

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



EXAMINATION IN PUBLIC:
Matter 7: Environment & Resources



Action Point 3

The Council to submit the further work undertaken on Harbourside site flooding mitigation measures, which will be reflected in the SPG.

Action Point 4

The Council to work with NRW on the following matters:

- (a) To provide details relating to flooding mitigation and any modelling data which have not been previously shared;*
- (b) To carry out additional extreme flood event modelling, where required; and*
- (c) To identify any necessary changes to the Plan.*

Action Point 5

The Council to clarify how dry land on the Harbourside site would accommodate the residential, employment and retail elements of the allocation.

Council's Response

In light of discussions that have taken place with Natural Resources Wales (NRW) following the Hearing Session held on Thursday 16th April, the Council proposes to deal with Action Points 3, 4 and 5 together.

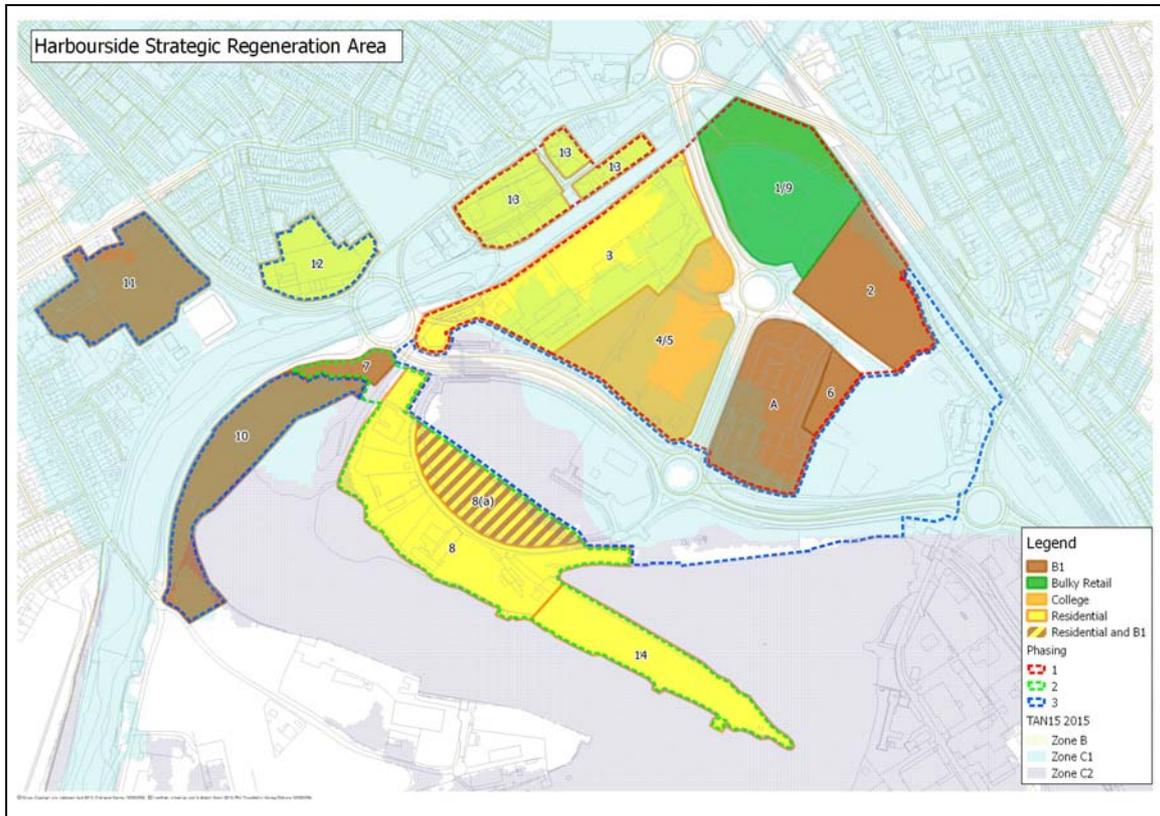
In relation to Action Points 3 and 4(a), it has been clarified that the reference made was to results (and interpretation of results) from the modelling already undertaken that was not fully reported in the final main text of the Strategic Flood Consequences Assessment (SFCA). This information was included in the SFCA appendices.

