown, unallocated sites come forward. The position will also be eased slightly by the amendments to settlement boundaries detailed in para. 4.7 above, made in order to promote consistency with the criteria set out in the settlement topic paper⁵⁴.
- 6.19. Although the delivery of the windfall and small site allowances will be a challenge we consider, that the evidence shows it to be achievable.
- 6.20. The total housing requirement now proposed is 8,760 made up as follows (**IMAC5**):

Basic Housing Need + vacancy rate of 4%	7,500 + 300 = 7,800
Flexibility Allowance = 12.31%	+ 960
Total Housing Requirement	8,760

- 6.21. As a consequence of the proposed change to the total housing requirement Policy SP7 and its supporting text need to be amended in accordance with **IMAC3, IMAC4 and IMAC6**.

Phasing

- 6.22. In an area such as Neath Port Talbot where there is a pressing need for new housing any mechanism which seeks to further manage the release of land, such as a phasing policy giving priority to the release of previously developed

⁵¹ Population and Housing Topic Paper SD41 Tables 9.6 and 9.18

⁵² Ibid

⁵³ AP3.2 Emerging Windfall RSL Schemes

⁵⁴ SD40, appendix A, Stage 3

land, is likely to frustrate the operations of the housing market and have an adverse impact on the rate of delivery.

Distribution of new housing

6.23. The changes in housing distribution across the County Borough as a result of the revised housing figures, and as shown in the amended table below, are not significant.

Spatial Area	Land Bank Sites	New allocation	Windfalls	Small Sites	Total Provision	Share Out
Neath	2,890 ¹	1,075	290	210	4,465	51.0%
Port Talbot	476	1,249	260	100	2,085	23.8%
Afan Valley	-	-	39	65	104	1.2%
Amman Valley	-	-	39	70	109	1.2%
Dulais Valley	105	-	33	70	208	2.4%
Neath Valley	114	150	68	85	417	4.8%
Pontardawe	215	449 ²	80	135	879	10.0%
Swansea Valley	172	230 ²	16	75	493	5.6%
Total	3,972	3,153	825	810	8,760	100%

¹ add 250 for Coed Darcy

² add new allocation at Parc Ynysderw +50 dwellings

³ remove dwellings from Compair allocation – 50, add new allocation at Tirbach Washery + 160

6.24. In making appropriate housing provision the Council was constrained by existing conditions, such as the permission for a significant number of dwellings at Coed Darcy, and faced other challenges including the topography of the area and large amount of land affected by flood risk. These circumstances have led to a considerably greater proportion of units being allocated in the Neath area compared with Port Talbot. As the two settlements are both within the defined Coastal Corridor, however, this irregular distribution is not contrary to the LDP’s spatial strategy. A sufficient number of units are allocated in the Coastal Corridor Strategy Area as a whole on sites which have been selected largely on the basis of sustainability criteria.

Density

6.25. The density of new residential development will normally be a minimum of 35 dph in the Coastal Corridor Strategy Area and of 30 dph in the Valleys Strategy Area. In adding this requirement to Policy BE 1, together with additional explanatory text, **MAC50** will ensure that the best, most efficient use is made of the valuable land resource.

Five year supply

6.26. The most recent housing trajectory⁵⁵ provides an overview of the scale, composition and timing of new housing development in Neath Port Talbot over the Plan period. The data is not intended to be prescriptive but provides an estimate of housing delivery based on best available information. That accepted, the trajectory indicates that a five year supply of housing land will be available throughout the plan period and provides a useful basis from which to monitor progress. The trajectory predates the MACs and our changes to housing allocations but these will not worsen the position.

Conclusion

6.27. The amount and distribution of housing provision set out in the LDP is realistic and appropriate and founded on a robust and credible evidence base. It will achieve the relevant objectives of the LDP in a sustainable manner consistent with national policy. Subject to the MACs, the policies are clear, reasonable and appropriate.

7 Affordable & Gypsy and Traveller Accommodation

Target for the provision of affordable housing

- 7.1. National planning policy requires the LDP to set a target for providing affordable homes on the basis of a Local Housing Market Assessment (LHMA) taking into account the availability of finance and realistic developer contributions. The affordable housing policies of the LDP are informed by the LHMA, which was produced jointly with the City and County of Swansea in 2013. The findings of the LHMA indicate that there is a need for 3,100⁵⁶ new affordable homes over the plan period, representing about 40% of the total housing requirement. The findings of the LHMA indicate that the predominant housing need in Neath Port Talbot between 2010 and 2026 will be for 1, 2 and 3 bedroom units⁵⁷.
- 7.2. The affordable housing target set out in Policy SP8 of the submitted LDP indicated that 2500 new affordable units will be delivered over the plan period. As a result of the amendment to Policy SP7 and the acceptance that the affordable housing target should only include those units that can be delivered through the planning system, the Council has revised the target to 1,200 units (**MAC28** and **MAC29**). Approximately 773 units will be delivered on landbank sites with the remainder provided on by allocated sites and a further 716 units by Registered Social Landlords (RSL). In total 1916 units will be provided over the plan period, amounting to approximately 60% of the need identified in the LHMA. Whilst the target identified in the Plan will not meet all of the need identified in the LHMA, we are satisfied that the target is realistic and that the

⁵⁵ AP3.4 & AP4.8

⁵⁶ EB05 LHMA (2013) page 89, figure 80.

⁵⁷ EB05 LHMA (2013) page 89, figure 82

inclusion of measures such as a low site threshold, different targets for strategy areas and a rural exceptions policy will maximise the opportunities for delivery.

Gross development value approach

- 7.3. The Affordable Housing Viability Study (AHVS) (2012)⁵⁸ provides the evidence base for the LDP’s approach to securing affordable housing. The methodology is broadly based on the development appraisal toolkit (DAT) which has been used by a number of local authorities in Wales. The methodology has been prepared in accordance with the requirements of national planning policy and provides an appropriate basis on which to determine the Plan’s affordable housing and thresholds and targets. The AHVS assessed the affordable housing contribution as a percentage of gross development value (GDV) and not as a percentage of the units to be delivered on site.
- 7.4. The use of GDV to deliver affordable housing is an innovative and, as a result, largely untested approach. The Council contends that the GDV approach is a fair, equitable and transparent way of determining the level of contribution which will maximise the amount of affordable housing delivered. Whilst we recognise that the use of GDV has the potential to deliver slightly more affordable housing than other more established approaches, we are nevertheless concerned about the effect its practical application will have on the provision of both new market and affordable housing. We consider that the use of GDV would lead to uncertainty amongst land owners, developers and lending institutions about the cost of a development over the life of a scheme and could deter much needed investment in the County Borough. Moreover, we believe that the approach would mean that every planning application for residential development in the Neath, Port Talbot and Pontardawe areas would be subject to negotiation and potentially re-negotiation as a scheme evolved. The result would be a complicated and protracted application process which would delay the delivery of new housing in Neath Port Talbot.
- 7.5. In light of these concerns we consider that Policy AH 1 is not realistic or appropriate and does not constitute a clear mechanism for delivering affordable housing. In order to address those soundness failings **MAC30, MAC31, MAC32, IMAC7** and **IMAC8** will amend Policy AH1 and its supporting text so that affordable housing will be secured on the basis of a percentage of the units to be delivered on site.

