

## **NEATH PORT TALBOT LOCAL DEVELOPMENT PLAN**

### **Hearing Session 16: Culture and Heritage**

**21<sup>st</sup> April 2015, 2 pm  
Council Chamber, Civic Centre, Port Talbot**

### **Submission of the NEATH AND TENNANT CANALS TRUST**

**Representor No: 0027 - Dr G W Hughes**

#### ***Plan Preparation – Matter 1***

1. Whereas NPTCBC continues to promote the development of local canals, it has shown no commitment to engage with canal stakeholders ('stakeholders') with a view to producing a Regeneration Strategy which would realise their potential.
2. Although specifically listed as consultees / invitees in the *Delivery Agreement* (*SD03* - p. 44 & p.48), there has been no meaningful stakeholder consultation throughout the process of preparing the LDP despite concerns expressed in formal submissions and the production of a comprehensive document by the Trust relating to the regeneration of the Neath and Tennant Canals - submitted to the Authority in January 2013. (*Local Development Plan Wales*, 1.11.i, & Annex A, B5)
3. In that regard, the LDP has not met the requirements of its *Community Involvement Scheme* (*SD03 Section 3*, p. 14) in that '*stakeholders will be encouraged to play a full part in the preparation of the plan*', in promoting '*consensus building*' (*SD03*, p.16) or in facilitating a '*statement of common ground*' (*Local Development Plan Wales*, 4.27).
4. The considerable disquiet and concern expressed by stakeholders is not reflected in the LDP's *Statement of Suggested Main Issues for Examination* (*SD29*).
5. The LDP, consequently, does not meet the test of soundness. **P 1**

#### ***Plan Preparation – Matter 2.***

6. NPTCBC - together with C. C. Swansea - has consistently supported the creation of a 35 mile integrated canal network based on the unification of the three local canals via the SA1 Waterfront Development – now referred to as the 'Swansea Bay Inland Waterway' (SBIW). (*Pre-Deposit Plan 8.3.30*)

7. The removal of protection from the Swansea Canal below Pontardawe, in particular, is incompatible with that aspiration, does not have regard to the Wales Spatial Plan and is not in accord '*with the development plans prepared by neighbouring authorities*'. (*Local Development Plan Wales 1.9*)
8. Policy BE 3 renders the LDP unsound and will have the effect of jeopardising SBIW. **C 1 / C3**

***Plan Preparation – Other.***

9. The procedure by which stakeholders were expected to submit lengths unprotected by Policy BE 3 as Alternative Sites for the purpose of the Examination, to be appraised as such, was inappropriate and/or unnecessary.
10. **Strategic Policy SP 21** (5.5.1 - *Culture and Heritage*), to which Policy BE 3 relates, seeks to '*protect and enhance*' the Built Environment & Historic Heritage. Understandably, no reference or requirement is made in the Sustainability Appraisal (*SD05 7.5.3.92*) or in national policies (*LDP Manual 2006*) to 'develop' such heritage sites and to do so within specified time-frames.
11. The criteria used to determine the 'appropriateness' of including **extant** lengths / lines of canal for protection, consequently, should be determined solely in accord with **Policy SP 21** and not as proposed developments / Alternative sites.

***Matter 10 – Culture and Heritage - Policy BE 3 - The Canal Network***

12. Policy BE 3 ('the Policy') does not seek to promote the strategic regeneration of the canals but merely seeks to '*safeguard the canal network from inappropriate development* (*EB 24, 8.1.2*). There is no strategic vision or commitment to SBIW.
13. No robust or credible evidence is contained in the LDP or its associated documents to support the inclusion/exclusion of canal lengths. In the absence of a corresponding *Evidence Base Document*, no reasoned justification or explanation is advanced for what appears to be an arbitrary approach to canal conservation, and one which is at odds with national practices & policies. (*Local Development Plan Wales 1.11.ii, 2.1.iii; Planning Policy Wales 7 11.1.13 ; Waterways for Wales, BW, 2003*)
14. The Policy differentiates those protected lengths of canal - subject to the criteria contained in paragraphs **5.5.24** and **5.5.25** - where restoration is deemed possible, from the remainder where (presumably) there is no perceived prospect of restoration.