Further work on Action Point 5 however, and subsequent discussions with NRW in accordance with Action Point 4, including changes to be made to the Plan and the extent of land within DAM Zone A in the Harbourside allocation, has resulted in agreement being reached between the Council and NRW about the viability and deliverability of the development envisaged. In light of this, NRW has agreed to withdraw their objections and accept that additional flood modelling is not required at this stage in order to prove that development is feasible. A formal agreement has been reached with NRW relating to these points.

The 'Statement of Agreement between Neath Port Talbot CBC and Natural Resources Wales' is appended to this document for information.

Context

The Harbourside Strategic Regeneration Area (Policy SRA2) Masterplan set out below provided the context for ongoing discussions with NRW:



The overall SRA2 boundary includes residential, employment and retail allocations. The Masterplan [to be incorporated in the Supplementary Planning Guidance (SPG)] shows the plots that are envisaged to accommodate these allocations together with an indication of development phasing. They include:

- Plot A – Justice Centre/TWI;
- Plot 1/9 – Heilbronn Way;
- Plot 2 – Cramic Way;
- Plot 3 – Byass Works;
- Plot 4/5 – College;
- Plot 6 – Justice Centre E;
- Plot 7 – Riverside (a);
- Plot 8/8A – North Bank;
- Plot 10 – Riverside (b);
- Plot 11 – Gasworks;
- Plot 12 – Henshaw Street;
- Plot 13 – Green Park; and
- Site 14 – Peninsular.

Overview

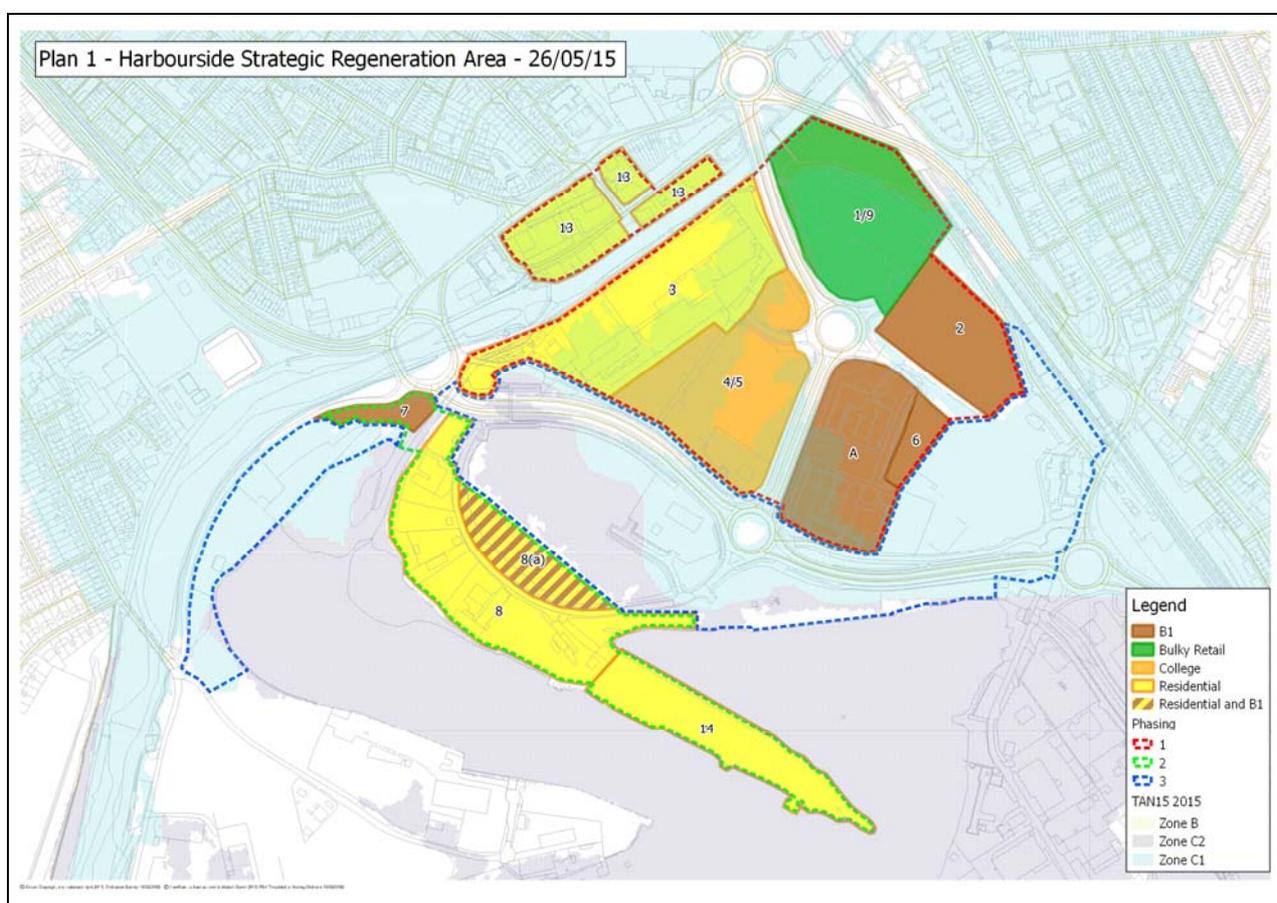
In accordance with the agreement with NRW, the following changes are proposed to the LDP and associated SPG:

