

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
LOCAL DEVELOPMENT PLAN (2011-2026)



EXAMINATION IN PUBLIC:

**Matter 2: Growth & Spatial Strategies, Overarching
& Area Based Policies**



Action Point 7

The Council to consider either adding flood constraint to the Proposals Map or producing a Constraints Map.

Council's Response

As part of strengthening the policy framework in respect of flood risk, the Welsh Government has suggested that the Council either add the TAN15 Development Advice Map (DAM) to the Proposals Map or include the DAM on a separate Constraints Map along with other designations that are outside the control of the Council (i.e. those designated by Natural Resources Wales, CADW and Welsh Government), thereby improving the clarity of the Proposals Map and allowing for quicker updates.

LDP Wales¹ states that the Proposals Map must illustrate each of the policies and proposals with a spatial component in the plan including, defining sites for particular developments or land uses and the areas to which specified development control policies will be applied. Furthermore, Planning Policy Wales² states designations should be included on the Proposals Map wherever practical.

The Council acknowledges that the Proposals Map is overlaid with a significant amount of data / designations, many of which are identifiable by similar colours and patterns. This is most notable in respect of the 'Environment and Resources' and 'Culture and Heritage' policies.

The Council considers however, that the overriding contributing factor to the difficulty in achieving clarity on the Proposals Map is the requirement to include the five mineral safeguarding resource categories³ associated with Policy M1 (Development in Mineral Safeguarding Zones).

Notwithstanding this point, prior to the adoption of the LDP, the Council will take the opportunity to further review all annotations that appear on the Proposals Map to ensure an optimum level of clarity is achieved.

Inclusion of the TAN15 DAM on the Proposals Map

¹ Paragraph 2.24 LDP Wales.

² Paragraph 5.4.6 PPW (Edition 7).

³ Coal; Category 1 Sand & Gravel; Category 2 Sand & Gravel; Category 1 Sandstone; and Category 2 Sandstone.

Given the significant amount of data / designations currently on the Proposals Map, the Council would not consider it appropriate to further overlay the TAN15 DAM.

Production of a Constraints Map

Applying the principle outlined above (i.e. including those designations that are outside the control of the Council), alongside TAN15 DAM Zones B, C1 and C2, the Constraints Map would include the following six 'layers' removed from the Proposals Map:

1. Special Areas of Conservation (SACs);
2. Sites of Special Scientific Interest (SSSIs);
3. National Nature Reserves (NNRs);
4. Landscape of Historic Interest;
5. Historic Parks and Gardens; and
6. Scheduled Ancient Monuments (SAMs).

A composite Constraints Map incorporating the above is appended for illustrative purposes.

The Council takes the view that the six layers highlighted are not geographically widespread and consequently do not significantly contribute to the complexity of the Proposals Map. Furthermore, in accordance with national policy guidance, layers 1-5 (inclusive) are the spatial components of Strategic Policy SP15 (Biodiversity and Geodiversity), Policy M2 (Surface Coal Operations) and Strategic Policy SP21 (Built Environment & Historic Heritage); and layer 6 is the remaining spatial component of Strategic Policy SP21.

The importance of including these layers on the Proposals Map is further underlined in the Welsh Government 'Environment & Resources' statement whereby it is suggested that *'Policy M2 is not adequately displayed on the Proposals Map. All policies in the plan with a spatial element should be shown on the Proposals Map. It would aid clarity if the Proposals Map identified areas where coal will not be worked which would include both settlement protection zones and the international and national environmental and cultural areas we consider that there may be opportunities for improving the clarity of the Proposals Map'*⁴.

In addition, it is also important to highlight that any designations and/or areas that extend to the boundaries of the LDP Proposals Map should align with neighbouring LDP Proposals Maps with justification provided for any differences.

To date, four out of the six neighbouring Local Planning Authorities have adopted LDPs⁵. Notably, only Rhondda Cynon Taf CBC has produced a Constraints Map with Bridgend CBC, Carmarthenshire CC and Brecon Beacons NPA all taking the approach of identifying the above layers (1-6) on the Proposals Map and not including TAN15 DAMs. Of particular note is that a number of instances occur where designations (i.e. SACs, SSSIs and NNRs) extend across the administrative boundaries of Neath Port Talbot CBC, Bridgend CBC and Brecon Beacons NPA.

For these reasons combined, the Council does not consider there to be any justification for the removal of the above layers (1-6) from the Proposals Map, nor as a consequence would

⁴ M7-S13-0056: WG Examination Hearing Statement - Matter 7 Environment and Resources (16th April 2015).

⁵ Bridgend County Borough Council; Rhondda Cynon Taff County Borough Council; Brecon Beacons National Park Authority; and Carmarthenshire County Council.

it be necessarily appropriate to produce a separate Constraints Map showing only DAM Zones B, C1 and C2.

A Way Forward

In response to Matter 2 (Action Point 15), the Council is proposing amendments to Policy SP1 (Climate Change) and additional wording to the supporting text in order to strengthen the policy framework in respect of flood risk and making explicit reference to the fact that highly vulnerable development will not be permitted in flood Zone C2.

If deemed acceptable and appropriate by the Inspectors, the Council would propose inserting a footnote to Policy SP1 (Climate Change) providing the web-link whereby the TAN15 DAM can be viewed⁶ coupled with including a reference and web-link to the TAN15 DAM on the LDP pages of the Council's website.

⁶ Refer to Matter 2 (Action Point 15) - Policy SP1 (Climate Change).