15. ‘Such lengths of canal’ which meet the criteria in **5.5.24** are ‘identified on the Proposals Map’ as those labelled *BE 3 1(a to d)* – corresponding with those protected in Paragraph 1 of the Policy. The (other) lengths of canal which ‘are also protected’ by the criteria contained in **5.5.25** are not identified on the Proposals Map - essentially because they do not appear to exist. As constructed, paragraph **5.5.25**, is incompatible with Paragraph 1 and is redundant in that it does not relate to any additional or other identifiable lengths subject to protection..
16. Paragraph **5.5.23** refers to the canals as *Green Corridors* which promote recreation, biodiversity and landscape. The protection of those lengths identified in the Policy, however, is predominantly if not solely dependent upon the perceived potential for restoration. As such, the Policy does not allow for the protection or promotion of any unprotected lengths / lines as Green Corridors - *Topic Paper SD44 – 3.1.8; Planning Policy Wales (Tans 16 & 18)*.
17. It is the unanimous opinion of stakeholders – representing local and national organisations - that the excluded lengths of the Neath and Swansea Canals, where ‘*the historic line of the canal ...*’ (*Paragraph 2.*) continues to be extant, readily meet the inclusion criteria for protection contained in the Policy.
18. *Local Development Plans Wales (1.2.i)* states that development plans should ‘*(also) reflect longer term aspirations, based on a vision agreed to by the community and stakeholders*’. The regeneration of local canals and the creation of a unified canal network is such an aspiration but realistically one which may not be achieved in its entirety within the time-frame of the LDP.
19. Paragraph **5.5.23** refers to ‘*gaps in the network*’. At present there are at least 10 such gaps / obstructions to navigation within NPT alone. The priority given to the ‘unification’ of any two or more lengths has, and will continue to depend upon prevailing circumstances, such as the availability of Grant Aid and associated canal-side developments. It is possible, therefore, that lengths excluded by the Policy would have priority over those it seeks to protect. Such is the nature of canal regeneration - as illustrated in the LDP - ref. *para. 25 below*.
20. The removal of protection from the Swansea Canal south of Pontardawe together with the Neath Canal above Ysgwrfa (Glynneath) and the identification of both towns as Strategic Growth Areas (**Matter 3**) implies that the canals have little or no role to play in promoting such growth. The LDP and its supporting documents, however, highlight the role and importance of the canals to these localities. (*e.g. SD04, 2.5.47, 2.5.57; para. 25 below*).
21. The exclusion of these lengths of canal by the Policy is inconsistent with the strategic growth aspirations for Pontardawe and Glynneath.

**NEATH CANAL – North of Ysgwrfra Bridge.**

22. The Policy does not afford protection to the Neath Canal from Ysgwrfra Bridge to its former terminus in Glynneath.
23. Whilst the Trust during its 40 years existence has sought to protect the line of the Neath Canal along its entire length, it relinquished its commitment to protect the section north of Manor Drive in light of the Park Avenue Scheme proposed in the Pre-Deposit Plan, subject to an undertaking that the culverted supply of water from the river to the canal would be protected.
24. Within the context of the lack of consultation referred to in Matter 1, the exclusion of the canal north of Ysgwrfra Bridge in the Policy and the failure to identify a ‘protected length’ at that location on the Proposals Map, it has only recently come to light on perusing the supporting documents that the LDP refers to the reinstatement of the Neath Canal in Glynneath.
25. In that regard the *Deposit Plan* (4.0.34) describes the *Park Avenue Scheme - H1/23* - as ‘key to delivering the Growth Strategy’ for Glynneath. *The Sustainability Appraisal – SD05 - Objective 4B – 7.5.3.22* concludes that H1/23 ‘would bring the potential to enhance and reinstate the Neath Canal, which would also help to enhance the adjacent Conservation Area’. *The Implementation Plan (EB23, 2.50 H1/23)* relating to the site concludes that the whole development would be completed within the required time-frame of the LDP.
26. Reference to the ( potential) reinstatement of the Neath Canal as part of a flagship development in Glynneath is directly at odds with and totally undermines the credibility of the Policy. Not only is the reinstatement of a non-protected length as part of a Candidate Site a ‘realistic prospect’ (BE 3 - 5.5.24) – it is proposed as a desirable and integral part of a ‘key’ development which is deliverable within the required time-frame.
27. On that basis, the *Sustainability Appraisal* not only acknowledges the benefits of safeguarding a length of canal excluded by the Policy, but promotes its reinstatement at a location north of the length which the Trust seeks to protect - and which otherwise would be isolated (by yet another lengthy gap) from the unified ‘network’ which the Policy purports to promote.
28. It should be noted that the canal at this location is subject to a statutory right of navigation.
29. The exclusion from protection of the Neath Canal above Ysgwrfra Bridge - of which the reinstated canal in H1/23 would be a part - consequently, is contradictory, inconsistent and illogical.