- Removal of Plots 11 and 12 from the Harbourside SRA2 allocation;
- Reduction in the Harbourside employment allocation from 11 hectares to 7 hectares;
- Consequential additional 4 hectares added to the Baglan Bay employment allocation;
- Amendment of the SPG Masterplan to take into account the amended allocation boundary and to move Plot 10 from Phase 2 to Phase 3; and
- Other minor changes to site boundaries within the Masterplan.

Taking into account these proposed amendments, the following analysis sets out how areas within DAM Zone A would accommodate the residential, employment and retail elements of the allocation.

Accommodating the elements of the Harbourside Allocation on land within DAM Zone A

The latest version of the Masterplan is shown below, which takes into account the Council’s proposed changes outlined above:



All the development plots in Phases 1 and 2 lie entirely within DAM Zone A with the exception of Plot 1/9 (Heilbronn Way), Plot 3 (Byass Works), Plot 13 (Green Park) and Plot 4/5 (College). A significant part of Plot 13 has planning permission for residential development, covered by an agreed Flood Consequences Assessment (FCA), while Plot 4/5 is proposed to be developed as a college campus which does not form part of the LDP allocations.

Table 1 sets out figures for the residential part of the allocation.

Table 1: Harbourside Residential Sites

Plot Ref	Name	Use	Areas with no p.p.		Approx area with p.p. (ha)	Approx no. of dwellings possible in zone A ¹	Total (ha)
			Approx Area in Zone A (ha)	Approx Area in Zone C (ha)			
3	Byass Works	Res	1.9	2.5	None	67 - 95	4.4
8	North Bank	Res	3.9	-	None ²	137 - 195	3.9
8a	N Bank mixed	Res/B1	1.2	-	None	13 - 18 ³	1.2
13	Green Park	Res	-	1.27	0.73	34 ⁴	2.0
14	Peninsular	Res	2.2	-	None	77 - 110	2.2
Total number of residential units possible within Zone A or sites having planning permission						328 - 452	

1. Based on 35 – 50 dph
2. Existing uses on site
3. Assuming 30% of mixed use area
4. Planning permission granted for 34 dwellings, now under construction

The table demonstrates that between 328 and 452 dwellings can be accommodated on land that either already has planning permission for residential development or is within DAM Zone A, the exact number depending on the density of development. The residential allocation at Harbourside (H1/17) (as amended by FC13) envisages an estimated 385 units and identifies Harbourside as a location where higher density development would be expected. It can be concluded that this amount of development can therefore readily be accommodated on Zone A within the sites identified (385 dwellings would require an overall density of some 42 dph across all the sites).

