



Neath Port Talbot County Borough Council

Local Development Plan 2011 – 2026

Observations on the Focussed Change Representations (January 2015)



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Observations on the Focussed Change Representations (January 2015)

1 . Observations on the Focussed Change Representations

1 Observations on the Focussed Change Representations

1.1 Introduction

1.1.1 In September - October 2014, the Council formally consulted on its Schedule of Proposed Focussed Changes⁽¹⁾. Following consultation, the Council received a total of **66** representations from **13** different individuals or organisations.

1.2 Representations to the Schedule of Proposed Focussed Changes - An Overview

1.2.1 The table below provides a summary of representations broken down by Section.

Table 1.2.1 Schedule of Proposed Focussed Changes Representations - An Overview

	No of Objections	No of Supports	Total Number of Reps
Whole Schedule of Focussed Changes	0	2	2
Section 1 Introduction & Background	0	0	0
Section 2 The Strategy	4	1	5
Section 4 Area Based Policies	0	1	1
Section 5 Topic Based Policies	41	11	52
Section 6 Implementation & Monitoring	1	1	2
Section 7 Supplementary Planning Guidance	0	1	1
Proposals Map	1	2	3
Abbreviations & Acronyms	0	0	0
Overall Total:	47	19	66

1.2.2 Of the representations received the largest number were received in respect of Chapter 5 Topic Based Policies [**52 (79%)**], when broken down further the overwhelming majority of representations to Chapter 5 were attributed to the Housing topic [**32 (49%)**] with the remainder spread equally across all other topic areas.

1.2.3 Section 2 of this report takes the relevant sections of the Schedule of Proposed Focussed Changes and presents the Council's observations in respect of the representations received, highlighting those instances where the Council considers that it may be possible for further changes to be made [i.e. through Matters Arising Changes] if deemed necessary / appropriate by the Inspectors.

1 Neath Port Talbot County Borough Council Schedule of Proposed Focussed Changes - An Addendum to the Deposit LDP (September 2014).

1 . Observations on the Focussed Change Representations

Observations on the Focussed Change Representations (January 2015)

2 Proposed Focussed Changes

2.1 Section 1: Introduction & Background

2.1.1 The Council received no 'Introduction & Background' related representations to the Schedule of Proposed Focussed Changes.

2.2 Section 2: The Strategy

2.2.1 The Council received **5** 'Strategy' related representations to the Schedule of Proposed Focussed Changes:

Table 2.2.1 Summary of Proposed Focussed Change Representations - Strategy

FC Ref	No of Objections	No of Supports	Total No of Reps
FC02 Paragraph 2.4.18	4	1	5
Total:	4	1	5

Table 2.2.2 FC02 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0002	Objection	Home Builders Federation Wales	<p>HBF object to the reduction in the housing numbers - it is considered that due regard has not been given to the statement from Carl Sargeant AM Minister for Housing and Regeneration and his letter to each local Authority dated the 10 April 2014. The key message in this statement is as follows:</p> <p><i>'Planning Policy Wales (PPW) sets out the Welsh Government's planning policy on how the projections should be used when planning for new homes. It states that the latest Welsh Government local authority level household projections should form the starting point for assessing housing requirements. However, PPW is clear that local planning authorities should consider the appropriateness of the projections for their area, based on all sources of local evidence and it is not prudent for plans to replicate a period of exceptionally poor economic performance'.</i></p>
FC0017	Objection	St Modwen Developments Ltd	<p>The focused changes start the process of correcting the plan by reducing the overall level of housing growth to be provided for. However, the changes do not make the scale of adjustment to the plan that is needed.</p> <p>Our position is that despite the reduction proposed, the plan still contains a rate of housing growth that is too high. As a result it continues to risk confusing the market, sending development to the wrong places and establishing a rate of development for the Council's five year land supply that will weaken its ability to defend against other unexpected or unplanned releases. As stated already, these are dangers that the Council associates with an oversupply situation.</p>

2 . Proposed Focussed Changes

SEQ Rep No	Type	Representor	Summary of Representation
			<p>In this context – and although the focused changes are welcome - we continue to find major concerns with the plan as currently drafted. As a result, whilst we support the general principle of reducing housing levels in the plan, we object to the changes proposed as they do not go far enough.</p> <p>We also see more (or growing) support for the submissions we made in response to the pre-deposit proposals report (October 2011). This saw a housing growth level of about 6000 new homes striking the right balance between ambition and reality and between spatial strategy (and direction) and the general aspiration for higher overall levels of economic activity. At that level about 400 homes a year would be delivered (or 15% more than the average achieved over the period 2001-2011). The maximum annual figure in that period was 411 in 2010).</p> <p>The 2011 household projections make this figure look high, but it is a clearly much more appropriate supply target for Neath Port Talbot and the LDP. The figure would still rely on or support an economic led strategy but not one which is so aggressive that it threatens the Council's spatial approach and the key initiatives and principles that it includes.</p>
FC0053	Objection	Mr Richard Davies	<p>Basic Need: it states that this basic need is retained 'in order to maintain the established aspirational approach'. The new basic need figure of 7,001 is still based on the PBA report EE adj+ scenario. Therefore the 7,001 value already maintains the aspirational approach before any further positive flexibility is added. The 7,001 should be clearly used as the start point. If 8,027 is adopted this represents a 14.6% upward flexibility value.</p> <p>Vacancy Rate: applied to the new basic need of 7,001 gives 280 houses. Not the 323, applied due to wrong base line.</p> <p>Empty Homes Initiative: this value should be maintained. Using current houses must be better than building new ones. How many empty houses are there in the county today?</p> <p>It should be clearly represented and understood that if a housing level of 8,350 is adopted then this is a 19.27% upward flexibility against the new basic need figure of 7,001. The previous flexibility rate was 13%. No evidence has been given why this increase in flexibility is appropriate.</p> <p>All the plan values are subject to large errors. If the Welsh Government 2011 based Household Projections for Wales are used as the only source data then 2,319 houses are required in total. Based on this, can I propose at least a -19.27% tolerance also be applied. This gives a low end housing need of 5,652 over the period.</p> <p>This allows many new allocations to be held back within the plan; prioritisation for greenfield sites to be held back. Only if required, these houses would be released during the latter stages of the plan, if the 3,850 jobs are achieved.</p>

2 . Proposed Focussed Changes

SEQ Rep No	Type	Representor	Summary of Representation
FC0056	Objection	Tonna Community Council	<p>Objection to the limited reduction in the total housing requirement over the Plan period to 8,350 residential units and consider this is still an unjustified massive over provision leading to the on-going support for the release of Greenfield sites in total conflict with the strategic policies which are supposed to underpin the development of the LDP.</p> <p>The explanation indicates that following the 2011 WG Household Projection the basic need has reduced to 7,001 units, however the original basic need figure of 8,027 should be maintained without any justification as to why, the empty homes requirement should be withdrawn and that the vacancy figure of 323 be applied giving the 8,350 requirement.</p> <p>If the revised base need of 7,001 units is applied (plus the 323 vacancy figure above) the total housing requirement should actually reduce to 7,324 units and that this higher figure of 8,350 is only being promoted purely to allow significant flexibility and market choice which is perpetuating the need to release Greenfield sites in open countryside.</p>
FC0063	Support	Rt Hon Peter Hain MP	I welcome the amendment which reduces the total housing requirements over the plan period from 9,150 to 8,350 residential units. This is far more reflective of the demand in the local area.

Main Issues Raised

- Objection to the reduction in housing numbers and the fact that due regard has not been given to the position statement given by Carl Sargeant (AM) (i.e. letter dated 10th April 2014).
- The Plan still contains a rate of housing growth that is too high.
- The Plan maintains an unjustified massive over provision leading to the ongoing support for the release of greenfield sites which is in conflict with the strategic policies.
- No justification given as to why the original basic need figure of 8,027 should be maintained. 7,001 should be used as the starting point.
- Empty Homes Initiative should be maintained.
- If the figure of 8,350 is adopted then this represents a flexibility of over 19%. The previous rate was 13% and no evidence has been given as to why this increase is appropriate.
- A housing growth level of about 6,000 new homes strikes the right balance between ambition and reality and between the spatial strategy and the general aspiration for higher levels of economic activity.
- Support for the reduction in housing figures which is far more reflective of local demand.

2 . Proposed Focussed Changes

Council's Observations

2.2.2 Refer to Section 2.4.1 - Housing.

Recommendation

2.2.3 The Council considers that the following further changes are appropriate and if deemed necessary by the Inspectors, such amendments could be addressed via Matters Arising Changes:

Paragraph 2.4.10 - amend to read:

*'...The Plan makes provision for an additional ~~8,000~~ **7,500** new residential units, leading to an increase of approximately 7,000 people and a total population of ~~146,300~~ **147,400** by 2026'.*

Paragraph 2.4.18 - amend to read:

*'...The total housing ~~requirement~~ provision over the Plan period (to 2026) is ~~8,350~~ **8,600** residential units...'*

2.3 Section 4: Area Based Policies

2.3.1 The Council received 1 'Area Based Policies' related representation to the Schedule of Proposed Focussed Changes:

Table 2.3.1 Summary of Proposed Focussed Change Representations - Area Based Policies

FC Ref	No of Objections	No of Supports	Total No of Reps
FC03 Policy SRA2	0	0	0
FC04 Paragraph 4.0.13	0	0	0
FC05 Map 4.2 (Harbourside)	0	1	0
Total:	0	1	1

Table 2.3.2 FC05 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0003	Support	Home Builders Federation Wales	HBF support the approach taken by the Council in reducing the number of houses proposed as a result of the identified constraints on the site.