Viability

- 7.6. The AHVS identifies benchmark land values for each of the sub market areas in the County Borough. The land values have been established using historic transactional data, which was compliant with policies in the Unitary Development Plan, and then reducing the value by 20% for compliance with other policies in the Plan. This approach differs from that used in many viability studies, which identify the existing use value (EUV) of the land and add 20-30%. As a consequence the benchmark values in the AHVS are set at a much

⁵⁸ EB10 AHVS (2012) Chapter 2

higher level than EUV + 30%⁵⁹. The approach taken to identifying benchmark land values in the AHVS is realistic, based on robust evidence from the District Valuation Office and allows for headroom between existing and future use values.

- 7.7. The Council acknowledges that a proportion of the development in the County Borough will be on previously developed land and as a result will incur exceptional development costs. Whilst we accept that the industrial heritage of the area will have an impact on the cost of development, the exact costs are unknown and will vary from site to site. As a result, assigning an allowance for abnormal/exceptional works would be unrepresentative of the cost of development on all sites in Neath Port Talbot and would undermine the provision of affordable housing. Taking abnormal/exceptional costs into account as part of the AHVS and making an allowance for these in the DAT would not, therefore, be appropriate. Moreover, we consider that the approach taken in the AHVS to identifying land values would provide sufficient headroom to off-set any additional development costs.
- 7.8. The build costs identified in the AHVS are based on the data provided by the Building Costs Information Service (BCIS) and have been adjusted for West Glamorgan. In addition, 18% has been added to the cost projections contained in the AHVS to allow for external works and contingencies. The AHVS does not make any specific reference to the cost of providing fire sprinklers, which WG estimate will be £3,100 per unit⁶⁰ (although an allowance has been made for sprinklers in the sensitivity analysis). However, this additional cost would to some extent be off-set by the provision for external works and contingencies and by variations in construction costs over the life of the plan. In addition, it is likely that the cost of provision would fall over time as technologies improve.
- 7.9. The DAT contains an allowance of £1,750 per unit for s106 (excluding affordable housing⁶¹) which the Council contend is based on an assessment of past contributions. Additional evidence provided by the Council and the Home Builders Federation indicates that the average s106 contribution secured over recent years is £401.00 per unit⁶². Although much lower than that in the DAT, we note that this figure is based on actual contributions secured under the UDP and does not take into account the increase in contributions which is likely to occur as a result of the requirements of Policy I1. The figure of £1,750 is acceptable as a representative figure in the AHVS and the additional headroom will assist in off-setting any increase in the cost of s106 contributions that may occur as a result of the Council’s emerging Planning Obligations SPG⁶³.
- 7.10. The Council acknowledges that the viability of sites may vary across the County Borough and proposed a change to the supporting text of Policy AH 1 to allow for site specific negotiations. Whilst this would have gone some way to addressing concerns, we consider that in order to ensure certainty about the

⁵⁹ EB10 AHVS (2012) pages 6-8inc.

⁶⁰ NPT Examination Statement - Matter 5, page 6.

⁶¹ EB10 AHVS (2012) page 16

⁶² Action Point 5.6

⁶³ SD33 Planning Obligations SPG – Draft 2014

application of the policy and to assist in the delivery of affordable housing the policy itself should be amended to express the Council’s willingness to negotiate with developers (**IMAC7**). Moreover, we consider that the proposed requirement for annual viability assessment may not be necessary or reasonable in all cases and likely to frustrate the delivery of new housing. As a consequence, we have removed this requirement from the additional paragraph on negotiation (**MAC33**)/(**IMAC8**).

Deliverability of Affordable Housing

- 7.11. As a result of the move away from the GDV approach, the Council has determined the percentage of affordable housing to be secured using evidence on housing need contained in the LHMA. It has taken the surplus residual values identified in the AHVS and calculated the percentage target for units to be delivered in the CCSA and VSA⁶⁴. As a result, Policy AH 1 has been amended to require a contribution on all qualifying sites of 25% in the CCSA and 10% in the Pontardawe area. We consider that the approach taken in determining the level of provision is clear and based on robust evidence. In addition, the requirement in Policy AH 1 for qualifying developments outside the Pontardawe area, but in the VSA, to demonstrate that they are not viable would promote uncertainty and deter investment. As a result this will be deleted from Policy AH 1 (**MAC32**).
- 7.12. In order to provide certainty about the application of Policy AH 1 the supporting text of Policy AH 1 and the Proposals Map will be amended to include a geographical definition of the ‘Pontardawe area’ which will, as a consequence, delete the amendment to the LDP proposed by FC 36 (**MAC32** and **MAC56**). The amendments allow for certainty in the interpretation of the spatial requirements of Policy AH 1 and ensure that only those areas to which the policy applies are defined on the Proposals Map.

Exception sites

- 7.13. In order to maximise provision, Policy AH 2 of the LDP permits RSLs to build a maximum of 9 affordable units on sites outside defined settlement limits. **MAC34** will resolve the contradiction between Policy AH 2 (2) and paragraph 5.1.37 and will make clear the locational requirements for exception sites. In addition, in order to avoid unnecessary duplication and ensure consistency within the Plan, **MAC35** deletes criterion 4, 5 and 6 of Policy BE 1. The proposed amendments will ensure that the policy accords with the requirements of national planning policy.

Provision for Gypsies and Travellers

- 7.14. PPW requires⁶⁵ that local authorities assess the accommodation needs of Gypsy and Traveller families, and have policies for the provision of Gypsy and Traveller sites in their development plans.

⁶⁴ Action Point 4.5

⁶⁵ PPW Chapter 9 Housing, paragraph 9.2.12

- 7.15. Neath Port Talbot has a well-established Gypsy and Traveller population with 54 pitches across three authorised public sites. Two sites are located at Wharf Road, Briton Ferry with a further site at Cae Garw Farm, near Margam⁶⁶. The Council commissioned a Gypsy and Traveller Accommodation Needs Study in 2012 to inform the preparation of the LDP. The findings of the study indicate that in total there is a need for an extra 20 pitches in the County Borough during the plan period. The study’s methodology includes the collection and assessment of both qualitative evidence, obtained from structured interviews with representatives of the Gypsy and Traveller communities, individual families, the Council and adjoining local authorities⁶⁷, and quantitative evidence taken from bi-annual counts, site occupancy data and planning information⁶⁸. The approach taken to determining the need for new accommodation is consistent with the requirements of national planning policy.
- 7.16. We consider that the approach taken in determining the level of provision is clear and based on robust evidence.
- 7.17. The study recognises that there are difficulties with accurately predicting need over a 15 year period⁶⁹ and suggests that the Council could allocate land for 11 pitches to meet the defined need up to 2022 and closely monitor the need for the additional 9 pitches⁷⁰. In line with that recommendation the LDP’s strategy, expressed in Policy SP 9, is to allocate a site for 11 pitches (Policy GT 1) supported by a criteria-based policy, GT 2, against which proposals for new sites and pitches will be judged.
- 7.18. Unlike other strategic policies in the Plan, therefore, Policy SP 9 does not define a requirement for new provision over the Plan period. This omission would in our view undermine the clarity and consistency of the Plan. As a result additional text defining the requirement for provision over the plan period is added to Policy SP 9 and paragraph 5.1.45 of the LDP (**IMAC9**).
- 7.19. The new Gypsy and Traveller pitches allocated by Policy GT 1 will be adjacent to the existing site at Cae Garw, Margam. The supporting text of the policy, as amended by **MAC36** identifies the level of need for new Gypsy and Traveller Sites and makes clear that, whilst the identified need would not be met in its entirety by a specific allocation, it would be closely monitored and if necessary the remaining nine pitches implemented by 2026. The Council confirmed at the Hearing session that funding had been secured for the allocated site; that development would be completed during 2016; and that any shortfall in the provision could be met by the further expansion of the Cae Garw site and/or the reuse of two currently de-commissioned pitches at Wharf Road, Briton Ferry.
- 7.20. Policy GT 2 provides a detailed framework for the assessment of proposals on non-allocated sites. The criteria contained in the policy accord with the requirements of Welsh Government Circular 30/2007 – Planning for Gypsy and