In order to deliver a development that is acceptable in design and layout terms, it may be appropriate to reprofile the land within Plot 3 and provide a more consolidated area at a level that will not be affected by flooding. However, provided that areas of flood storage are included that are the equivalent of the existing situation and that careful attention is given to the management of flood risk, it can be concluded that Plot 3 can be developed in compliance with the requirements of national policy, including having no detriment on any third party in terms of flood risk. Full information will be given in the Port Talbot Town Centre and Harbourside SPG, and any planning application for development on this site will need to be supported by a fully detailed and approved Flood Consequences Assessment that demonstrates that the proposal accords with policy and guidance on flood management.

Table 2 sets out figures for the employment element of the allocation.

Table 2: Harbourside Employment Sites

Plot Ref	Name	Use	Areas with no p.p.		Approx area with p.p. (ha)	Area within Zone A or with P.P. (ha)	Total (ha)
			Approx Area in Zone A (ha)	Approx Area in Zone C (ha)			
2	Cramic Way	B1	0.9	-	1.4	2.3	2.3
A	Justice Centre/TWI ¹	B1	-	-	2.7	2.9	2.7
6	Justice Centre E	B1	0.5	-	None	0.5	0.4
7	Riverside(a)	B1	0.5	-	None	0.5	0.4
8a	N Bank mixed	Res/B1	1.2	-	None	0.8 ²	1.2
Total area allocated for employment uses within zone A or having planning permission						7.0	

1. Development completed
2. Assuming 70% of mixed use area

As a consequence of the proposed reassignment of Plot 10 from Phase 2 to Phase 3 and the removal of Plot 11 from the allocation and Masterplan, all the identified employment sites within the SRA2 Harbourside allocation are now entirely within DAM Zone A. However, this has also resulted in the reduction in amount of employment land available from 11 hectares to 7 hectares. This has partly been compensated for by amending the allocation on part of Plot 8 to a mixed residential and employment designation, and it is considered that the reduction in employment allocation will not significantly dilute the employment element of the Strategic Regeneration Area, or the ability of Harbourside to contribute to the overall Plan strategy.

In order to ensure that sufficient land is allocated for employment uses overall and to ensure that the requirements for employment land identified by the PBA study¹ are met, it is proposed to compensate for the shortfall in employment land by the allocation of an additional 4 hectares of land at Baglan Bay. A further proposed change to the LDP is therefore to amend Policy EC1 to increase the allocation at Baglan Bay, together with consequential changes to the supporting text. All the proposed changes are set out at the end of this paper.

Table 3 sets out figures for the retail element of the allocation.

¹ Document [EB14 - Economic Assessment & Employment Land Provision for Swansea and Neath Port Talbot \(Peter Brett Associates 2012\)](#)

Table 3: Harbourside Retail Site

Plot Ref	Name	Use	Areas with no p.p.		Approx area with p.p. (ha)	Area within Zone A or with P.P. (ha)	Total (ha)
			Approx Area in Zone A (ha)	Approx Area in Zone C (ha)			
1/9	Heilbronn Way	Retail	1.0	2.5	None ¹	-	3.5
Total area allocated for retail uses within zone A						1.0	

1. Some existing uses remain on site

No specific figure is identified in the LDP SRA or retail policies for the amount of retail provision within the Harbourside allocation. However, the LDP Retail Study² indicates a need / capacity for 600 sq m (net) bulky goods retail provision. 600 sq m of net retail provision is equivalent to approximately 1,000 sq m gross floorspace. For a bulky goods retail development of this size, space required for parking and deliveries would be an additional 1,500 sq m approximately. Altogether, an area of some 2,500 sq m (0.25 hectares) would be sufficient for this requirement and consequently sufficient land in Zone A is available within the identified Plot.

As with Plot 3 above, in order to deliver a development that is acceptable in design and layout terms, it may be considered appropriate to reprofile the land within the site and provide a more consolidated area at a level that will not be affected by flooding. However, provided that areas of flood storage are included that are the equivalent of the existing situation and that careful attention is given to the management of flood risk, it can be concluded that Plot 1/9 can be developed in compliance with the requirements of national policy, including having no detriment on any third party in terms of flood risk.