Main Issues Raised

2.3.2 Not applicable.

2 . Proposed Focussed Changes

Council's Observations

2.3.3 The Council notes the support for FC05.

Recommendation

2.3.4 The Council recommends to the Planning Inspectors that the representation in support of FC05 be noted.

2.4 Section 5: Topic Based Policies

2.4.1 Housing

2.4.1.1 The Council received a total of **32** 'Housing' related representations to the Schedule of Proposed Focussed Changes. The table below provides an overview of comments broken down by Focussed Change:

Table 2.4.1.1 Summary of Proposed Focussed Change Representations - Housing

FC Ref	No of Objections	No of Supports	Total No of Reps
FC06 Policy SP7	5	0	5
FC07 Paragraph 5.1.3	5	0	5
FC08 Table 5.1 Total Housing Provision	5	0	5
FC09 Paragraph 5.1.4	4	0	4
FC10 Paragraph 5.1.7	2	0	2
FC11 Table 5.2 Components of the Housing Requirement	5	0	5
FC12 Table 5.3 Distribution of Overall Housing Provision	4	0	4
FC13 Policy H1 (H1/17 Harbourside)	0	1	1
FC14 Policy H1 (H1/LB/13 Blaenbaglan Farm)	0	1	1
Total:	30	2	32

Table 2.4.1.2 FC06 - Related Representations

SEQ Rep No	Type	Representer	Summary of Representation
FC0004	Objection	Home Builders Federation Wales	Objection to the reduction in the number of proposed dwellings.
FC0018	Objection	St Modwen Developments Ltd.	The focused changes start the process of correcting the plan by reducing the overall level of housing growth to be provided for. However, the changes do not make the scale of adjustment to the plan that is needed.

2 . Proposed Focussed Changes

SEQ Rep No	Type	Representor	Summary of Representation
			<p>Our position is that despite the reduction proposed, the plan still contains a rate of housing growth that is too high. As a result it continues to risk confusing the market, sending development to the wrong places and establishing a rate of development for the Council's five year land supply that will weaken its ability to defend against other unexpected or unplanned releases. As stated already, these are dangers that the Council associates with an oversupply situation.</p> <p>In this context – and although the focused changes are welcome - we continue to find major concerns with the plan as currently drafted. As a result, whilst we support the general principle of reducing housing levels in the plan, we object to the changes proposed as they do not go far enough.</p> <p>We also see more (or growing) support for the submissions we made in response to the pre-deposit proposals report (October 2011). This saw a housing growth level of about 6000 new homes striking the right balance between ambition and reality and between spatial strategy (and direction) and the general aspiration for higher overall levels of economic activity. At that level about 400 homes a year would be delivered (or 15% more than the average achieved over the period 2001-2011). The maximum annual figure in that period was 411 in 2010).</p> <p>The 2011 household projections make this figure look high, but it is a clearly much more appropriate supply target for Neath Port Talbot and the LDP. The figure would still rely on or support an economic led strategy but not one which is so aggressive that it threatens the Council's spatial approach and the key initiatives and principles that it includes.</p>
FC0027	Objection	Welsh Government	<p>The Welsh Government objects to the reduction in housing provision to 8,350.</p> <p>Whilst we note the re-run of the housing and economic model is subject to the 2011 updates, our objections regarding both the total provision and level of flexibility in the plan remain.</p> <p>FC06, FC07 and FC08 refer to the vacancy rate and flexibility allowance interchangeably. This is not appropriate and is at odds with other plans in Wales. The housing provision should incorporate a flexibility allowance to account for non-delivery of sites and any unforeseen circumstances, it should not be inclusive of a vacancy rate. Presently, the plan's housing provision (8,350) is devoid of a flexibility allowance. Such an approach advocates that all sites within the plan are deliverable. It is considered that the proposed removal of the flexibility allowance is not justified or supported by evidence.</p> <p>Policy SP7 (Deposit Plan) is stated to include a flexibility allowance of 13%. It remains unclear whether the level of flexibility is 13% or would reduce to 9% if the 4% vacancy rate is deducted. The WG has indicated that a notional flexibility allowance of 10% may be appropriate to allow for the non delivery of sites and unforeseen issues. It is for the Council to evidence a level of flexibility that is appropriate for the plan area.</p>

2 . Proposed Focussed Changes

SEQ Rep No	Type	Representor	Summary of Representation
			<p>If a 9% flexibility allowance were to be applied to what the Welsh Government considers to be the Council's housing requirement (8,350 dwellings) this would result in a provision of 9,100 dwellings, a shortfall of around 750 dwellings. This would require the identification of other sites in alignment with the spatial strategy.</p> <p>Ministerial letter CL/01/14 (April 2014) acknowledges that the economic downturn may have influenced housing completions and components relating to delivery. One element could be a rise in household size. It would not be prudent to replicate this period of poor economic performance over the plan period. Whilst the Welsh Government acknowledges that certain ratios are a reflection of actual census data, it is unclear how the authority is maintaining "an aspirational approach to future development" by choosing to plan for a higher household size as set out in the updated PBA model (from 1.97 in the Deposit Plan to 2.25).</p> <p>The Council's evidence indicates the population of Neath Port Talbot is becoming increasingly aged and will need to be bolstered by net migration to support the Council's aspiration for economic growth. It is unclear why the Council is planning for a considerably higher household size than that of the Deposit Plan.</p> <p>By adopting a higher household size (2.25), this could perpetuate the current trend for larger households limiting the ability of increasing numbers of economically active people to access a house. Such an approach would appear to constrain the level of housing and economic growth which is contrary to the plan's key objectives (OB7, OB8 and OB13) to deliver private and affordable homes and economic growth.</p> <p>The Welsh Government considers that a household size of 2.13 persons is not insurmountable based on past actual levels (1.97 in 2008). It is not an over ambitious level of reduction and would enable the increasing proportion of the economically active to access the housing market, whilst also enabling the market to increase supply, improving accessibility to more affordable housing.</p>
FC0048	Objection	Mr Richard Davies	<p>The wording of the amended policy is wrong - it should remain consistent with the data values and the original representation as follows:</p> <p><i>'In order to deliver the 7000 new dwellings required to meet the Economic - Led Growth Strategy, provision will be made for the development of 8,350 additional dwellings between 2011-2026 including a 19% flexibility allowance'.</i></p> <p>A 19% flexibility for vacancies and sites not coming forward as anticipated is too high and there should be a negative as well as positive flexibility for the plan to be considered sound.</p>
FC0057	Objection	Tonna Community Council	<p>Objection to the limited reduction in the total housing requirement over the Plan period to 8,350 residential units and consider this is still an unjustified massive over provision leading to the on-going support for the release of Greenfield sites in total conflict with the strategic policies which are supposed to underpin the development of the LDP.</p>

2 . Proposed Focussed Changes

SEQ Rep No	Type	Representor	Summary of Representation
			<p>The explanation indicates that following the 2011 WG Household Projection the basic need has reduced to 7,001 units, however the original basic need figure of 8,027 should be maintained without any justification as to why, the empty homes requirement should be withdrawn and that the vacancy figure of 323 be applied giving the 8,350 requirement.</p> <p>If the revised base need of 7,001 units is applied (plus the 323 vacancy figure above) the total housing requirement should actually reduce to 7,324 units and that this higher figure of 8,350 is only being promoted purely to allow significant flexibility and market choice which is perpetuating the need to release Greenfield sites in open countryside.</p>

Table 2.4.1.3 FC07 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0005	Objection	Home Builders Federation Wales	Objection to the reduction in the number of proposed dwellings.
FC0019	Objection	St Modwen Developments Ltd.	Refer to FC0018 above.
FC0028	Objection	Welsh Government	Refer to FC0027 above.
FC0049	Objection	Mr Richard Davies	<p>The revised wording removes the clarity of the value of the contingency allowance. Is the aim to hide the value of contingency to report sub-levels? The paragraph should keep the original form and read as follows:</p> <p><i>'The LDP provides a framework for the development of 8,350 additional residential units. This is greater than the identified housing need in order to provide a 19.2% contingency allowance. This will allow for vacancies within the new dwelling stock, choice and flexibility for sites not coming forward as anticipated'.</i></p> <p>A contingency of 19.2% is too high. The plan should have a negative as well as positive tolerance to be considered sound.</p>
FC0058	Objection	Tonna Community Council	Refer to FC0057 above.

Table 2.4.1.4 FC08 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0020	Objection	St Modwen Developments Ltd.	Refer to FC0018 above.
FC0029	Objection	Welsh Government	Refer to FC0027 above.
FC0050	Objection	Mr Richard Davies	The revised table is wrong & misleading - table should be amended as follows:

2 . Proposed Focussed Changes

SEQ Rep No	Type	Representor	Summary of Representation
			<p>Basic Housing Need is 7,001</p> <p>Flexibility is 1,026</p> <p>Flexibility allowance is 323</p> <p>Total Housing Requirement 8,350.</p>
FC0059	Objection	Tonna Community Council	Refer to FC0057 above.
FC0064	Objection	Rt Hon Peter Hain MP	<p>Concerned that the reduction in the required residential units has been applied predominantly to the large windfall sites and not to the new allocations which are significantly larger and have a greater impact on the communities where they are situated. The only reduction in the new allocation has come in the Harbourside development and I cannot fathom why other new sites have not been considered given the reduction in units required.</p> <p>A decrease in the required allocation could reasonably have been found through the large new allocation in Tonna (proposed 300 units) given the severe impact this proposal would have on the local community, neighbouring communities and the local infrastructure.</p> <p>By removing the 300 units in Tonna then the LDP would preserve the Green Wedge which is crucial in defining the boundaries between Neath and Tonna and clearly defines where the town ends and the village begins.</p> <p>Furthermore, in removing the allocation it would maintain the standing of Tonna as a small "local centre" and prevent the fundamental changes such a massive increase in the size of the village.</p>

Table 2.4.1.5 FC09 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0006	Objection	Home Builders Federation Wales	Objection to the reduction in the number of proposed dwellings.
FC0021	Objection	St Modwen Developments Ltd.	Refer to FC0018 above.
FC0030	Objection	Welsh Government	Refer to FC0027 above.
FC0060	Objection	Tonna Community Council	Refer to FC0057 above.