⁶⁶ SD43 Gypsy and Traveller Topic Paper (September 2014), page 15

⁶⁷ EB 11 Gypsy and Traveller Accommodation Needs Study (2012), paragraph 3.1 – 3.3

⁶⁸ EB 11 paragraph 4.7

⁶⁹ EB 11 paragraph 8.1

⁷⁰ EB 11 paragraph 9.2

Traveller Caravan Sites and therefore provide a sound basis for assessing planning applications.

Conclusion

- 7.21. All in all, we conclude that the affordable housing provisions of the Plan as amended by the MACs, are supported by robust and credible evidence, are consistent with national planning objectives concerning affordable housing and are sufficiently flexible to recognise the circumstances of individual sites.
- 7.22. The provisions for Gypsy and Travellers’ accommodation, as amended by the MACs, are supported by robust and credible evidence, consistent with national policy and are sufficiently flexible to recognise the circumstances of individual sites.

8 Allocated housing sites

- 8.1. The Council twice invited the submission of candidate sites for development. These stages lasted for a six month period in 2009 and for six weeks during 2010, and resulted in 538 sites, 358 of which were proposed for residential development. At the same times the public was invited to comment on the sites resulting in replies from about 11,000 respondents.
- 8.2. As well as the submitted candidate sites the Council assessed sites in Council ownership, undeveloped Unitary Development Plan (UDP) allocations, and sites lying within existing settlement boundaries. The methodology for assessing the residential candidate sites⁷¹ consisted of four stages. Sites could initially be excluded if they had a European designation or were below the minimum size threshold, stage 2 was an initial planning assessment and, beyond that, stage 3 considered the site against consultees’ comments and the Preferred Strategy. Sites which progressed this far were then subject to the stage 4 detailed assessment. All the sites which were deemed suitable following the stage 4 assessment became residential allocations.
- 8.3. Taking everything into account this was a thorough, methodical and consistent exercise. The evidence-based, site-specific approach has resulted in the identification of realistic and achievable allocations.
- 8.4. Over half of the housing sites are landbank sites with a valid planning permission for residential development; some of these have been completed and others are under construction. As the permitted sites will make a significant contribution to the County Borough’s housing requirement and five year supply of housing land, it is appropriate that, in the main, they are identified in the Plan.
- 8.5. The results of the assessments⁷² provide the evidence base for the allocated sites. The number of units for each allocated site has been estimated having

⁷¹ Candidate Site Assessment Report (August 2014) EB07, Section 3

⁷² EB06 Strategic Housing Site Assessment Report

regard to the size of the site, topography and the presence of other constraints; the character of the surrounding area and the application of the average density figures for the CCSA and VSA set out in Policy BE1 (**MAC50**).

- 8.6. The Plan does not, however, include any of the detailed information gathered during the assessment in respect of individual site characteristics or development requirements. The absence of this information does not provide certainty to either residents of the County Borough or potential developers and could delay the delivery of much needed new housing. In order to ameliorate the situation **MAC65** adds a detailed schedule of housing sites as an appendix to the LDP. This will provide a description of each site, its characteristics in terms of development opportunities and constraints, and details of the s106 requirements. The clarity thus provided is necessary for certainty and to assist in the delivery of housing in Neath Port Talbot.
- 8.7. When assessing planning applications for housing allocations the determining factors will be general planning considerations including other relevant LDP policies. Policy BE 1, broadly entitled ‘Design’, covers most of these matters; it would be supplemented by a thorough assessment of issues including biodiversity (Policy EN 7), pollution of all kinds and land instability (Policy EN 8), traffic, transport and access (Policy TR 2), and so on. The requirement for new infrastructure, including education, health provision and Welsh language provision, is common to many allocations and will be addressed through Policy I 1 at the planning application stage. Such requirements will also be listed in the new Appendix A provided through **MAC65**.

H1/2 - Leiros Park Extension

- 8.8. This is a 12 ha greenfield allocation located in an elevated position on the north eastern edge of the large local centre of Bryncoch. The site was identified in the UDP as part of the Alltwen/Rhos/Bryncoch/Neath Abbey /Leiros Park Green Wedge. In the light of the need to provide additional homes in the County Borough the Council has re-evaluated it through the LDP preparation process. A green wedge which will protect the landscape setting of Neath has been designated under LDP Policy EN3/1; we consider that the omission of the allocated site from that wedge would not adversely affect the setting of the urban area, significantly reduce the openness of the countryside surrounding Leiros Park or risk coalescence.
- 8.9. Whilst the site would be visible, its proximity to the Leiros Park Estate and other residential developments in the locality would ensure that when viewed from the surrounding area the allocation would appear to be part of the urban area. Moreover, the density of the allocation, which is below 35dph, and the retention of a landscape buffer on the northern boundary of the site would reduce the visual impact and allow the development to integrate into the countryside. Whilst some of the established view points from the site would be lost, with the careful design of the layout some viewpoints may be retained and enhanced.
- 8.10. Whilst some biodiversity interest is present, this is not significant. If necessary, it could be accommodated in the layout of the development in accordance with Policy BE1 or, if that was not possible, mitigation and/or compensation could be provided under Policy EN6.

- 8.11. A Transport Assessment (TA) has been undertaken which considered the potential impact of the development on the local highway network. The TA concluded that with improvements to the roundabouts at the A474/B4434 and A474/B4230 junctions the additional traffic generated by the site could be accommodated on the highway network. More detailed consideration in respect of appropriate access to the site itself would be given at the time of a planning application.
- 8.12. The allocated site is relatively unconstrained and located within a strong housing market in the CCSA and no evidence has been presented to suggest that the site would not be delivered in the way anticipated in the trajectory.