Proposed Changes

In the light of the above and the agreement with NRW, if deemed acceptable and appropriate by the Inspectors, the Council would propose the following changes to the Plan to be addressed via Matters Arising Changes:

Paragraph 2.4.13 - amend to read:

'Whilst the site comprises 75 hectares of land, it is anticipated that only part will be developed within the Plan period with 15.44 hectares allocated for conventional B Class employment uses'.

Policy SRA2 (Harbourside Strategic Regeneration Area) - amend the table to read:

Reference	Site	Size
H1/17	Residential	385.520 Units ³
EC1/4	Employment	7.44 ha
R1/3	A1 Bulky Comparison Goods	3.37 ha

² Neath Port Talbot Retail Study (July 2014) - Document Ref: EB16.

³ FC03: Schedule of Proposed Focussed Changes - Document Ref: SD20.

New Paragraph - add new text after Paragraph 4.0.12:

'The Harbourside allocation area is affected by the risk of flooding, with significant parts identified as being within Development Advice Map Zone C⁴. All development proposals within the Harbourside allocation will be required to demonstrate that they accord with national policy relating to flood risk as set out in TAN15, including provision for emergency access and egress in accordance with an agreed evacuation plan'.

Paragraph 4.0.13 - amend to read:

'In order to support the regeneration of the area and to give clarity about site constraints a masterplan will be ~~has been~~ published in the form of Supplementary Planning Guidance (SPG). The masterplan will provide ~~provides~~ guidance as to the type of development that the Council considers appropriate within Harbourside and the town centre, including residential units, bulky goods retail, ~~leisure and recreation~~, education⁵ and business uses (offices, education⁶, light industry and storage/distribution). The phasing and timescales envisaged for the development will be set out, taking into account the current position, the amount of site preparation needed and flood risk considerations. The majority of development plots identified in the masterplan are not within flood risk areas and those that are include sufficient Zone A⁷ land to accommodate the development envisaged'.

Paragraph 4.0.14 - amend to read:

'Parcels of land have already been developed including a Research and Development Facility and a Justice Centre. Harbour Way is now completed and provides ~~nearing completion and once opened will~~ excellent transport links from the site to the M4.'

Map 4.2 - replace map with the latest version of the Harbourside SRA Masterplan (dated 26th May 2015).

Paragraph 5.2.3 - amend to read:

'This area of land is made up of 15 ~~44~~ hectares of conventional B class employment uses'.

Policy EC1 (Employment Allocations) - amend the table to read:

Reference	Site	Size	Use Class Permitted
EC1/1+	Baglan Bay	75 ha*, of which 15 44 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 44 ha	B1
Total:		32 ha	

⁴ Area based on NRW extreme flood outline having probability of flooding of 0.1% or greater.

⁵ FC04: Schedule of Proposed Focussed Changes - Document Ref: SD20.

⁶ FC04: Schedule of Proposed Focussed Changes - Document Ref: SD20.

⁷ Area defined as being at little or no risk of fluvial or tidal/coastal flooding.

Paragraph 5.2.10 - amend to read:

'This area of land is made up of 15 ~~41~~ hectares for conventional B Class employment uses...'

Proposals Map - amend as follows:

Delete Plots 11 (Gasworks) and 12 (Henshaw Street) from the SRA2 allocation area.

Harbourside Strategic Regeneration Area (Policy SRA2)

Statement of Agreement between Neath Port Talbot CBC and Natural Resources Wales

Natural Resources Wales (NRW) will withdraw previous objections on flood risk grounds to the LDP Harbourside SRA allocation (Policy SRA2), provided that the following amendments are made to the LDP and *draft* Port Talbot Harbourside and Town Centre Development Framework Supplementary planning Guidance (SPG):

1. The boundaries of the Harbourside Strategic Regeneration Area (LDP Policy SRA2) are amended to exclude Plot 11 (Gasworks) and Plot 12 (Henshaw Street); and
2. The *draft* Port Talbot Harbourside and Town Centre Development Framework SPG is amended to take into account the above changes and to reconfigure the development plots in accordance with Plan 1 Harbourside Strategic Regeneration Area (dated 26th May 2015)(i.e. delete Plots 11 and 12, reassign Plot 10 to Phase 3, add Plot 14 and designate part of Plot 8 as mixed employment / residential use).