2 . Proposed Focussed Changes

Table 2.4.1.6 FC10 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0022	Objection	St Modwen Developments Ltd.	Refer to FC0018 above.
FC0051	Objection	Mr Richard Davies	An allowance for returning empty homes to residential use should be maintained - this item should be the first priority of a sound plan.

Table 2.4.1.7 FC11 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0009	Objection	Home Builders Federation Wales	The table should be amended to take account of the higher housing figure which should be retained and not reduced as suggested by other policies.
FC0023	Objection	St Modwen Developments Ltd.	Refer to FC0018 above.
FC0031	Objection	Welsh Government	FC11 proposes a reduction in the housing provision of 800 units to 8,350 dwellings, largely concentrated in the Coastal Corridor growth area with 67% (535 units) proposed for deletion. It remains unclear how this loss aligns with the Council's strategy and their aspirations for socio-economic growth, particularly given the "significant" development of the University Campus within the growth area.
FC0052	Objection	Mr Richard Davies	<p>The new housing requirement of 8,350 has a flexibility rate of 19.2% above the new basic need of 7,001. If the previous flexibility rate of 13% is maintained then the housing requirement would reduce to 7,911.</p> <p>This is a reduction of 439 houses. This should be removed from the greenfield new allocation number. No evidence has been offered to show why an increase in flexibility allowance is necessary or appropriate.</p>
FC0061	Objection	Tonna Community Council	<p>The total housing requirement should be 7,324 not 8,350.</p> <p>The landbank figure has reduced from 8,322 contained in the Deposit Plan to 3,722 - there is no explanation for this.</p> <p>Large windfall contribution has reduced from 1,275 to 825 with no explanation why this figure has been reduced. If 1,275 units were anticipated only a few months ago what has changed to see such a significant reduction in potential units.</p> <p>All of this has consequences for the amount of new land that needs to be allocated. FC11 indicates a requirement for 2,993 units on new sites. A 8,350 unit need sees a requirement for 2,443 new units, an over provision of 550 units and a 7,324 unit need sees a requirement for 1,417 new units, an over provision of 1,566 units (see table below).</p> <p>Either way NPTCBC should not then have to flagrantly disregard its own and national policies and overwhelming public objection and could withdraw its allocation of the Neath Road/Fairyland Road site.</p>

2 . Proposed Focussed Changes

SEQ Rep No	Type	Representor	Summary of Representation															
			<table border="1"> <tr> <td>Housing requirement</td> <td>8,350 (Focus change)</td> <td>7,324 (Real need)</td> </tr> <tr> <td>Landbank</td> <td>3,822</td> <td>3,822</td> </tr> <tr> <td>Large Windfalls</td> <td>1,275</td> <td>1,275</td> </tr> <tr> <td>Small Sites</td> <td>810</td> <td>810</td> </tr> <tr> <td>New allocations</td> <td>2,443</td> <td>1,417</td> </tr> </table>	Housing requirement	8,350 (Focus change)	7,324 (Real need)	Landbank	3,822	3,822	Large Windfalls	1,275	1,275	Small Sites	810	810	New allocations	2,443	1,417
Housing requirement	8,350 (Focus change)	7,324 (Real need)																
Landbank	3,822	3,822																
Large Windfalls	1,275	1,275																
Small Sites	810	810																
New allocations	2,443	1,417																

Table 2.4.1.8 FC12 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0010	Objection	Home Builders Federation Wales	The table should be amended to take account of the higher housing figure which should be retained and not reduced as suggested by other policies.
FC0024	Objection	St Modwen Developments Ltd.	Refer to FC0018 above.
FC0032	Objection	Welsh Government	<p>There appears to be too high a reliance on 'land bank sites' and the potential for non-delivery due to a lack of flexibility. With a reduction in housing provision, FC12 identifies an increased reliance on housing land bank sites; up to 45% from the Deposit Plan. Given the reduced figure of 100 units at Blaenbaglan Farm (H1/LB/13) in FC14 and deliverability concerns at Elba Crescent (H1/LB/3), the Welsh Government seeks assurance that a thorough assessment of site deliverability has been undertaken. With no flexibility in the housing provision, the Council has limited scope to account for non-delivery of sites and any unforeseen circumstances.</p> <p>The Welsh Government supports a reduction in the windfall allowance to align with past trends averaging 55 units per annum, this is an approach used in other LDPs across Wales. However, whilst the allowance has decreased by 450 units, it remains unclear whether an element of double-counting exists in the land bank total. The authority should clarify if an element of double-counting remains after the 450 unit reduction and explain why land bank and windfall sites are treated differently in the components of housing supply. The authority needs to provide a clear definition of the criteria for sites within the H1 table and the windfall allowance.</p> <p>A reduction in the windfall allowance, without countering this with additional units, raises questions of how the authority's aspirations for economic growth and the creation of 3,850 jobs will be achieved when this reduction in housing is not proposed to be redressed. Moreover, the Council should clarify how a subsequent reduction of 75 affordable units to be delivered on small and windfall sites (Affordable Housing Topic Paper, 2014) will contribute to a fundamental element of the Plan's strategy to meet affordable housing need.</p>
FC0062	Objection	Tonna Community Council	The following compares for the Neath Spatial Area:

2 . Proposed Focussed Changes

SEQ Rep No	Type	Representor	Summary of Representation																														
			<p>The original 9150 housing target and the total requirement for 4,375 units</p> <p>The focussed change target of 8,350 and the total requirement for 4,215 units (96%)</p> <p>The focussed change target of 8,350 applied as a percentage of the 9,150 requirement (91%) giving a total requirement for 3,981 units.</p> <p>The real housing need of 7,324 applied as a percentage of the 9,150 requirement (80%) giving a total requirement for 3,500 units</p> <table border="1"> <thead> <tr> <th></th> <th>Land bank</th> <th>Windfalls</th> <th>Small Sites</th> <th>New allocation</th> <th>Total provision</th> </tr> </thead> <tbody> <tr> <td>Deposit Plan</td> <td>2,640</td> <td>450</td> <td>210</td> <td>1,075</td> <td>4375</td> </tr> <tr> <td>Focussed change</td> <td>2,640</td> <td>260</td> <td>210</td> <td>1,075</td> <td>4,215</td> </tr> <tr> <td>Focussed change 91% of Deposit Plan</td> <td>2,640</td> <td>450</td> <td>210</td> <td>681</td> <td>3,981</td> </tr> <tr> <td>Real requirement 80% of Deposit Plan</td> <td>2,640</td> <td>450</td> <td>210</td> <td>200</td> <td>3,500</td> </tr> </tbody> </table> <p>There is a massive disparity in the original new site requirement for the Neath Spatial area (4,375 units) and the real requirement of 200 new units. Even if a pro-rata percentage is applied against the focussed change requirement then new sites contribution would significantly reduce to 681 (if windfalls amount is reinstated).</p> <p>Why has the requirement for the Neath area not been reduced to reflect the downward trend in the rest of the Plan area?</p> <p>Why has the windfalls contribution been reduced from 450 to 260?</p>		Land bank	Windfalls	Small Sites	New allocation	Total provision	Deposit Plan	2,640	450	210	1,075	4375	Focussed change	2,640	260	210	1,075	4,215	Focussed change 91% of Deposit Plan	2,640	450	210	681	3,981	Real requirement 80% of Deposit Plan	2,640	450	210	200	3,500
	Land bank	Windfalls	Small Sites	New allocation	Total provision																												
Deposit Plan	2,640	450	210	1,075	4375																												
Focussed change	2,640	260	210	1,075	4,215																												
Focussed change 91% of Deposit Plan	2,640	450	210	681	3,981																												
Real requirement 80% of Deposit Plan	2,640	450	210	200	3,500																												

Table 2.4.1.9 FC13 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0007	Support	Home Builders Federation Wales	No detail provided.

Table 2.4.1.10 FC14 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0008	Support	Home Builders Federation Wales	HBF Wales support the Council's approach to this site in reducing the number of units proposed to be delivered in the plan period to a more realistic figure taking account of the constraints on the site.

2 . Proposed Focussed Changes

Main Issues Raised

- Objection to the reduction in housing numbers.
- The focussed changes refer to the vacancy rate and flexibility allowance interchangeably which is not appropriate and is at odds with other plans in Wales.
- The housing provision should incorporate a flexibility allowance to account for non-delivery of sites and any unforeseen circumstances. Presently, the Plan provision (8,350) is devoid of a flexibility allowance.
- There remains a shortfall of around 750 dwellings. This requires the identification of other sites in alignment with the spatial strategy.
- It is unclear how an 'aspirational approach' is maintained by choosing to plan for a higher average household size.
- By adopting a higher household size (2.25), this could perpetuate the current trend for larger households limiting the ability of increasing numbers of economically active people being able to access a house. Adopting a household size of 2.13 is not insurmountable based on past actual levels (i.e. 1.97 in 2008).
- The proposed reduction in the housing provision is largely concentrated in the Coastal Corridor Strategy Area, it remains unclear how this loss aligns with the strategy and the aspirations for socio-economic growth.
- There appears to be too high a reliance on 'land bank' sites and the potential for non-delivery due to a lack of flexibility.
- Whilst there is support for the reduction in the windfall allowance to align with past trends (i.e. 55 units per annum), it remains unclear whether an element of double-counting exists in the land bank total.
- The Plan still contains a rate of housing growth that is too high.
- A housing growth level of about 6,000 new homes strikes the right balance between ambition and reality and between the spatial strategy and the general aspiration for higher levels of economic activity.
- The Plan maintains an unjustified massive over provision leading to the ongoing support for the release of greenfield sites which is in conflict with the strategic policies.
- No justification given as to why the original basic need figure of 8,027 should be maintained. 7,001 should be used as the starting point.