H1/11 - Neath Road / Fairyland Road, Tonna

- 8.13. This allocation is a 14 ha greenfield site located on the southern edge of the small local centre of Tonna. The site was identified in the UDP as part of the Neath/Tonna/Cimla /Efail Fach Green Wedge. The primary purpose of the wedge was to prevent the coalescence of Neath and Tonna. As at the Leiros Park Extension allocation, because of the need for additional homes in NPT the site has been reassessed. A green wedge intended to prevent the coalescence of Neath and Tonna has been designated under LDP Policy EN3/3. Whilst we accept that the allocation will reduce the gap between Neath and Tonna, we nevertheless consider that the area of open land which will remain, and which includes Llantwit Cemetery and a small remnant field, is of sufficient size to prevent the coalescence of the settlements and protect the setting of the urban area.
- 8.14. There is some biodiversity interest on the site but it is not significant and, if necessary, could be incorporated into the layout of the development or addressed under Policy EN6.
- 8.15. A Transport Assessment (TA) has been undertaken which considered the potential impact of the development on the local highway network. The TA concluded that sufficient capacity exists on the existing network to accommodate the traffic generated by the allocation. The Council accepts that additional traffic might exacerbate problems with on-street parking close to Tonna Post Office and along Llantwit Road. In order to address this concern, additional text outlining the possible requirement for measures, such as a traffic regulations order, to address any highway problems in this area, will be added to the schedule of housing sites (**IMAC15**).
- 8.16. We note that part of the site is already subject to a planning application. Given this, and the fact that the allocation is located within a strong housing market in the CCSA it is reasonable to conclude that the site would be delivered in the timescale anticipated in the trajectory.

H1/14 Western Logs, Cwmafan

- 8.17. The allocation is a 5.9 ha brownfield site located to the east of Ynysyguas. The site is currently occupied by an operational timber yard and is adjacent to the H1/13 Hawthorn Close housing allocation.

- 8.18. There are a number of potential constraints to development on this site including the possibility of ground contamination caused by the existing use of the site; its close proximity to a historic refuse site and the need for significant improvements to the existing access arrangements. No evidence has been presented to suggest that contamination, if found, could not be remediated or that the access arrangements could not be improved by the addition of traffic signals at the entrance to the site.
- 8.19. The site is in a strong housing market in the CCSA and no financial or technical evidence has been presented to demonstrate that the site would not be delivered in the timescale anticipated in the trajectory.

H1/29 Parc Ynysderw, Pontardawe

- 8.20. This site is close to transport nodes and the retail, educational and leisure facilities in the centre of Pontardawe. Its allocation is consistent with the strategy of the LDP, particularly as it is in the Pontardawe Strategic Growth Area, and its development would help to sustain the population of the wider area. There are no significant site constraints; we are satisfied that matters such as appropriate measures for drainage and access issues could be adequately addressed at the planning application stage. The site has an area of 1.2 ha and, given its sustainable location, is appropriate for higher density development, for example 40 dph. On that basis the site could yield more than 50 dwellings.
- 8.21. Despite the site being considered as an allocation early in the plan-making process it was discounted at Stage 4 of the assessment. At that time the landowner did not want to release the site for housing but was intending to pursue a retail scheme in line with a planning permission which has since lapsed. We are satisfied that the position has now changed and that, therefore, the site constitutes an appropriate residential development which is likely to be delivered during the plan period.
- 8.22. Because of other circumstances affecting their allocation and delivery the housing element of some sites is discussed elsewhere in this report:

Blaenbaglan Farm, Baglan	H1/LB/13	- paras 6.10 - 6.11
Tirbach Washery, Ystalyfera		- paras 6.15
Coed Darcy Urban Village	H1/LB/4 & 5	- paras 5.2 – 5.4
Compair/GMF, Ystalyfera	H1/29	- para. 10.16
Harbourside, Port Talbot	H1/17	- paras 5.65 – 5.9
Park Avenue, Glynneath	H1/23	- para. 10.16

Conclusion

- 8.23. Relevant alternatives have been considered and the identification of the housing sites is based on a robust and rational site selection process. The allocated sites are likely to be deliverable within the plan period and will make an appropriate contribution towards the housing requirement. With the addition of Appendix A (**MAC65**) the policies for the housing sites are clear, reasonable and sufficient.

9 Economy – employment, retail and tourism

Employment land provision

- 9.1. A key issue for the LDP is the development of an aspirational strategy to reinvigorate the economy of Neath Port Talbot. The primary evidence for the employment strategy is contained in the Economic Assessment and Employment Land Provision for Swansea and Neath Port Talbot⁷³ and in the Employment Land Review (ELR)⁷⁴. The assessment has been updated to take account of the most recent Census data⁷⁵; its findings demonstrate that up to 3,850 jobs will be created in Neath Port Talbot between 2011 and 2026⁷⁶. When this figure is converted into floorspace requirement it shows that there is a need for 34,000 sq m of net additional floorspace for class B1, B2 and B8 uses, which is the equivalent of 8.6 ha of new employment land over the plan period. In addition the assessment identifies the need for a further 11.4 ha of industrial land to meet the needs of the Regional Waste Plan⁷⁷. The Economic Assessment recommends that in order to meet the identified need only commercially attractive sites which are close to the M4 should be allocated in the emerging LDP⁷⁸.
- 9.2. Policy SP 11 provides a framework for the management of new and existing employment development in the County Borough. The policy allocates 96 ha of land for employment and business purposes; identifies the provision of additional employment land within the Strategic Regeneration Areas; seeks to safeguard existing employment land and premises; and provides for a flexible approach to the delivery of employment proposals in the VSA. The total Employment Land requirement is made up as follows:

Reference	Site	Size	Use Class Permitted
EC1/1	Baglan Bay	75 ha, of which 15 ha is allocated for B Use Class	B1, B2 and B8 Use Classes defined within Glossary
EC1/2	Junction 38 (M4), Margam	6 ha	B1, B2 and B8
EC1/3	Land within Coed Darcy SRA	4 ha	B1
EC1/4	Land within Harbourside SRA	7 ha	B1
	Total	32 ha	

⁷³ EB14 Economic Assessment & Employment Land Provisions for Swansea & Neath Port Talbot (2012)

⁷⁴ EB15 Employment Land Review (2014)

⁷⁵ ED009 Review of Levels of Growth (2015), paragraph 1.1.1 – 1.1.16

⁷⁶ ED009, paragraph 2.3

⁷⁷ EB14, paragraph 5.5.7 -5.5.11

⁷⁸ EB14, paragraphs 6.5.9 – 6.5.10

- 9.3. The strategic policy is supported by policies EC 1 to EC 6 which allocate land for new employment development and provide a framework for assessing proposals.
- 9.4. Of the 96 ha of land allocated under Policy SP 11, only 32 ha are expected to be developed for employment uses during the plan period. The remaining 64 ha are intended to meet the needs of the energy sector. The 32 ha of land comprise 8.6 ha for employment related development, 11.4 ha for waste related development and an additional 12 ha to allow for flexibility and choice. Changes to TAN 21⁷⁹ mean that the allocation for waste related development is no longer required. However, this element of the allocation is retained in order to off-set the recent loss of 10.6 ha of existing employment land⁸⁰. Although the allocation of employment land contained in Policy SP 11 exceeds anticipated demand, the provision is of a modest scale and complies with TAN 23 by making an appropriate allowance for flexibility, competition and choice⁸¹.