Subject to the above amendments, it is agreed that, within the Harbourside allocation:

1. The following development plots lie entirely within DAM Zone A (or have already been developed) and are acceptable in flood risk terms without the need for further investigation:
 - Site A - Justice Centre/TWI;
 - Site 2 - Cramic Way;
 - Site 6 - Justice Centre E;
 - Site 7 - Riverside (a);
 - Site 8/8A - North Bank; and
 - Site 14 - Peninsular.
2. The following sites lie partly within DAM Zone A and partly DAM Zone C1:
 - Site 3 - Byass Works; and
 - Site 1/9 - Heilbronn Way
3. Site 13 (Green Park) has received full planning permission for residential development (relating to 0.73 ha/34 units) with agreed detailed FCA.
4. Site 4/5 (College) is not part of the LDP allocations.

Local Development Plan

In order to ensure that the position in relation to flood risk at Harbourside is fully understood by developers and decision makers, the following amended and additional text will be incorporated in the LDP:

New Paragraph - add new text after Paragraph 4.0.12:

'The Harbourside allocation area is affected by the risk of flooding, with significant parts identified as being within Development Advice Map Zone C¹. All development proposals within the Harbourside allocation will be required to demonstrate that they accord with national policy relating to flood risk as set out in TAN15, including provision for emergency access and egress in accordance with an agreed evacuation plan'.

Paragraph 4.0.13 - amend to read:

'In order to support the regeneration of the area and to give clarity about site constraints a masterplan will be ~~has been~~ published in the form of Supplementary Planning Guidance (SPG). The masterplan will provide ~~provides~~ guidance as to the type of development that the Council considers appropriate within Harbourside and the town centre, including residential units, bulky goods retail, ~~leisure and recreation~~, education² and business uses (offices, education³, light industry and storage/distribution). The phasing and timescales envisaged for the development will be set out, taking into account the current position, the amount of site preparation needed and flood risk considerations. The majority of development plots identified in the masterplan are not within flood risk areas and those that are include sufficient Zone A⁴ land to accommodate the development envisaged⁵'.

Map 4.2 - insert revised Harbourside Masterplan as appended.

Supplementary Planning Guidance

Full information will be given in the SPG to set out the requirements for site design and further modelling work which will be required at the planning application stage to finalise how development should proceed on sites 3 and 1/9. The SPG will emphasise that development will not be allowed unless a satisfactory scheme has been designed which protects future occupiers of the site from flood risk, makes provision for appropriate flood storage facilities and ensures that there is no third party detriment as a consequence of the development. Whilst this may limit the area of developable land within these plots, there is sufficient land within DAM Zone A to accommodate the envisaged development.

The emerging SPG and the wording of caveats relating to sites that incorporate areas within DAM Zone C will be fully agreed with NRW. However, it is acknowledged that there is sufficient DAM Zone A land within both these sites to accommodate the development allocated with the remainder being retained as open landscaping or other appropriate uses compatible with areas liable to flood.

The SPG will make it clear that the areas of the SRA2 allocation that fall within Phase 3 are not required to deliver the development envisaged in the allocation.

¹ Footnote providing a definition of Zone C.

² FC04: Schedule of Proposed Focussed Changes - Document Ref: SD20.

³ FC04: Schedule of Proposed Focussed Changes - Document Ref: SD20.

⁴ Footnote providing a definition of Zone A.