2 . Proposed Focussed Changes

- If the figure of 8,350 is adopted then this represents a flexibility of 19%, this is too high. The previous rate was 13% and no evidence has been given as to why this increase is appropriate. The plan should have a negative as well as a positive tolerance.
- The changes are misleading and remove the clarity of the level of flexibility / contingency applied.
- Empty Homes Initiative should be maintained.
- Concern that the reduction in housing figures has been applied predominantly to the windfall allowance and not to the new allocations which have a greater impact on communities. A decrease in the required allocation could reasonably be found by removing the allocation at Tonna (i.e. H1/11).

Council's Observations

2.4.1.2 Following receipt of the Proposed Focussed Changes representations the Council re-commissioned Peter Brett Associates (PBA) to undertake a re-assessment of the Plan's level of growth. This included a review of the economic model contained within the Proposed Focussed Changes report together with all the relevant objections received (both at 'Deposit' stage and 'Proposed Focussed Change' stage) to the level of growth, the housing figures and the assumptions used within the economic models.

2.4.1.3 The economic model contained within the Proposed Focussed Changes report analysed the implications of the 2011 Census data and the 2011 Population and Household projections on the housing requirement of the Plan. From reviewing the representations received, the Council accepts that the subsequent changes made to the housing requirement as a result lacked clarity, particularly with regard to the flexibility allowance and the vacancy rate applied. There were also concerns regarding whether the economic aspirations of the Plan had been maintained. As a result, each of the assumptions used within the model have been reviewed, focusing primarily on the economic activity rate and the average household size. The population figures have also be re-aligned with the population used within the employment model which identified the growth of 3,850 jobs [derived from the Experian Economics employment forecasts (Adj+)].

2.4.1.4 The PBA report entitled '*Neath Port Talbot LDP – Review of Levels of Growth 2015*' is attached as a supplementary paper to this report. Whilst the full details of the review and main findings are set out within the report, the main recommendation was to set a housing need figure of approximately **7,500 new homes** over the Plan period 2011-2026.

2.4.1.5 This figure is the housing requirement target for the Plan to achieve by 2026 and as stated within the PBA report, does not include any additional flexibility allowance for vacancy or contingency. The Authority believes that in order to ensure the effective delivery of sites to meet the housing need and to provide for any unforeseen circumstances a 4% vacancy rate and 10% flexibility allowance should be added to the housing supply, requiring an overall housing provision of **8,600 units**.

2 . Proposed Focussed Changes

2.4.1.6 Notwithstanding the changes that were made to the housing site schedule during the Proposed Focussed Changes consultation [*FC13* H1/LB/13 - Blaenbaglan Farm, Baglan, 160 units and *FC14* H1/17 - Harbourside, Port Talbot, 385 units], the additional requirement from 8,350 units [*FC07*] to 8,600 (an extra 250 units) would be met through an increased build rate at Coed Darcy [evidence to support this increased build rate has been provided by St. Modwen Developments Ltd (SMDL)].

2.4.1.7 Further information on the likely phasing and delivery of the housing sites included within the Plan to achieve the housing requirement together with the housing land position throughout the Plan period is contained within the revised housing trajectory paper.

Recommendation

2.4.1.8 The Council considers that the following further changes are appropriate and if deemed necessary by the Inspectors, such amendments could be addressed via Matters Arising Changes:

Policy SP7 - amend to read:

*'In order to deliver the ~~8,000~~ **7,500** new dwellings required to meet the Economic-Led Growth Strategy, provision will be made for the development of ~~8,350~~ **8,600** additional dwellings between 2011-2026 including a ~~13%~~ **14%** flexibility allowance'.*

Paragraph 5.1.3 - amend to read:

*'The LDP provides a framework for the development of ~~8,350~~ **8,600** additional residential units. ~~This is greater than the identified housing need in order to provide a 13% contingency allowance.~~ This will allow for vacancies within the new dwelling stock, choice and flexibility for sites not coming forward as anticipated'.*

Table 5.1 Total Housing Provision - insert revised table:

	Assumptions	Number of Units
Basic Housing Need	Preferred Economic Growth Scenario to meet the projected need for 3,850 jobs	8,027
		7,511
Vacancy Allowance	An allowance for vacancies	323
		319
Flexibility Allowance	An allowance for sites not coming forward as anticipated	770
	Total Housing Requirement	8,350
		8,600

Paragraph 5.1.4 - amend to read:

2 . Proposed Focussed Changes

'The housing supply (~~8,350~~ **8,600** units) is made up of a number of components'

Table 5.2 Components of the Housing Requirement - insert revised table:

Category	Sub Category	Number of Units
Site Specific	Landbank	3,722
		3,972
	New Allocations	2,993
Allowances	Large Windfalls	825
	Small Sites	810
	Total	8,350
		8,600

Table 5.3 Distribution of Overall Housing Provision - insert revised table:

Spatial Area	Land Bank	New Allocation	Windfalls	Small Sites	Total Provision	Share Out
Neath	2,640	1,075	290	210	4,215	50.5%
	2,890					51.9%
Port Talbot	476	1,249	260	100	2,085	25.0%
						24.2%
Afan Valley			39	65	104	1.2%
Amman Valley			39	70	109	1.3%
Dulais Valley	105		33	70	208	2.5%
						2.4%
Neath Valley	114	150	68	85	417	5.0%
						4.8%
Pontardawe	215	399	80	135	829	9.9%
						9.6%
Swansea Valley	172	120	16	75	383	4.6%
						4.5%
Total	3,722	2,993	825	810	8,350	100%
	3,972					

2 . Proposed Focussed Changes

Policy H1 - amend table to read:

'H1/LB/5±: Coed Darcy Urban Village: Llandarcy : ~~2450~~ 2400 : 248.1 (ha).'

Consequential changes be made to the sub-total and totals in the H1 table to incorporate the above amendment as appropriate.

Note: there would also be consequential impacts to the Monitoring Framework which would need to be addressed.

2.4.2 Affordable Housing

2.4.2.1 The Council received a total of 4 'Affordable Housing' related representations to the Schedule of Proposed Focussed Changes. The table below provides an overview of comments broken down by Focussed Change:

Table 2.4.2.1 Summary of Proposed Focussed Change Representations - Affordable Housing

FC Ref	No of Objections	No of Supports	Total No of Reps
FC15 Policy SP8	1	1	2
FC16 Paragraph 5.1.20	1	1	2
Total:	2	2	4

Table 2.4.2.2 FC15 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0033	Objection	Welsh Government	<p>The Welsh Government objects to FC15 and FC16 which reduces the provision of affordable housing by 250 units from 2,500 to 2,250 affordable housing units. The affordable housing provision is 850 units below the identified need (3,100) over the plan period. Increasing the overall housing provision by approximately 750 units could potentially deliver an additional 190 affordable homes over the plan period.</p> <p>In the updated Affordable Housing Topic Paper (SD42, September 2014) there is a discrepancy in Table 4.10 (page 37) which sets out the estimated supply of affordable housing over the plan period. It appears that the authority has applied a 4% vacancy rate to the affordable housing target; this is inappropriate and should be deleted.</p> <p>Additional Comments:</p> <p>In addition, Table 4.10 also includes both the number of affordable units to be delivered through the planning system and estimated completion rates for RSLs. It is not appropriate to include units delivered through other mechanisms such as Social Housing Grant within a policy that the plan is seeking to deliver. These should be removed from Policy SP8 reducing the number of units to be delivered through the planning system to 1662 units. However, it is appropriate to refer to delivery levels from alternative mechanisms within the reasoned justification.</p>

2 . Proposed Focussed Changes

SEQ Rep No	Type	Representor	Summary of Representation
			<p>The affordable housing target identified in Policy SP8 'Affordable Housing' should be amended to include only those affordable homes that will be delivered through the planning system. This approach is consistent with national policy and other LDPs across Wales. The rationale for reducing the overall housing provision, and consequently the affordable housing target, has not been explained or justified. Addressing this shortfall would support the delivery of the plan's strategy, aims and objectives which include delivering additional affordable homes.</p> <p>Affordable Housing Policy – GDV Approach</p> <p>We consider that the GDV approach is unnecessary complicated and requires further explanation. We have concerns regarding the Authority's statement that the GDV approach will support a greater amount of affordable housing than specifying a percentage of units delivered via a policy.</p> <p>The Authority explains that part of the rationale for using a GDV approach is to allow greater control over the affordable house types secured. This assertion requires further explanation. The LHMA is an assessment of both the type and tenure of affordable homes required and concludes that there is a need for predominately 3-bed social rented properties. This should provide a robust rationale to support the negotiation of house types required. Therefore WG considers the rationale for using a GDV approach requires further explanation and justification.</p> <p>In addition, the authority should explain why it has not set a target using a percentage of units at 25% in the Coastal Corridor given the Council's own evidence would support such an approach.</p> <p>It is unclear what 20% of GDV equates to in terms of the percentage of units that will be delivered.</p> <p>It is not appropriate for Policy AH1 to require applicants to submit a viability assessment for 10+ residential units in the valley areas when the Council's viability assessment concludes that affordable housing provision is not viable. This requirement is overly onerous and does not accord with the Council's evidence.</p>
FC0054	Support	Ms Annette Scale	<p>Whilst I'm in essence supporting FC15 / FC16, I would like to add a caveat to that support.</p> <p>I understand that the changes were made because the original figures for Affordable Housing were based on 2008 statistics, available at the time, were impacted upon, by the 2011 Census and subsequently the Welsh Government Population and Household Projection statistics. Also, that the possibility of an economic downturn could have bearing, thereby necessitating, amongst other housing amendments (FC06), a reduction in the number of Affordable Houses from 2500 to 2250 by 2026.</p> <p>The revised number has indicated that the reduction will not adversely impact on the numerous categories used in the Sustainable Appraisal criteria. Hence, I cannot but support the Focussed Changes in principle.</p>

2 . Proposed Focussed Changes

SEQ Rep No	Type	Representor	Summary of Representation
			<p>However, my understanding was that there was a substantial housing need for Affordable Housing. To that effect I placed my case for inclusion as an alternative site [AS(N) 28] with a Sustainability Appraisal to support my case.</p> <p>With the revised housing figures coming to light at this late stage, the utilisation of my site could be amended to offer a variety of the types of dwellings causing 'no detrimental impact on the visual amenity or landscape character', furthermore meeting the needs of all social strata.</p>

Table 2.4.2.3 FC16 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0034	Objection	Welsh Government	Refer to FC0033 above.
FC0055	Support	Ms Annette Scale	Refer to FC0054 above.