Employment land allocations

- 9.5. The ELR was undertaken by the Council in order to ensure sufficient land was available to meet the identified need and to ensure that the most suitable land was allocated for employment purposes. Following the recommendations contained in the Economic Assessment, the ELR also sought to reduce the quantum of surplus land being planned in order to avoid confusing the market or undermining the viability of suitable sites. In addition allocations have been focussed on large commercially attractive sites close to the M4 which are deliverable and existing businesses and their sites are protected. The ELR assessed approximately 68 sites including those allocated in the UDP; candidate sites; and existing employment land⁸². The findings of the ELR were that sufficient range and choice of sites exists within close proximity to the M4 to meet the growth requirements contained in the LDP. The recommendations contained in the ELR provide the basis for the sites identified in Policies EC 1 and EC 2⁸³.
- 9.6. Policy EC 1 of the submitted Plan allocates land at Baglan Bay; Junction 38 (M4), Margam; land at Coed Darcy Strategic Regeneration Area; and land at Harbourside Strategic Regeneration Area.
- 9.7. Allocation EC 1/1 Baglan Bay is a 75 hectare site, of which only 15 ha is allocated for employment use (**MAC38**). In recognition of the economic potential of the site, **MAC40** will amend the supporting text of Policy EC 1 to acknowledge the strategic importance of the Baglan Bay site and allow for the development of a minimum of 15 ha of land at the site for employment related uses. The greater flexibility proposed by **MAC40** would effectively increase the potential for the site to be redeveloped for commercial uses over the plan period.

⁷⁹ Technical Advice Note 21 – Waste (2014)

⁸⁰ NPT Examination Statement, Matter 6 – Economy, paragraph 1.2.1.7

⁸¹ Technical Advice Note 23 – Economic Development (2014), paragraph 4.5.2

⁸² SD45 Economy and Employment Topic Paper (2014)

⁸³ EB15, Section 9

- 9.8. Junction 38 (M4), Margam, is allocated under Policy EC 1/2 of the submitted LDP for the development of 6 ha of employment related uses. The allocation was formerly part of a much larger site allocated in the UDP for employment purposes. It is clear that the area of the former UDP allocation has been assessed as part of the ELR process and that the site has, correctly, been reduced to take account of ecological constraint, flooding risk and areas which are no longer available for development because of planning commitments such as the biomass power station and mitigation for the Harbour Way scheme.
- 9.9. Allocation EC 1/4 is part of the larger Harbourside SRA. Issues in relation to the development of SRAs are considered in detail in Chapter 5 of this report. However, it is important to note that in accordance with the findings of the flood consequences assessment of the site the employment allocation on the site will be reduced to 7 ha. In order to off-set the reduction **MAC39** will increase the size of the allocation made under Policy EC 1/1 Baglan Bay from 11 to 15 ha.

Employment policy framework

- 9.10. In accordance with the recommendations contained in the Economic Assessment and the ELR, Policy EC 2 safeguards existing employment areas. The policy lists 18 existing employment areas throughout Neath Port Talbot which have been identified because of their existing function and the valuable contribution they make to the overall provision of employment in Neath Port Talbot⁸⁴. In addition Policy EC 3 ensures that any future development on allocated or existing employment sites complements and supports the primary use of the site.
- 9.11. Policies EC 2 and EC 3 will be amended by **MAC41** and **MAC42** to safeguard existing employment uses at Tata Steel, a nationally important employer, and provide a context for the development of vacant and under-used land within the site. The area of hard surfacing currently used for HGV parking and container storage to the south is a comparatively small but useful piece of operational land. Although its exclusion from the safeguarded area would not prevent its continued use, for the sake of accuracy and clarity it should be included within the safeguarded boundary on the Proposals Map (**IMAC14**).
- 9.12. With regard to Port Talbot Docks, Policy EC 2/10 (Llewellyn’s Quay, Port Talbot) and Policy TR 4 (Safeguarding Freight Facilities) make clear the important role of the operational Dock and provide a clear and consistent basis on which to assess proposals for future development. **MAC42** will provide clarity as to the type of alternative uses which might be acceptable at these sites.

Retail

- 9.13. A retail study of the County Borough⁸⁵ reveals that Neath and Port Talbot centres have slipped down the retail rankings during the past decade; in 2005 Neath was ranked at 258th in the UK and Port Talbot at 411th but by 2011 their

⁸⁴ SD45, paragraph 6.2.50

⁸⁵ EB16 Neath Port Talbot Retail Study

positions had fallen to 317th and 485th respectively. The Retail Topic Paper⁸⁶ notes that changes in a town centre’s ranking are dependent not only on how that centre is performing but also on other centres improving their offer and moving upwards through the ranks. The slippage for both Neath and Port Talbot suggests, therefore, that neither is keeping pace with improvements made by competing centres.

- 9.14. Furthermore, the competition is mainly outside of Neath Port Talbot including, not only the city and town centres of Cardiff, Swansea, Llanelli and Bridgend, but also out-of-town retail centres such as Llansamlet, Fforestfach and Trostre. The leakage of expenditure to these locations is detrimental to the economy of the County Borough. This issue is reflected in LDP Objective OB 13 which, as well as developing a hierarchy of retail centres, recognises the principal roles of Neath, Port Talbot and Pontardawe town centres.
- 9.15. At the time the UDP was being prepared, under provision of retail warehousing⁸⁷ and food stores⁸⁸ had led to the loss of trade and jobs outside the County Borough. The new retail provision at Baglan Moors helped to improve the situation and it was designated as a district centre in the UDP. Now there is a health centre with pharmacy adjacent to the centre and a new pub/restaurant but no other non-retail services such as banks or building societies. In terms of TAN4 *Retailing and Town Centres*⁸⁹ it does not, therefore, match strongly the definition of a district centre.
- 9.16. Were the Baglan Moors centre to be designated as a district centre proposals for new retail development there would be considered against Policy R2. It would not be necessary to assess whether the facility was needed, to apply the sequential test or to evaluate the effect on the vitality and viability of existing shopping centres such as Port Talbot and Neath town centres, all requirements of the policy, Policy R3, which currently applies to Baglan Moors. Under Policy R2 there would be the potential for retail development which would be better located in one of the town centres to be permitted at the Baglan Moors centre, potentially to the detriment of the main centres’ vitality and viability. In view of the fragile health of the existing town centres and OB 13 the exclusion of Baglan Moors from the retail centre hierarchy is essential to the LDP strategy and thus appropriate.

Tourism

- 9.17. Neath Port Talbot is an area rich in natural resources, cultural heritage and landscape beauty. As a result of increased investment in tourism infrastructure, during the last 10 years the County Borough has seen a steady growth in visitor numbers which in turn has generated additional income for the local economy and created new jobs in the sector. In order to assist in revitalising the economy of the County Borough the LDP, through Policy SP 13, takes a flexible approach to new tourism proposals; encourages new

⁸⁶ SD46

⁸⁷ UDP paragraph 1.6.12

⁸⁸ Ibid paragraph 2.11.5

⁸⁹ TAN4, Annex A Glossary of Terms

sustainable tourism development and resists where possible the loss of existing facilities⁹⁰. This is supported and supplemented by policies TO 1 and TO 2 which manage tourism development in the countryside and protect existing tourism facilities. This approach is consistent with national planning policy.