⁵ Site 13 has received full planning permission and site 4/5 does not form part of the LDP allocations

Signatures



..... Date 28/5/15

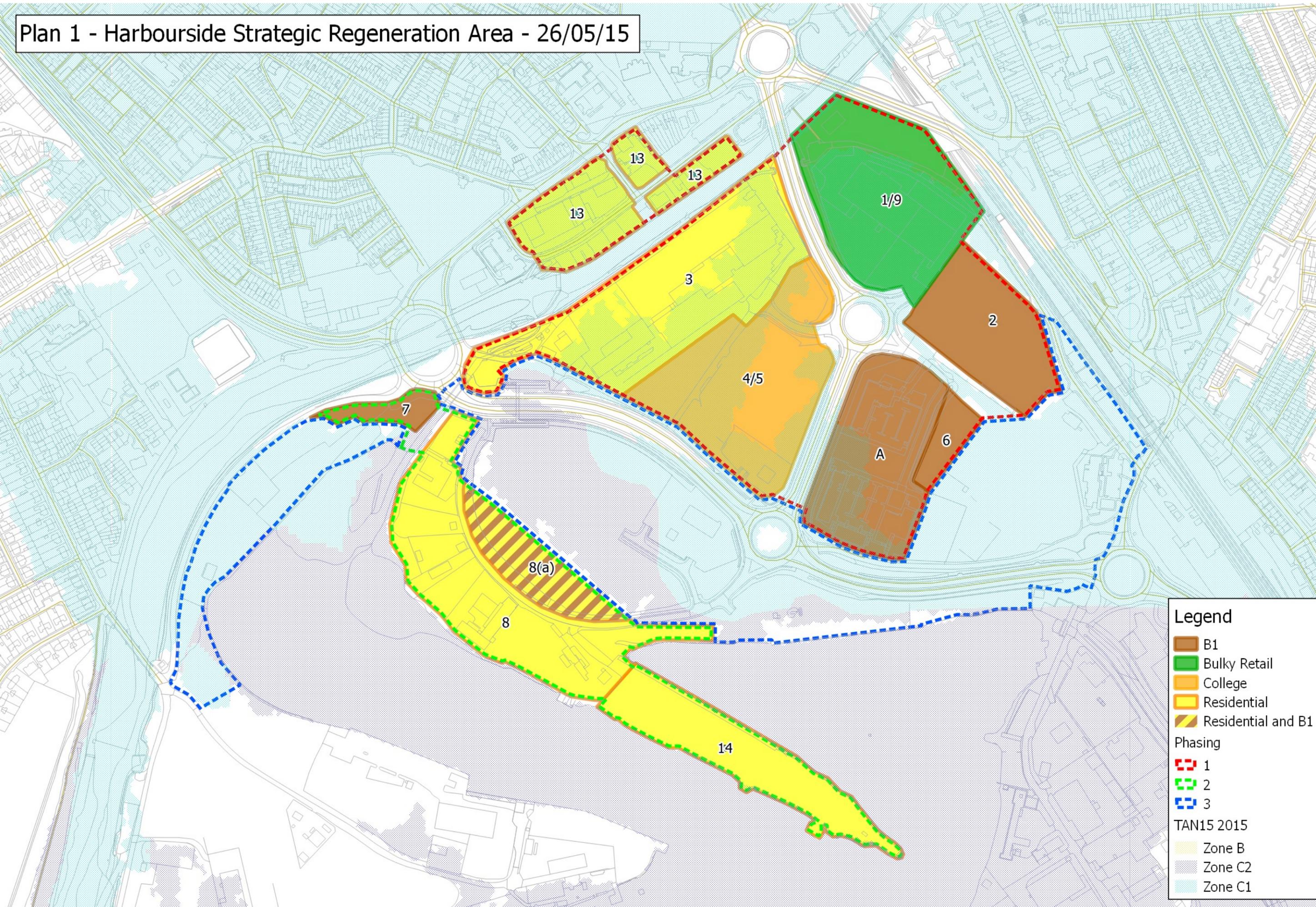
PP Peter Jordan, South Wales Planning Manager, Natural Resources Wales



..... Date 28/5/15

Nicola Pearce, Head of Planning, Neath Port Talbot County Borough Council

Plan 1 - Harbourside Strategic Regeneration Area - 26/05/15



Legend

- B1
- Bulky Retail
- College
- Residential
- Residential and B1

Phasing

- 1
- 2
- 3

TAN15 2015

- Zone B
- Zone C2
- Zone C1