Main Issues Raised

- Objection to the reduction in the provision of affordable housing which now equates to 850 units below the identified need (i.e. 3,100). Increasing the overall housing provision by 750 units could potentially deliver an additional 190 affordable homes over the Plan period.
- The application of a 4% vacancy rate to the affordable housing target is inappropriate and should be deleted.
- It is not appropriate to include units delivered through other mechanisms such as Social Housing Grant within a policy. The target identified in the policy should be amended to include only those affordable homes that will be delivered through the planning system.
- The GDV approach is unnecessarily complicated and requires further explanation.
- An explanation should be provided as to why a target using a percentage of units at 25% in the Coastal Corridor is not applied given that the evidence would support such an approach.
- It is not appropriate for Policy AH1 to require applicants to submit a viability assessment for 10+ units in the valley areas given that the evidence concludes that this would not be viable.

Council's Observations

Affordable Housing Provision

2 . Proposed Focussed Changes

2.4.2.2 Based on the further technical work referred to in Section 2.4.1 in regard to the Plan's level of growth, the Council considers that it is appropriate for further changes to be made to the overall housing supply, with the revised basic housing need proposed as 7,511, with a total housing provision of 8,600.

2.4.2.3 The requirement of 3,100 affordable homes over the Plan period, (as identified in the Local Housing Market Assessment (2013)) is still applicable, and therefore based on the revised level of housing, this equates to 41% of the overall need. As a consequence the affordable housing target has been amended as follows:

Housing Supply	Estimated Number of Affordable Units
New Allocations	704
Small Sites & Windfalls (Neath, Port Talbot and Pontardawe Spatial Areas)	232
Landbank	773
Sub-total	1709
- 14% Flexibility	1470

Reduction to Account for Flexibility

2.4.2.4 Within the Affordable Housing Topic Paper (September 2014), the affordable housing target was reduced by 4% to reflect the flexibility allowance applied to the overall housing supply. This was done in order to prevent double counting.

2.4.2.5 Based on the revised level of housing provision now proposed, the flexibility allowance of 14% has been subtracted from the overall affordable housing supply to prevent an affordable housing allowance being applied to the flexibility element of the total supply.

2.4.2.6 In respect of the additional comments raised relating to the affordable housing target, applying the Gross Development Value (GDV) method and the policy stance of requiring viability assessments for developments of 10+ units in the valley areas, the Council re-emphasises the following points:

Affordable Housing Target

2.4.2.7 Table 4.10 of the Affordable Housing Topic Paper (September 2014) provides a breakdown of the estimated supply of affordable housing through all measures.

2.4.2.8 Planning Policy Wales states: '*Development plans must include an authority wide target for affordable housing.....The target should take account of the anticipated levels of finance available for affordable housing including public subsidy...*', and therefore the Registered Social Landlord (RSL) build has been included. Furthermore, the affordable housing need identified in the Local Housing Market Assessment (LHMA) gave a target

2 . Proposed Focussed Changes

for affordable homes from all sectors. Accordingly, the policy target identified in Policy SP8 (Affordable Housing) provided the total contribution towards affordable housing expected over the Plan period in order to achieve a more transparent and holistic approach.

2.4.2.9 However, based on representations made, and for clarity, the projected RSL build has now been removed from the revised target and only units provided directly through the planning system have been accounted for. The revised target is now 1,470.

Gross Development Value (GDV)

2.4.2.10 The Affordable Housing Topic Paper (September 2014) sets out the approach taken by the Council, with Appendix 1 of the document providing further detail and justification for the GDV method. The Council believes the GDV approach is a robust and appropriate method to assess contributions to affordable housing and is likely to support a greater amount of affordable housing in Neath Port Talbot over the Plan period.

2.4.2.11 The Welsh Government appear to have misinterpreted the examples provided within the appendix. The appendix illustrates that in the particular example the GDV contribution could equate to 25% of units which would be more than the UDP Policy approach of 20% of units. It is not stating that 25% of units is achievable on all schemes, rather illustrating that as contributions are sought on a site by site basis, the more profitable schemes will contribute to a greater amount.

2.4.2.12 The examples also illustrate that in schemes with the same overall financial value (market value of all units), the types of units that are built can influence the financial value of the contribution, with the GDV approach in many cases provided a higher actual financial value than compared with the percentage of units approach.

Viability Assessments for 10+ Unit Developments in the Valleys

2.4.2.13 The threshold percentages identified in the Affordable Housing Viability Study (AHVS) are based on the short to medium term, with the report suggesting higher targets could be achieved towards the latter part of the Plan period.

2.4.2.14 Within the Valley areas, there are potential 'hot spots' where larger sites and economies of scale may result in the ability of the development to contribute to affordable housing. Consequently, and to reflect this potential, sites of 10 units or more will be required to undertake a broad viability assessment to consider whether a specific site can contribute to affordable provision. The approach ensures that the need for affordable housing will be considered when land negotiations take place and that all costs associated with the delivery of a site are evaluated.

Recommendation

2.4.2.15 The Council considers that the following further changes are appropriate and if deemed necessary by the Inspectors, such amendments could be addressed via Matters Arising Changes:

Policy SP8 - amend to read:

2 . Proposed Focussed Changes

'Provision will be made to deliver ~~2,250~~ 1,470 affordable housing units...'

Paragraph 5.1.20 - amend to read:

'Strategic Policy SP7 detailed the total housing requirement for the LDP period as ~~8,000~~ 7,500 new dwellings. Of these dwellings, ~~2,250~~ 1,470 will be 'affordable'.

Paragraph 5.1.23 - amend to read:

'...a need of 3,100 affordable units in Neath Port Talbot over the LDP period, which equates to ~~39%~~ 41% of the overall projected housing need'.

Note: there would also be consequential impacts to the Monitoring Framework which would need to be addressed.

2.4.3 Employment

2.4.3.1 The Council received a total of 2 'Employment' related representations to the Schedule of Proposed Focussed Changes. The table below provides an overview of comments broken down by Focussed Change:

Table 2.4.3.1 Summary of Proposed Focussed Change Representations - Employment

FC Ref	No of Objections	No of Supports	Total No of Reps
FC17 Paragraph 5.2.3	1	0	1
FC18 Policy EC1	0	1	1
Total:	1	1	2

Table 2.4.3.2 FC17 - Related Representations

SEQ Rep No	Type	Representer	Summary of Representation
FC0035	Objection	Welsh Government	<p>The Welsh Government supports FC17 (in part) and the deletion of the 11.4ha to accommodate the need set out in the Regional Waste Plan (RWP) on Baglan Bay Strategic Employment Site as it aligns with current planning policy in Planning Policy Wales (Edition 7) and revised TAN 21 (February, 2014).</p> <p>However, Policy SP 11 still allocates 96ha of land for Class B employment purposes; this results in an over-provision of Class B employment land by approximately 87ha. The Council should clarify how this over-provision will not dilute the economic strategy, lower land values, jeopardise future growth and how it will impact on job numbers and subsequent housing provision.</p> <p>Whilst Baglan Bay represents the authority's strategic, long-term nature for the site over the LDP period and beyond; based on a requirement for 8.6ha of employment land, this is a substantial over-provision of B-class space. It will be important for the authority to identify how the 11ha of employment land will be developed. In the absence of this evidence, the Welsh Government objects to FC17 (in part) specifically a lack of clarity on delivering the 11ha at Baglan Bay.</p>

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SEQ Rep No	Type	Representor	Summary of Representation
			<p>It would also be useful if the authority could explain why the remaining part of the allocation, will be unlikely to come forward for development over the plan period. Given the successful development of the site in the UDP, clarity is sought on potential market demand driving development in excess of 11ha and its subsequent implication on job numbers and housing provision.</p> <p>The PBA Report identifies a plot ratio of 0.4, which equates to a Class B employment requirement of 8.6ha over the plan period. It remains unclear if the Council's preference is for a reduced ratio of 0.25, which increases the Class B employment land requirement to 13.76ha. The authority should clarify why a lower plot ratio is appropriate when compared to the industry standard of 0.4 on general industrial land, particularly as the Council is seeking to provide general industrial workshops and units.</p> <p>Lowering the plot ratio could impact on the authority's target of 3,850 new jobs, potentially resulting in a greater increase of jobs. The Class B employment requirement becomes less distinguishable when accounting for stock losses since 2010 and the Welsh Government seeks clarity on the employment provision required to deliver on the authority's aspiration for economic growth.</p>

Table 2.4.3.3 FC18 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0036	Support	Welsh Government	The Welsh Government supports FC18 and the deletion of the 11.4ha to accommodate the need set out in the Regional Waste Plan (RWP) on Baglan Bay Strategic Employment Site as it aligns with current planning policy in Planning Policy Wales (Edition 7) and revised TAN 21 (February, 2014).

Main Issues Raised

- Policy SP11 still allocates 96 hectares of land for Class B employment purposes, resulting in an over-provision of 87 hectares. Clarification should be provided as to how this level of over-provision will not dilute the economic strategy, lower land values, jeopardise future growth and how it will impact on job numbers and subsequent housing provision.
- There is a lack of clarity with regard to the delivery of 11 hectares of employment land at Baglan Bay. It will be important to identify how the 11 hectares will be developed over the Plan period and why the remaining part of the allocation will be unlikely to come forward for development.
- It remains unclear why there is a preference for a reduced plot ratio of 0.25, given the industry standard of 0.4 on general industrial land. Lowering the plot ratio could impact on the target of 3,850 jobs.