- 9.18. The LDP includes a single allocation for tourism-led development at the Rheola Estate near Glynneath (TO3/1). This is centred on the Grade II* listed Rheola House, its designated Historic Park and Garden focussed and surrounding parkland. The site also includes a former aluminium works and it is on this brownfield area that up to 100 units of holiday accommodation, a small shop and a leisure complex will be developed.
- 9.19. A significant part of the site lies within flood risk Zone C2 where TAN15 does not permit highly vulnerable development such as residential uses including holiday accommodation. There is also, however, sufficient Zone A land to safely accommodate the allocated development and to provide for safe egress and emergency access in the event of a flood.
- 9.20. We are satisfied that the biodiversity interests on the site, which include ancient and semi natural woodland, wet woodland, lakes and ponds could be incorporated and preserved as part of the overall design of the scheme. Where this is not possible any adverse effects would need to be mitigated against and compensated for under Policy EN 6.
- 9.21. Although the LDP strategy is to deliver the majority of new housing on large site allocations in the Coastal Corridor Strategy Area and the Pontardawe and Upper Neath Valley growth points, the fact that the site is in the Neath Valley is not reason in itself for not allocating part of the site for housing development. The Rheola Estate, however, is a considerable distance from the nearest settlements of Glynneath and Resolven. As such it is not in a sustainable location and has not been classified as a settlement in the LDP. It is therefore not appropriate to allocate any part of the site for housing development.

Conclusion

- 9.22. The overall scale, type and distribution of the allocated employment and retail sites achieves the relevant objectives of the LDP in a sustainable manner consistent with the WSP and national policy. Relevant alternatives have been considered and the identification of the allocated sites is based on a robust and rational site selection process. The policies for employment, retail and tourism development are clear, reasonable and appropriate.

⁹⁰ SD45 Economy & Employment Topic Paper (2014), section 4.2

10 Environment and Resources

The Undeveloped Coast

- 10.1. A band of coastline around the River Neath estuary is defined and protected by Policy EN 1. This policy is entitled ‘The Undeveloped Coast’ and the accompanying text explains that a relatively limited area of NPT’s coastline can be defined as such. Only limited types of development, for which a coastal location is necessary and which cannot be accommodated on the developed coast, will be permitted within the EN 1 designation. An area of previously developed land at Baglan Bay, part of which is currently in use as a ragworm farm, is included within the designation and is thus inconsistent with the ‘undeveloped coast’ designation.
- 10.2. The LDP cites the provisions of the Shoreline Management Plan (SMP)⁹¹, particularly managed realignment of the sand dunes, as a basis for the designation. Preventing erosion of the dunes is important and necessary, not only for biodiversity reasons, but also to minimise the risk of flooding hinterland areas including a power station and industrial area.
- 10.3. Neither the SMP nor the geomorphological report⁹², the main purpose of which was to inform decision making relating to the ecological and recreational management of the dune system, provide any evidence of such a wide, 300m, buffer of land as proposed by the Council. Although the SMP refers to a risk of increasing dune erosion during the period from 2009 – 2029 neither is there any evidence in terms of current or potential erosion rates. Indeed Environment Agency maps⁹³ indicate that predicted erosion in the area will be negligible.
- 10.4. In respect of the geomorphological report, the main area ‘B’⁹⁴ identified for dune management works is considerably smaller than that designated in the LDP and confined to the existing extent and position of the dunes. Furthermore the report makes clear that existing damage results from sand blowing back through gaps in the dunes made by and/or for their recreational use by motorcyclists. Measures proposed in the area are intended to reduce this harm and its causes rather than to facilitate the backward movement of the dunes. The report does not provide any support for the provision of a protective zone as wide as that covered by EN 1.
- 10.5. **IMAC13** therefore amends the boundary of EN 1 to that necessary to protect the dunes. The provision for lapwing mitigation on a nearby area is a requirement of a previous planning permission. We understand that, by reason of its temporary nature, this creates some uncertainty but including the site within the EN 1 when not justified is not an appropriate measure.

⁹¹ SWW03 Lavernock Point to St Ann’s Head Shoreline Management Plan SMP2

⁹² ED031 Baglan and Crymlyn Burrows Geomorphological Report

⁹³ M6-S10-0042 Appendix 5 Atkins Technical Note section 3, 1st para.

⁹⁴ ED031 page 60, Figure 57

Special Landscape Areas

10.6. Following a study of the County Borough’s landscapes⁹⁵ Policy EN 2 identifies six Special Landscape Areas. The mechanism for their protection, as set out in the policy, is to only permit development which will not have a significant adverse impact on the features and characteristics for which each has been designated. In order that the policy can be implemented effectively these will be set out in SPG (**MAC43**).

Green Wedge

10.7. There are five green wedges in Neath Port Talbot which have been designated to prevent the coalescence of settlements and to protect the setting of urban areas. Green wedges serve the same purposes as Green Belts and in both there is a presumption against inappropriate development. Green wedge designations are established through development plans with those proposed in the LDP carried over in a large part from the UDP.

10.8. PPW states that green wedge policies should be reviewed as part of the development plan process. In order to do this the Council commissioned a study which made clear that where key candidate sites were proposed within existing green wedges and did not undermine their integrity, the sites could be removed from the relevant wedge⁹⁶.

10.9. PPW also advises that, when considering green wedge designations, local planning authorities need to ensure that a sufficient range of development land is available⁹⁷. In redrawing limited parts of green wedge boundary and allocating some housing sites, notably the Leiros Park Extension (H1/2) and Neath Road/Fairyland Road (H1/11), which are discussed in more detail in the allocated housing sites section, on land previously within green wedges, this is what the Council has rightly done. Such actions are, therefore, consistent with national policy and the allocations are not unsound in respect of the green wedge.

Open Space

10.10. In its assessment of Open Space provision in the County Borough, the Council took a pragmatic and focussed approach relying on the predominantly rural nature of the area and the easy accessibility to a large amount and varied range of greenspace. In addition, whilst consultation responses were made in respect of the provision of formal categories of open space, access to greenspace was not identified as a salient issue.

10.11. Regardless of the open space typology being described only as a ‘useful basis’ for assessment and policy preparation, TAN 16: Sport, Recreation and Open Space states clearly that the open space assessment should address all forms of open space provision. In excluding greenspace the Council’s open space

⁹⁵ EB18 and EB19

⁹⁶ EB18, Provision of Landscape Advice (2011), paragraph 8.2.

⁹⁷ PPW paragraphs 4.8.11-4.8.13

assessment is not fully consistent with PPW and TAN 16. As there is no evidence, however, that the amount, quality and accessibility of greenspace in the County Borough is an issue or that it is otherwise threatened we consider that the Council’s approach has been reasonable. The lack of evaluation of greenspace is not, therefore, sufficiently out of kilter with national guidance as to be unsound.