## **Conclusions**

30. In light of the above, Policy BE 3 cannot be described as coherent, consistent or credible. The exclusion of lengths of canal from protection is arbitrary and does not accord with policies, objectives and proposals presented elsewhere in the Plan or with national policies. The policy does not meet the test of soundness required by **CE 1**
31. The Plan lacks a strategy for canal regeneration. Policy BE 3 is not supported by any robust evidence and there are no indications to suggest that relevant alternatives have been considered. It does not meet the requirements of **CE 2**
32. Whilst the criteria for protection are open to interpretation and relate in part to lengths which are non-identifiable, the exclusion of specific lengths by the Policy is inflexible such that the Plan is not enabled to deal with changing circumstances contrary to the requirements of **CE 4**.
33. Policy BE 3 of the LDP, consequently, falls far short of the tests of soundness.

### **“What changes are necessary to make the Policy / LDP sound?”**

The policy should be simplified and re-written :-

### **POLICY BE 3 The Canals Network**

In order to protect, conserve and promote the regeneration of the canals to create a unified network, the following lengths will be safeguarded:-

- a) The Neath Canal (from Oddfellows Street, Glynneath to Briton Ferry).
- b) The Tennant Canal (from Aberdulais Basin to the County Borough boundary at Crymlyn Burrows).
- c) The Swansea Canal from ..... (as proposed by fellow stakeholders)

Proposals which would prejudice the conservation, restoration or operation of the safeguarded lengths will be resisted. Proposals will need to demonstrate that they would not adversely affect the setting of the canals or prevent or discourage the use of the canals for recreation and water supply.

- 5.5.23** The canals network are an important part of the County Borough's historic heritage and are also significant for recreation, biodiversity and landscape reasons. There are three principal canals within Neath Port Talbot, comprising the Neath, Tennant and Swansea canals. Significant lengths of these canals have now been restored to navigable standards and they form a wider network of green corridors which encourage walking and cycling - attracting visitors to the area. There are however gaps in the network where the line of a canal has been lost, lengths have been drained or in-filled, or navigation is prevented by obstructions such as low bridges.
- 5.5.24** The policy seeks to protect the extant historical lines of the canals where development could compromise their operation, restoration and conservation as green-corridors. The lengths of canal protected by the policy are identified on the Proposals Map.

## Appendix

If the Inspectors are mindful to proceed to considering the specific length of canal between Ysgwrfa Bridge and Manor Drive, the Trust wishes to append the following statement in support of earlier submissions outlining the case for protection.

Patrick Moss, BSc. (Hons), Dip T.P., M.R.T.P.I, of Moss Naylor Young, Waterway Consultants.

"The Neath Canal has already been restored between Ysgwrfa and Resolven, and between Abergarwed and Neath. Linking the two lengths is not difficult and would create a leisure waterway through beautiful surroundings. However whilst Ysgwrfa is a very pleasant location it is totally devoid of facilities and, as importantly, any focus of economic activity, therefore as a canal destination it will receive few visitors by boat and be of little interest to land based visitors. Those visitors that do arrive will have no means of interacting with the local economy.

Glyn Neath can never benefit from a canal terminus at Ysgwrfa - it is too far away. Glyn Neath of itself is unlikely to gather appreciable visitor numbers without a focus such as a canal basin. Elsewhere in the UK, canal basins have formed the focus of economic regeneration.

The comparatively short length of canal required has no particular obstacles that have not been resolved elsewhere, and the finished canal would be attractive to navigation: There are no features that would be off-putting to boaters ."