2 . Proposed Focussed Changes

Council's Observations

2.4.3.2 The Council notes the support for FC17 (in part) and FC18.

2.4.3.3 In respect of the comments raised relating to employment land provision, the delivery of Baglan Bay and the plot ratios applied, the Council re-emphasises the following points:

Employment Land Provision

2.4.3.4 Policy EC1 (Employment Allocations) identifies a total of 96 hectares of employment land and stipulates that only 32 hectares of this is allocated for B Space uses. Whilst the PBA Study recommends 20 hectares of B Space is required over the Plan period, the Council considers it appropriate and reasonable to (1) add an additional allowance of 12 hectares to account for stock losses since the base date of the PBA Study; (2) apply alternative plot ratios; and (3) to add an element of flexibility and choice. Further detail of this approach is provided within the Economy and Employment Topic Paper (September 2014).

2.4.3.5 The Council therefore contends that there is not an over-provision of 87 hectares and the approach is in accordance with the Plan's economic strategy.

Delivery at Baglan Bay

2.4.3.6 The redevelopment of Baglan Bay is a long term aspiration of the Council. A large proportion of the total allocation is identified for the strategic employment site at Baglan Bay (i.e. 75 hectares - of which 11 hectares is allocated for B-Space). The PBA Study recommended that the site be allocated in its entirety, acknowledging its marketing and future development potential. It is considered that this approach will not undermine the market.

2.4.3.7 Whilst 11 hectares is allocated for B uses, the remaining and larger proportion of the site is likely to be developed for non-B uses, including the energy sector, which is a Sui Generis use. The energy sector is a growing industry with Baglan Bay having the capacity and suitability to meet the demands of this type of industry. As an example, since the base date of the Plan, a solar farm has been developed within the allocation amounting to approximately 11 hectares. This supports the Council's approach and demonstrates Baglan Bay is able to meet the anticipated demand and growth in the energy sector along with other uses, providing choice and flexibility.

2.4.3.8 The PBA Study suggests the sub-division of the site into deliverable phases and this may help to better focus delivery interventions. In response, the Council has set out detailed information on the design, layout and phasing of the site in the draft 'Baglan Bay Masterplan Supplementary Planning Guidance' (September 2014).

Plot Ratios

2 . Proposed Focussed Changes

2.4.3.9 To convert the floorspace required into land area, a suitable plot ratio is needed to make land allocations. The PBA Study applies a plot ratio of 0.4 (40%), which is generally used and considered a reasonable standard for most industrial uses.

2.4.3.10 Whilst it is acknowledged that a ratio of 0.4 is a reasonable standard, it is necessary to consider development within the local context and the plot ratios that have traditionally been adopted in Neath Port Talbot. Whilst there has been development at a plot ratio of 0.4, the vast majority of employment and industrial development has been at much lower ratios. On this basis, and after an assessment of recent development, an alternative plot ratio of 0.25 is considered more suited to Neath Port Talbot.

2.4.3.11 Based on this local context, it is therefore appropriate to reconsider the plot ratios and examine the requirements for industrial land on an alternative ratio scenario.

2.4.3.12 The requirement of 20 hectares of land identified by the PBA Study equates to 80,000 sqm of floorspace (at a plot ratio of 0.4), when applying an alternative plot ratio of 0.25 the requirement increases to 32 hectares.

2.4.3.13 The Plan therefore makes provision for 32 hectares of B space employment land to allow for development at alternative ratios and to continue the type of development recently experienced in Neath Port Talbot. The varying plot ratios will still deliver and support the 3,850 jobs as the amount of actual floor space remains a constant, it is the plot ratio that has been amended to allow choice and varying types of development. Consequently, by planning for varying plot ratios, the Plan will not unduly restrict development and will allow the policy to deal with changing circumstances and demand.

2.4.3.14 This approach is in accordance with TAN 23 which states '*Land provision targets may be higher than anticipated demand, to allow for the chance that assessments are too low and to ensure that no opportunities are missed. They should allow for flexibility, competition and choice*'.

Recommendation

2.4.3.15 The Council recommends to the Planning Inspectors that focussed change FC17 and FC18 be incorporated in the Deposit Plan without amendment.

2.4.4 The Countryside and the Undeveloped Coast

2.4.4.1 The Council received 1 'Countryside and Undeveloped Coast' related representation to the Schedule of Proposed Focussed Changes:

Table 2.4.4.1 Summary of Proposed Focussed Change Representations - Countryside & Undeveloped Coast

FC Ref	No of Objections	No of Supports	Total No of Reps
FC19 Policy EN1	1	0	1
Total:	1	0	1

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Table 2.4.4.2 FC19 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0025	Objection	St Modwen Developments Ltd.	<p>FC19 proposes an additional exception test for development proposals within the undeveloped coast (as defined by Policy EN1).</p> <p>The proposed tightening of Policy EN1 increases our concerns as it appears to further limit the potential of that part of Baglan Bay which falls within the Undeveloped Coast (land allocated as employment land in the UDP). For reasons previously provided this is inappropriate and not justified.</p> <p>Our preferred approach is either to see the extent of the policy designation changed to follow the outside edge of the developed area of Baglan Bay (as defined in the UDP), or to see the wording change - either to allow a more flexible approach to proposals; or to identify some specific forms of development within the zone which may be excused from the general restriction. One example could be renewable energy generation which forms part of St Modwens strategy for Baglan Bay.</p>

Main Issue Raised

- The proposed change further limits the potential of that part of Baglan Bay to be developed. The extent of the Undeveloped Coast should be amended to exclude such an area or the wording of the policy should be amended to allow a more flexible approach to proposals.

Council's Observations

2.4.4.2 The focussed change is considered to be necessary to clarify the policy and ensure that it is in accord with national policy. The type of development envisaged by the representor would not be accordance with the policy either before or after the proposed change.

2.4.4.3 The question of whether the employment allocation at Baglan Bay should be extended to follow the boundary shown in the Unitary Development Plan has been addressed in the LDP Consultation Report. The site has been reduced to exclude the Lapwing Mitigation Area and to also take account of the adjacent wider coastal dune system which is an important habitat and ecosystem and identified as an important stretch of undeveloped coast.

Recommendation

2.4.4.4 The Council recommends to the Planning Inspectors that focussed change FC19 be incorporated in the Deposit Plan without amendment.

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2.4.5 Environmental Protection

2.4.5.1 The Council received no 'Environmental Protection' related representations to the Schedule of Proposed Focussed Changes.

2.4.6 Minerals

2.4.6.1 The Council received a total of **2** 'Mineral' related representations to the Schedule of Proposed Focussed Changes. The table below provides an overview of comments broken down by Focussed Change:

Table 2.4.6.1 Summary of Proposed Focussed Change Representations - Minerals

FC Ref	No of Objections	No of Supports	Total No of Reps
FC21 Paragraph 5.3.62	0	1	1
FC22 Paragraph 5.3.62	1	0	1
Total:	1	1	2

Table 2.4.6.2 FC21 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0037	Support	Welsh Government	The Welsh Government supports FC21.

Table 2.4.6.3 FC22 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0038	Objection	Welsh Government	<p>The Welsh Government objects to FC22 which deletes the crushed rock land bank figure. Minerals TAN 1 (paragraph 45) requires development plans to include an assessment of the current land bank and state how many years of mineral extraction the land bank can provide, based on the latest 3 years production figures.</p> <p>It is noted that the RTS First Review updates this position, basing land bank calculations on a 10 year historic sales period, rather than 3 year production figures. The authority should include a land bank figure in the LDP, as set out in the RTS First Review.</p> <p>Additional Comment: The focussed changes do not appear to identify safeguarded wharves and railheads on the Proposals Map. Minerals Planning Policy Wales (paragraph 42) encourages the transportation of freight by rail or waterway.</p> <p>The RTS First Review states: <i>'all existing and potential new wharves and railheads should be identified for safeguarding within the LDP, in order to provide a full range of sustainable transport options (whether or not they are currently utilised).'</i></p>

2 . Proposed Focussed Changes

SEQ Rep No	Type	Representor	Summary of Representation
			The Minerals Topic Paper (SD48) references the need to safeguard wharves (paragraph 4.0.27) and has identified wharves for safeguarding on a map in Appendix C. These should be safeguarded through a policy in the plan and clearly denoted on the proposals map. It is unclear whether the authority is currently not meeting this requirement.

Main Issues Raised

- The LDP should include a crushed rock land bank figure as set out in the RTS 1st Review.
- The LDP does not contain a policy which identifies and safeguards wharves and railheads.

Council's Observations

2.4.6.2 The Council notes the support for FC21.

2.4.6.3 In respect of FC22 and the reference to the crushed rock land bank figure, notwithstanding the fact that the approach taken to the calculations in the RTS 1st Review has been endorsed by the Welsh Government as being pragmatic and appropriate, it nevertheless remains a departure from current national policy guidance (i.e. Paragraph 45 MTAN 1).

2.4.6.4 The most up to date information regarding the extent of the landbank has recently been published in the South Wales Regional Aggregate Working Party (SWRAWP) Annual Report 2013 (December 2014). The report identifies that Neath Port Talbot has a landbank figure of 42 years based on 3 year average sales (2011-2013)⁽²⁾ and 32 years based on 10 year average sales (2004-2013)⁽³⁾.

2.4.6.5 It should also be emphasised that the RTS 1st Review does not provide a specific landbank figure to be transposed into LDPs. Moreover the document provides recommendations to each Mineral Planning Authority regarding the quantities of aggregate (i.e. *Apportionments*) and the total tonnage of any new allocations which may need to be made in their LDPs.

2.4.6.6 In light of the above and given that the Minerals Topic Paper coupled with the RTS 1st Review and SWRAWP Annual Report (2013) establishes the evidence that the Authority has more than sufficient landbank to meet both the requirements of MTAN 1 and the apportionment requirement of the RTS 1st Review, the Council does not consider it necessary or appropriate to include a specific land bank figure in the LDP that is based on an approach contrary to current national policy.