- 10.12. The purpose of such assessments is to enable the objectives set out in PPW to be achieved, namely the provision of a framework for well-located facilities which are well designed, well maintained, safe and accessible to all. In order to protect and enhance provision, LDPs should provide standards for the various types of open space based on the assessments; Policy OS 1 does this for outdoor sport facilities, children’s play space, informal space, categories formerly covered by the Six Acre Standard, and allotments.
- 10.13. Most of the countryside areas, which equate to greenspace, are protected through the identification of settlement limits and by other policies including, Policy EN 1 The Undeveloped Coast, Policy EN 2 Special Landscape Areas and/or Policy EN 3 Green Wedges. In adding ‘greenspace’ to the open space types listed in paragraph 5.1.53 MAC37 will clarify that Policy OS 2 protects all open spaces. In addition, the Council has made a commitment to prepare SPG on ‘Open and Greenspace’ and this is identified in the LDP and monitoring framework.
- 10.14. All in all, and despite the omission of greenspace from the open space assessment, we consider that the LDP’s strategy for such areas is robust. It will provide adequate protection for all types of open space and be a sound basis for the provision of additional facilities as new residential development comes forward.

Environmental Protection

- 10.15. Subject to changes to policy SP1 and its supporting text which will clarify the factors to be taken into account in considering development proposals the LDP’s approach to flood risk is consistent with national policy as set out in TAN 15 and adequate (**MAC26**).
- 10.16. Changes to the Development Advice Maps (DAMs), and the land included in the various flood zones, resulted in a reduced capacity at two allocated sites. At Park Avenue, Glynneath the developable area of the site is now 7.9 ha which should still be sufficient for approximately 150 dwellings (H1/23) and a convenience shop of about 660 sq m (R1/4). The Compair/GMF allocation (H1/29) in Ystalyfera has also been affected and the 2.3 ha of the site remaining outside of Zone C will not be large enough for the projected 120 dwellings. The indicative number of units has therefore been reduced by 50 and an additional site allocated in Pontardawe to take account of their loss (**MAC24**).

Minerals

- 10.17. The County Borough has a rich mineral resource. In order to properly exploit this whilst protecting the surrounding countryside, general environment and amenity of local communities, the policy framework is comprehensive.

- 10.18. In addition Policy SP16 Environmental Protection and Policy EN8 Pollution and Land Stability set out the strategy and policy framework for protecting and improving the environment. It would be inconsistent with national guidance⁹⁸ to safeguard the tertiary resource and there is no evidence that such protection is necessary in Neath Port Talbot.
- 10.19. Subject to **MAC44**, which will refer interested parties to more information on exceptional circumstances without repeating national guidance in the LDP, the policies and explanatory text are sufficiently clear and consistent with national policy. **MAC64** will amend the Proposals Map so that the contradictory policy advice caused by an overlap of existing mineral operations with settlement protection zones is erased. In respect of criterion 1 of Policy M2 Settlement Protection Zones are shown on the Proposals Map. These are drawn at a distance of 500m around all the settlements in Neath Port Talbot, as well as taking account of those in neighbouring authorities which are within 500m of the boundary. This will be clarified in an addition to the explanatory text (**IMAC11**).

Renewable Energy

- 10.20. In accordance with FC25 and FC38 the boundaries of both the SSAs within the County Borough are thus consistent with those identified in TAN8. The definition of SSAs does not preclude wind farm development beyond their boundaries, provided it conforms with criteria in respect of visual amenity and landscape character. Although the Arup study⁹⁹ is a decade old, in following the TAN8 Annex D methodology it is thorough, robust and an appropriate basis for the refined boundary, albeit that it does not include the existing Maesgwyn wind farm.
- 10.21. TAN8 charges WG with scrutinising LDPs to ensure that SSA installed capacity targets, which have been clarified in a letter from the Minister¹⁰⁰, are capable of being met¹⁰¹. In the light of the focussed changes, and despite not agreeing with the Council’s calculation of the consented and operational capacity in SSA E and F, WG has not maintained its objection to the SSA boundary or capacity target. Even if wind farm development within the 5km buffer zone is subtracted from the calculation we do not have serious concerns that maximum capacity would not be achieved with the refined SSAs.
- 10.22. In requiring proposals within SSAs to be subject to consideration of landscape character and visual amenity Policy RE 1 is not consistent with TAN8 which accepts that wind farms are likely to lead to significant changes in landscape character¹⁰². We have reorganised the policy slightly in order to clearly separate considerations within the SSAs from those for proposals, of any size, outside their boundaries. In addition, we have deleted the reference to

⁹⁸ Minerals Technical Advice Note 2: Coal (MTAN2)

⁹⁹ EB21 TAN 8 Annex D study of Strategic Search Areas E and F: South Wales Valleys

¹⁰⁰ From John Griffiths, Minister for Environment and Sustainable Development, July 2011

¹⁰¹ TAN 8 paragraph 5.4

¹⁰² TAN 8 Planning for Renewable Energy Annex D, paragraph 8.4

‘community-based’ schemes from the new third criterion as it was clarified at the hearing that it would apply to all proposals of less than 5MW (**IMAC10**).

Waste

10.23. Policy W 1 indicates the preferred sites for in-building waste treatment facilities and, through FC28, has been updated to remove the Best Practicable Environmental Option (BPEO) test. In addition, **MAC45** introduces the need for waste proposals to be supported by a Waste Planning Assessment. The policy is thus consistent with TAN 21 Waste.

10.24. The provision of a Health Impact Assessment (HIA) for waste related planning applications is not required by TAN 21. The reference to the submission of a HIA ‘where appropriate’ should be retained in the explanation and not the policy itself, particularly as an HIA is likely to be included as part of the Environmental Statement required for major proposals. In view of the enhanced explanation of the ways in which health matters will be addressed in the LDP a reference to Policy W 1 should be included in Policy SP2 (**IMAC1**).

Conclusion

10.25. The policies and proposals on this matter will achieve the relevant objectives of the LDP in a sustainable manner consistent with the WSP and national policy and are based on robust and credible evidence. They are clear, reasonable and appropriate.

11 Infrastructure

11.1. The Council’s Infrastructure Delivery Plan¹⁰³ recognises the importance of providing appropriate infrastructure to meet the social, economic and environmental needs of communities throughout Neath Port Talbot. The document takes account of the potential costs of providing infrastructure, possible sources of funding, the phasing of development and provides demonstrable evidence that the allocated sites can be delivered in the way set out in the LDP. In support of this Policies SP 4 and I 1 provide a framework for the effective management of existing infrastructure and to secure the provision of new infrastructure such as affordable housing, open space and recreation facilities, community and environmental hubs, schools and training facilities, and community and public transport. We were concerned that Policy I 1 provided a general list of items that may be required over the plan period rather than a detailed and prioritised list specifically intended to meet the needs of the community. **MAC17** and **MAC65** provide details of the infrastructure necessary to deliver the key policies and proposals in the Plan and explain the approach to prioritising requirements.

¹⁰³ EB03

- 11.2. We thus conclude that the provisions of infrastructure, as amended by the MACs, are supported by robust and credible evidence, consistent with national policy.

