

Neath & Tennant Canals Trust

Affiliated to the Inland Waterways Association



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May 13th 2015

Ms. S. Worden,
Lead Planning Inspector,
NPTCBC LDP Examination,
Civic Centre,
Port Talbot, SA13 1PJ

Dear Ms. Worden,

Matter 10 - POLICY BE 3

I enclose/ attach a copy of an independent opinion from Graham Winter, Team Leader of the Welsh Assembly Planning Research Service relating to the above Policy and in particular to the protection of heritage sites.

The opinion was provided for Ms. Suzy Davies, A.M., Shadow Minister for Welsh Language and Culture who takes a keen interest in the restoration of local canals and the need for their continued protection by the LDP. The opinion was received in the past 48 hours and has been circulated to other representors .

You will be aware that the fundamental difference between NPTCBC and representors concerning the Policy has been the Council's assertion that protection of the canals under SP21 and BE 3 should be subject to 'deliverability' within the time-frame of the LDP.

In the absence of references to such a requirement in national policy documents and in relation to canals in LDPs of other Authorities in Wales – and indeed elsewhere in the UK as far as is known – my colleagues and I were both surprised and disappointed that no prescriptive, generally accepted or default criteria relating to deliverability had been established prior to Hearing 16.

Given there are no indications that such criteria have been established since the Hearing , it would appear that the final construction of BE 3will be determined on an acceptance of the Council's un-tested and un-precedented interpretation of the need to demonstrate 'deliverability' of protected sites –with potential consequences for the credibility of the LDP and for the meaningful protection of the canals.

That said, I acknowledge that the Examination process relating to Matter 10 has been completed and that it would not be appropriate to submit this communication as additional evidence on behalf of canal stakeholders.

I believe, however, that an independent opinion emanating from an Assembly-based research service dedicated to advising A.Ms. and their staff should be made available to further inform the decision relating to the final construction of Policy BE3.

I respectfully ask, therefore, that this letter and the enclosed / attached document relating to The Policy, be placed on record.

Yours sincerely,

G. W. Hughes,

on behalf of the Trust and with the support of other representors.

cc. Suzy Davies, AM.