2 Table 4 SWRAWP Annual Report 2013 (December 2014).

3 Table 5 SWRAWP Annual Report 2013 (December 2014).

2 . Proposed Focussed Changes

2.4.6.7 In regard to the additional comment relating to the safeguarding of wharves and railheads, Policy TR4 *Safeguarding Freight Facilities* ensures that adequate provision for storage and processing facilities for minerals is made at docks and railheads. Existing and potential wharves and the important rail connections and sidings are identified on the Proposals Map.

Recommendation

2.4.6.8 The Council recommends to the Planning Inspectors that focussed change FC22 be incorporated in the Deposit Plan without amendment.

2.4.7 Renewable & Low Carbon Energy

2.4.7.1 The Council received a total of **6** 'Renewable & Low Carbon Energy' related representations to the Schedule of Proposed Focussed Changes. The table below provides an overview of comments broken down by Focussed Change:

Table 2.4.7.1 Summary of Proposed Focussed Change Representations - Renewable & Low Carbon Energy

FC Ref	No of Objections	No of Supports	Total No of Reps
FC23 Policy RE1	3	0	3
FC24 Paragraph 5.3.93	0	0	0
FC25 Paragraph 5.3.95	0	2	2
FC26 Policy RE1	1	0	1
Total:	4	2	6

Table 2.4.7.2 FC23 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0014	Objection	Pennant Walters Ltd.	Whilst there is support for the proposed amendment of criterion 1, there is an objection to the proposed amendment of criterion 2 for the reasons set out in the Deposit LDP representations.
FC0042	Objection	Welsh Government	<p>The Welsh Government objects to the amendment to Criterion 1 as we consider the additional wording could apply within Strategic Search Areas (SSAs) which would be contrary to TAN8.</p> <p>If it is the Council's intention that the additional wording would apply to proposals outside of SSAs then we would not object to this principle.</p> <p>The Welsh Government objects to the amendment to Criterion 2 inserting 'landscape character'. TAN 8 states that <i>'within (and immediately adjacent) to the SSAs, the implicit objective is to accept landscape change i.e. significant change in landscape character from wind turbine development'</i> (Para 8.4, Annex D).</p>

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SEQ Rep No	Type	Representor	Summary of Representation
			It would therefore not be appropriate to assess proposals within SSAs against this criterion. If it is the Council's intention that the additional wording would apply to proposals outside of SSAs then we would not object to this principle.
FC0066	Objection	REG Windpower Ltd.	<p>Whilst the change to recognise that wind farm development can be acceptable outside the boundaries of the refined Strategic Search Areas is supported in the amended Criterion 1, the test imposed that the proposed development "would not have a detrimental impact" is objected to.</p> <p>It is accepted in UK and National Planning Policy that all on-shore wind development will have a detrimental impact to some extent and therefore no scheme could comply with this policy as currently drafted. Rather, and to support the objectives variously set out in Planning Policy Wales Edition 7, Chapter 12, the wording should refer to the proposed development '<i>not having an unacceptable impact</i>', which would allow the decision-maker to undertake a proper balancing exercise of the various material considerations in determining a wind farm development.</p>

Table 2.4.7.3 FC25 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0015	Support	Pennant Walters Ltd.	Support for the deletion of paragraph 5.3.95.
FC0039	Support	Welsh Government	The Welsh Government supports FC25.

Table 2.4.7.4 FC26 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0041	Objection	Welsh Government	<p>The Welsh Government objects to the insert of a policy requirement for community based wind farms to demonstrate evidence of benefit for the community in Policy RE1.</p> <p>It is not clear why this evidence is required as community benefits should not be a planning consideration. Paragraph 2.4 of Annex B in TAN 8 'Planning for Renewable Energy', states '<i>...it must be clear that the provision of benefits is on a purely voluntary basis with no connection to the planning application process</i>'.</p>

Main Issues Raised

- If the additional wording were to apply to areas within SSAs, this would be contrary to TAN 8.

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- It is widely accepted that all on-shore wind development will have a detrimental impact to some extent and as such no scheme could comply with this policy as currently drafted. Delete '*would not have a detrimental impact*' and replace with '*not having an unacceptable impact*'.
- Objection to the inclusion of a policy requirement for community based wind farms to demonstrate evidence of benefit for the community. Community benefits should not be a planning consideration.

Council's Observations

2.4.7.2 In respect of FC23, the additional wording to Criterion 1 and Criterion 2 of Policy RE1 is considered to clearly apply to cases where the development is located outside of the Refined SSAs. On this basis, the Policy is not considered to be contrary to TAN 8.

2.4.7.3 In regard to the use of the phrase '*would not have a detrimental impact*', it is accepted that this form of words would be unduly restrictive.

2.4.7.4 The Council notes the support for FC25.

2.4.7.5 In respect of FC26, it is accepted that Policy RE1 should not require proposals to demonstrate evidence of benefit for the community.

Recommendation

2.4.7.6 The Council considers that the following further changes are appropriate and if deemed necessary by the Inspectors, such amendments could be addressed via Matters Arising Changes:

Policy RE1 (criterion 1) - amend to read:

'...unless it can be demonstrated that the development would not have ~~a detrimental~~ an unacceptable impact...'

Policy RE1 (additional criterion) - amend to read:

'In the case of small or community based wind farm development (<5MW), it can be demonstrated that impacts are confined to the local scale ~~and that the proposal would contribute to the benefit of the wider community.~~'

Paragraph 5.3.97 - delete the following:

'Proposals for Community based windfarms will also need to demonstrate clear evidence of community ownership and the benefit the development would have to the wider community.'

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2.4.8 Waste

2.4.8.1 The Council received a total of 3 'Waste' related representations to the Schedule of Proposed Focussed Changes. The table below provides an overview of comments broken down by Focussed Change:

Table 2.4.8.1 Summary of Proposed Focussed Change Representations - Waste

FC Ref	No of Objections	No of Supports	Total No of Reps
FC27 Paragraph 5.3.109	0	1	1
FC28 Policy W1	0	1	1
FC29 Paragraph 5.3.120	0	1	1
Total:	0	3	3

Table 2.4.8.2 FC27 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0043	Support	Welsh Government	<p>The general approach in the CIM Sector Plan has been to move away from land-take based calculations to express the need for waste management facilities based on future capacity in tonnes. On this basis, the Welsh Government supports FC27 which omits the Regional Waste Plan (RWP) land-take requirement.</p> <p>Additional Comment: TAN 21 necessitates the need for regional collaboration to establish an integrated and adequate network for the disposal and recovery of waste. In the interim period of joint monitoring arrangements being established across the region, the target for waste management facilities in Neath Port Talbot is yet to be identified.</p> <p>In the absence of a target, reference to '<i>regionally and locally identified need</i>' in Policy SP 19 and the supporting text should be omitted.</p>

Table 2.4.8.3 FC28 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0044	Support	Welsh Government	<p>The general approach in the CIM Sector Plan has been to move away from land-take based calculations to express the need for waste management facilities based on future capacity in tonnes. On this basis, the Welsh Government supports FC28 which deletes reference to the Best Practicable Environmental Option (BPEO).</p>

Table 2.4.8.4 FC29 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0045	Support	Welsh Government	<p>The general approach in the CIM Sector Plan has been to move away from land-take based calculations to express the need for waste</p>

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SEQ Rep No	Type	Representor	Summary of Representation
			management facilities based on future capacity in tonnes. On this basis, the Welsh Government supports FC28 which deletes reference to the Best Practicable Environmental Option (BPEO).

Main Issue Raised

- In the absence of any target for waste management facilities, reference to '*regionally and locally identified need*' should be removed.

Council's Observations

2.4.8.2 The Council notes the support for FC27, FC28 and FC29.

2.4.8.3 In respect of the additional comment raised, given that there is no current waste management target identified for Neath Port Talbot, it is accepted that there is no longer a requirement to make specific reference to '*regionally and locally identified need*'.

Recommendation

2.4.8.4 The Council considers that the following further changes are appropriate and if deemed necessary by the Inspectors, such amendments could be addressed via Matters Arising Changes:

Policy SP19 (criterion 2) - amend to read:

'Identification of preferred sites ~~to meet the regionally and locally identified need for in-building waste treatment capacity~~'.

Paragraph 5.3.107 - amend to read:

'In line with national ~~and regional~~ guidance, the Authority's strategy...'

Paragraph 5.3.110 - amend to read:

'...preferred locations are identified where proposals for new in-building waste treatment facilities ~~to meet the regionally and locally identified need will be directed~~'.

Policy W1 (criterion 1) - amend to read:

'Provision for new in-building waste treatment facilities ~~to meet the regionally and locally identified need for waste treatment capacity will be preferred at the following sites~~'.

2.4.9 Built Environment & Historic Heritage

2.4.9.1 The Council received **2** 'Built Environment & Historic Heritage' related representations to the Schedule of Proposed Focussed Changes:

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Table 2.4.9.1 Summary of Proposed Focussed Change Representations - Built Environment & Historic Heritage

FC Ref	No of Objections	No of Supports	Total No of Reps
FC30 Paragraph 5.5.25	2	0	2
Total:	2	0	2

Table 2.4.9.2 FC30 - Related Representations

SEQ Rep No	Type	Represor	Summary of Representation
FC0001	Objection	Canal and River Trust	Whilst we appreciate that this focussed change is necessary to ensure that the accompanying text and the wording of the policy are consistent and remove doubt over the level of protection intended by the Council, we believe that the Council should have removed 'where possible' from Part 2 of the Policy and not add it to the text, thus showing a greater level of support for canal restoration.
FC0026	Objection	Swansea Canal Society	The focussed change should have been applied the other way around - i.e. 'where possible' should have been removed from Policy BE3 to accord with the original paragraph 5.5.25. 'Where possible' is a nebulous 'get out' phrase that leads to arguments and counter arguments as to the definition of what is possible in any planning application. As such, the words 'where possible' offer no protection to the stretches of the Swansea Canal particularly the section from Godre'r Graig to Ystalyfera, where 'restoration appears to be less likely'.