12 Transport and Access

Delivery of Transportation Proposals

- 12.1. Through Policy SP 20 the LDP seeks to ensure the development of an integrated transportation network which is safe, efficient and sustainable. The framework provided by the policy is intended to address the need for improvements to the highway network to facilitate new development; deliver key regeneration proposals; and improve accessibility¹⁰⁴.
- 12.2. Policy TR1 identifies a number of transportation schemes intended to enhance the highway network; improve public transport stations; safeguard land for walking and cycling routes and provide new park and share facilities. The majority of the schemes are identified in the Regional Transport Plan¹⁰⁵. The remainder, with the exception of the Afan Valley Trail, are required to facilitate access to Coed Darcy Urban Village. As a consequence, funding for the schemes has been secured from public and private sector bodies. At the time of the examination the Council confirmed that planning permission had been granted for the Coed Darcy Southern Access Road; work had commenced on the Junction 43, M4 improvements; and the Integrated Transportation Hub (Port Talbot); and the Amman Valley Cycle Way; the Ffordd Amazon (stage 2); Harbour Way (PDR); and Afan Valley schemes were complete. The combination of these schemes provides a comprehensive package of improvements that will promote sustainable travel patterns and ensure greater accessibility for local residents travelling within and outside the County Borough.

Design and Access

- 12.3. Criteria for assessing the design and access arrangements for new development are set out under Policy TR 2. Amongst other things the policy seeks to ensure the safe, effective and efficient use of the highway network. In addition guidance in relation to the impact of development on the primary and core network is contained in the supporting text of Policy SP 20. In order to ensure clarity and consistency within the Plan, the text set out under Policy SP 20 will be deleted and the supporting text of Policy TR 2 amended to include guidance in relation to the impact of new development on the highway network (**MAC47** and **MAC48**).

Safeguarding of Freight Facilities

- 12.4. Policy TR 4 seeks to safeguard land at Port Talbot Tidal Harbour; Port Talbot Docks; the existing and potential wharves, and existing rail connections and sidings for storage and movement of freight. Whilst the policy is flexible

¹⁰⁴ Deposit LDP, page 11, KI 16

¹⁰⁵ SWW12 Regional Transport Plan 2010 -2015

enough to allow proposals for alternative or complementary uses at these locations, it is clear that these would only be acceptable where it can be demonstrated that they would not inhibit the future movement of freight. The harbour, docks, wharfs, rail connections and sidings have been clearly delineated on the Proposals Map. The approach to the identification and safeguarding of freight facilities in Policy TP 4 accords with the requirements of national planning policy¹⁰⁶.

Conclusion

- 12.5. We conclude that the policies and proposals for Transport and Access, as amended by the MACs, are consistent with national policy, sufficiently flexible to recognise the changing demands of the transportation network and deliverable.

13 Culture and Heritage

- 13.1. Policy SP21 provides a policy framework for the conservation and enhancement of the built environment and historic heritage of Neath Port Talbot. **MAC49** is necessary to ensure that issues, such as the enhancement of heritage assets; and the preparation of conservation area appraisals, are properly addressed through the policy and that it thus complies with national planning policy.

The Canal Network

- 13.2. The canal network is a key element of the historic heritage of Neath Port Talbot. The County Borough has three canals - the Neath, Tennant and Swansea. Whilst restoration has taken place to ensure that significant lengths of these canals are navigable there is a considerable amount of work still to be done¹⁰⁷. Policy BE 3 seeks to safeguard extensive parts of the Swansea Canal, the whole of the Tennant Canal, and a substantial part of the Neath Canal. The safeguarded lengths are identified on the Proposals Map. In addition, Policy BE 3 seeks to protect other unspecified parts of these canals from any future development which would be a physical impediment to their restoration.
- 13.3. Several parts of the network are not identified in Policy BE 3 or on the Proposal Map. The Council’s position in omitting these stretches is that there is little prospect of restoration taking place during the plan period as, in many instances, they have been filled in, built over or severed from the network by road construction. It considers that to identify these stretches of canal in Policy BE 3 or its supporting text would not comply with the requirements of LDP Wales (2005).
- 13.4. It is clear that the stretches of canal in question are unlikely to be restored during the plan period and that they should not, therefore, be added to Policy BE 3. However, PPW¹⁰⁸ acknowledges that plans can, in some circumstances, be aspirational. In this instance, the locations of these canals are known and

¹⁰⁶ Technical Advice Note 18: Transport (2007), paragraphs 8.11 – 8.15

¹⁰⁷ SD47 Environment Topic Paper (2014), paragraphs 4.1.10 – 4.1.14

¹⁰⁸ PPW, paragraph 2.2.2

evidence has been presented to demonstrate that over time, and with the appropriate funding, they could be restored¹⁰⁹. Therefore, in order to ensure that the presence of these canals is taken into account as part of any development proposal, the supporting text of the policy will be amended to specify the locations of these canals. In addition, we also propose to amend Policy BE 3 and its supporting text to more accurately reflect the nature of the constraint on the canal network (**IMAC12**). **MAC51** and **MAC52** express support for the restoration of the network and provide certainty about the approach to protection.

Welsh Language

13.5. The 2011 Census shows an overall decline in the amount of people able to speak Welsh in Neath Port Talbot. At ward level the picture is more varied with some wards with low levels of Welsh speakers and others, where the language is an integral part of the social fabric, with significantly higher levels¹¹⁰. Policy SP 22 provides a framework for the protection, promotion and enhancement of the Welsh Language in the Amman Valley; Swansea Valley; Pontardawe; and the community of Crynant in the Dulais Valley where more than 25% of the population speak Welsh. **MAC57** will amend the Proposals Map to delineate Language Sensitive Areas. In addition Policy WL 1, as amended by **MAC53**, requires qualifying development in these areas to provide a language action plan, setting out measures to protect, promote and enhance the Welsh Language. The policy approach is based on robust and credible evidence and is consistent with the requirements of national planning policy.

Conclusion

13.6. We conclude that the provisions made for culture and heritage in the submitted LDP, as amended by the MACs, are consistent with national planning policy and supported by robust and credible evidence.

14 Plan monitoring and review

14.1. Section 6 of the LDP contains a Monitoring Framework which sets out the indicators to be used to monitor delivery of the Plan’s policies and proposals. The monitoring indicators are categorised by strategic policies and consist of core indicators, needed to monitor and assess changes relevant to aspects of national policy, together with local and contextual indicators specific to Neath Port Talbot. The monitoring framework identifies a range of actions which, should the monitoring process indicate that the Plan is not being delivered in the manner intended, will signal a need for the Council to address the situation.

14.2. During the course of the Hearing sessions, the Council accepted that some aspects of the monitoring framework, principally in relation to housing delivery,

¹⁰⁹ ED029 Restoration of the Neath, Tennant and Swansea Canals (2002); AP10.3 Swansea Canal – Trebanos to Herbert Street Bridge Restoration (2014) and AP10.3(a) Feasibility Study on the Swansea Canal (1994)

¹¹⁰ SD52 Welsh Language Topic Paper (2014), Chapter 4

economic development and affordable housing, needed to be revised. As a consequence **MAC66** sets out a revised framework.

- 14.3. We conclude that the provisions made for the monitoring and review in the submitted LDP, as amended by **MAC66**, are consistent with national planning policy and will provide a consistent and robust basis on which to assess the performance of the Plan.

15 Overall Conclusions

- 15.1. We conclude that, with the binding recommended changes identified in this report and set out in Appendix A, the Neath Port Talbot Local Development Plan satisfies the requirements of section 64(5) of the 2004 Act and meets the procedural, consistency and coherence and effectiveness tests of soundness in LDP Wales.

Siân Worden

Nicola Gulley

Inspectors