Main Issue Raised

- In order to provide a greater level of protection for the canal network, '*where possible*' should be removed from the policy and not the supporting text.

Council's Observations

2.4.9.2 The level of protection given by the policy is considered to be appropriate bearing in mind local circumstances.

Recommendation

2.4.9.3 The Council recommends to the Planning Inspectors that focussed change FC30 be incorporated in the Deposit Plan without amendment.

2.5 Section 6: Implementation & Monitoring

2.5.1 The Council received a total of 2 'Implementation & Monitoring' related representations to the Schedule of Proposed Focussed Changes. The table below provides an overview of comments broken down by Focussed Change:

2 . Proposed Focussed Changes

Table 2.5.1 Summary of Proposed Focussed Change Representations - Implementation & Monitoring

FC Ref	No of Objections	No of Supports	Total No of Reps
FC31 Table 6.2 Monitoring Framework	0	1	1
FC32 Table 6.2 Monitoring Framework	1	0	1
FC33 Table 6.2 Monitoring Framework	0	0	0
Total:	1	1	2

Table 2.5.2 FC31 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0011	Support	Home Builders Federation Wales	No detail provided.

Table 2.5.3 FC32 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0047	Objection	Welsh Government	<p>The Local Housing Market Assessment (2012) identified a need for 3,100 affordable units over the plan period. Given that <i>'meeting affordable housing need is a fundamental element of the LDP strategy'</i>, the Welsh Government seeks clarity on a further 250 unit shortfall; now totalling 850 units, below the identified need.</p> <p>FC32 amends the indicator for Policy SP8 to reflect the reduced level of affordable housing provision. The indicator includes parameters to monitor affordable housing delivery and these will be reviewed every 3-years subject to deviation. The Welsh Government considers the 'action' too flexible and should be more focussed to maximise affordable housing delivery.</p>

Main Issue Raised

- The indicator includes parameters to monitor affordable housing delivery which are to be reviewed every 3 years subject to deviation. This 'action' is considered too flexible and should be more focussed to maximise affordable housing delivery.

Council's Observations

2.5.2 The Council notes the support for FC31.

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2.5.3 In respect of FC32, it is considered necessary and appropriate to adopt a flexible approach in recognition that the provision of new housing in general and affordable housing in particular is subject to fluctuation on a year by year basis. By dividing the Plan period into 3 year sections, with cumulative interim targets established for each time period, it is hoped that the impact of these fluctuations can be mitigated.

2.5.4 Notwithstanding this it is still possible that affordable housing will be provided in such a way that the interim targets will not be achieved precisely. The levels of tolerance for each interim target have been established to allow for a degree of flexibility in acceptance that a shortfall identified for a particular 3 year period can be rectified during the following 3 year period. Such a shortfall recorded for any 3 year period, which could in reality amount to a small number of affordable housing units, should not lead to a policy review if there is a strong likelihood that the position will change positively in future years.

2.5.5 The action therefore that a deviation beyond the identified tolerance levels for two consecutive periods of 3 years will trigger a policy review is considered to be an appropriately focussed response.

Recommendation

2.5.6 The Council recommends to the Planning Inspectors that focussed change FC32 be incorporated in the Deposit Plan without amendment.

2.6 Section 7: Supplementary Planning Guidance

2.6.1 The Council received 1 'Supplementary Planning Guidance' related representation to the Schedule of Proposed Focussed Changes:

Table 2.6.1 Summary of Proposed Focussed Change Representations - Supplementary Planning Guidance

FC Ref	No of Objections	No of Supports	Total No of Reps
FC34 Table 7.1 Supplementary Planning Guidance	0	1	1
Total:	0	1	1

Table 2.6.2 FC34 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0012	Support	Home Builders Federation Wales	No detail provided.

Main Issue Raised

2.6.2 Not applicable.

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Council's Observations

2.6.3 The Council notes the support for FC34.

Recommendation

2.6.4 The Council recommends to the Planning Inspectors that the representation in support of FC34 be noted.

2.7 Proposals Map

2.7.1 The Council received a total of **3** 'Proposals Map' related representations to the Schedule of Proposed Focussed Changes. The table below provides an overview of comments broken down by Focussed Change:

Table 2.7.1 Summary of Proposed Focussed Change Representations - Proposals Map

FC Ref	No of Objections	No of Supports	Total No of Reps
FC35 Proposals Map	0	0	0
FC36 Proposals Map	0	0	0
FC37 Proposals Map	0	1	1
FC38 Proposals Map	1	1	2
Total:	1	2	3

Table 2.7.2 FC37 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0046	Support	Welsh Government	<p>Support for FC37 which identifies the 'language sensitive areas' on the Proposals Map.</p> <p>Additional Comments: It should be articulated that Policy WL1 relates to mitigation measures only and not the principle of development to ensure compliance with TAN20. The Authority should ensure that mitigation measures identified in the supporting text are capable of being delivered through S106 agreements and not reliant upon CIL.</p> <p>The Authority should provide evidence to show how it has specified the development thresholds in Policy W1, demonstrating why the thresholds are significant and the relationship between the identified scale and potential impacts.</p>

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Table 2.7.3 FC38 - Related Representations

SEQ Rep No	Type	Representor	Summary of Representation
FC0016	Objection	Pennant Walters Ltd	<p>FC38 proposes to base the refined SSA E boundary on that recommended in the TAN 8 Annex D Study (December 2006). The recommendations in the TAN 8 Annex D Study were predicated on the 2010 targets set out in TAN 8. The SSA boundary should now recognise the longer LDP timescale and reflect the maximum capacity for SSA E as set out in the Minister's letter of July 2011.</p> <p>The proposed refined boundary excludes over half of the turbines in the existing Maesgwyn wind farm. This is illogical. The SSA boundary should be extended to the east to incorporate the existing wind farm.</p>
FC0040	Support	Welsh Government	Support for the amendment of the Proposals Map to reflect the refined Strategic Search Area E as set out in the Arup Technical Study.

Main Issues Raised

FC37 - Welsh Language

- It should be articulated that Policy WL1 relates to mitigation measures only and not the principle of development.
- The mitigation measures identified should be capable of being delivered through S106 agreements and not reliant upon CIL.
- Evidence should be provided as to the justification for the development thresholds identified in the policy demonstrating why they are significant.

FC38 - Refined Strategic Search Area (SSA) E Boundary

- Objection to the refined SSA E boundary being based on the TAN 8 Annex D Study (2006). The SSA boundary should now recognise the longer LDP timescale and reflect the maximum capacity for SSA E as set out in the Ministerial letter (July 2011).
- The proposed refined SSA boundary should be extended to include the full extent of the existing Maesgwyn windfarm.

Council's Observations

FC37 - Welsh Language

2.7.2 The Council notes the support for FC37.

2.7.3 In respect of the additional comments raised, the Council confirms that Policy WL1 relates only to mitigation measures and not the principle of development and is therefore in accordance with national policy. The evidence base identifies that larger scale

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developments can have a negative impact on the Welsh language and as a consequence the policy stipulates that in the identified language sensitive areas, development proposals above a certain scale will require the submission of a 'Language Action Plan' setting out the mitigation measures to be taken to protect, promote and enhance the Welsh Language (i.e. to offset any negative impacts that has already been established at the Plan level).

2.7.4 The Deposit Plan provides examples of the type of mitigation measures that may be appropriate and the Council is confident that such measures can be delivered through S106 agreements / contributions.

2.7.5 In regard to the development thresholds identified in Policy WL1:

- *Residential development for 10 or more dwellings* - the threshold has been specified on the basis of the definition of a 'large' site for the purposes of the TAN 1 Study and on those sites subsequently identified as 'allocations' in the Deposit Plan. 'Small' housing sites tend to be developed by self-builders or local builders who develop sites at a slower rate than the larger volume house builders and as a consequence the impact of such smaller scale development is likely to be more piecemeal;
- *Retail development with a total floorspace of 1,000 sqm or more*: the threshold has been specified on the basis that the national chains are unlikely to develop outlets below this size threshold. It is considered that developments of such scale are more likely to be located on retail parks and without any contribution to the Welsh language, this would have more of an impact on the integrity of the language than smaller 'local scale' shops which tend to be developed on the high street. Furthermore, national chains are less likely to be aware of the importance of the Welsh language in the local area; and
- *Commercial or industrial development* - no threshold has been specified. The policy seeks to encourage the day to day use of the Welsh language in the workplace.

FC38 - Refined SSA E Boundary

2.7.6 The Council notes the support for FC38.

2.7.7 In respect of the objection received, the focussed Change is proposed to take account of the revised maximum capacity targets as set out in the Ministerial letter (2011). The evidence presented in the 'Renewable & Low Carbon Energy Topic Paper' supports the view that the total approved and pending wind farm developments within and in close proximity to the refined SSAs (as identified by the TAN 8 Annex D Study), will comfortably exceed the identified maximum capacity for Strategic Search Area (SSA) E (i.e. 152 MW). Consequently, the proposed focussed change is considered appropriate.

2.7.8 Furthermore, notwithstanding the fact that a portion of the current Maesgwyn wind farm is located outside the proposed refined SSA boundary, the available evidence from the 'TAN8 Annex D Study' supports the revised boundary shown.

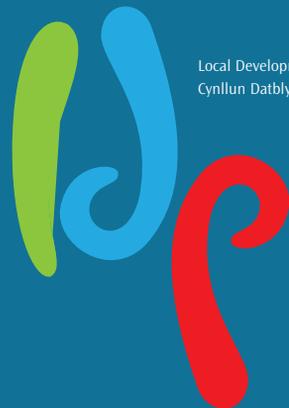
2 . Proposed Focussed Changes

Recommendation

2.7.9 The Council recommends to the Planning Inspectors that focussed change FC38 be incorporated in the Deposit Plan without amendment.

2.8 Abbreviations & Acronyms

2.8.1 The Council received no 'Abbreviations & Acronyms' related representations to the Schedule of Proposed Focussed Changes.



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