

WELSH GOVERNMENT
Examination Hearing
Statement

Neath Port Talbot Local Development Plan

Matter 10: Culture and Heritage
(Session 16)

21 April 2015

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Key Issue: Do the policies and proposals on this matter achieve the relevant objectives of the LDP in a sustainable manner consistent with the WSP and national policy? Are they based on robust and credible evidence?

The WG is generally supportive of policies in respect of Culture and Heritage and considers them to largely meet the key issues and objectives of the plan. The information provided below details the policies compliance with national planning guidance.

Where appropriate, have alternative strategies been considered, is the identification of any sites based on a robust and rational site selection process?

This is for the authority to answer.

Are the policies and requirements clear, reasonable and justified?

Policy SP 21:

Paragraph 6.3.2 of PPW identifies that the positive management of conservation areas is necessary if their character or appearance is to be protected and enhanced. The Council should consider amending Criterion 4 of Policy SP 21 to acknowledge the identification of listed designations for both their protection and 'enhancement'.

Paragraph 6.4.7 of PPW also acknowledges that development plans should clearly indicate how detailed assessment documents and statements of proposals for individual conservation areas relate to the plan and what weight will be given to them in decisions on planning applications. The justification text of Policy SP 21 should be amended accordingly.

Paragraph 2.24 of LDP Wales identifies that the Proposals Map must illustrate each of the policies with a spatial component in the plan, including areas to which specified development control policies will apply. The Council should explain how applications affecting arterial gateways; identified in Criterion 2 and paragraph 5.5.10 of the LDP will be implemented.

Omission:

Whilst the WG supports the protection afforded to buildings of local importance, paragraph 6.4.5 of PPW acknowledges that development plans should include locally specific policies for works of demolition, alteration, extension or re-use of listed buildings and their curtilage. Subsequently, the Council may wish to consider adding 'listed buildings and their curtilage' to Criterion 4 of Policy SP 21.

Built Environment and Historic Heritage

1. Should Policy BE 1 refer to consideration of the viability of the proposed development?

We do not consider that a specific reference within this policy is necessary. In our affordable housing statement we have sought changes to the plan to ensure flexibility, with specific references to viability negotiations.

It is important that the viability evidence supporting the plan is up-to-date and takes into account known costs, including the impact of design issues (i.e. density, SUDS) and 'other' contributions. When preparing a plan the authority should have a reasonable understanding of the costs associated with development.

2. Is the approach to the protection and restoration of the canal network contained in Policy BE3 consistent with national guidance?

This is for the authority to answer.

Paragraph 3.31 of TAN 16 acknowledges that canals can provide environmental, social and economic benefits for active and passive recreation. To encourage low carbon modes of travel which can help tackle climate change, Policy BE 3 actively seeks to protect disused canal towpaths to provide local and long distance routes and extend linear open space corridors.

3. What would be the benefits of restoring the full length of the Swansea Canal? Should that section between Trebanos and Pontardawe be safeguarded under Policy BE 3? Is it likely that its restoration could be delivered within the Plan period?

This is for the authority to answer.

4. What would be the benefits of safeguarding the Neath Canal between Ysgwrfa Bridge and Glynneath under Policy BE 3? Is it likely that its restoration between Ysgwrfa Bridge and Manor Drive could be delivered within the Plan period?

This is for the authority to answer.

Welsh Language

5. Is the approach to the Welsh language contained in Policy WL1 consistent with national guidance?

TAN 20 clearly states that where Welsh Language has been identified as a priority for area:

“...the SA should assess evidence of the impacts of the spatial strategy, policies and allocations on the Welsh Language”.

Para 3.5.1 makes further reference to the relationship between Welsh Language issues and land use implications.

"Where Welsh Language enhancement or protection is a stated local authority priority, the SA must consider the impact on land use and development policies set in the LDP on achieving that priority".

In essence, to ensure alignment with TAN 20 it is the SA of the LDP which should identify if there are potential tensions between the strategy and policies of the plan, therefore indicating where the strategy and policies need to be amended to ensure that where Welsh Language is a key priority, the geographical distribution and scale of growth reflects this matter. **It is for the LPA to demonstrate how issues regarding the Welsh Language have influenced the scale and distribution of growth**, the strategy and policies taking into account TAN 20.

On balance we consider that the approach taken by the Council is in line with national policy. We note that Policy SP22 identifies Welsh language sensitive areas. As stated within our strategy statement, WLSAs should be included on the proposals map.

In addition, the strategy seeks to protect the integrity of the Welsh Language in those areas identified in Policy SP22 where 25% or more of the population speak the language. As previously stated (see our strategy statement), **the authority should clarify how a threshold of 25% has been derived and how this aligns with the adjoining adopted Carmarthenshire LDP which references a threshold of 60%.** In essence, what evidence justifies the threshold within this plan and its relationship to other plans.

Policy WL 1 (Development in Welsh Language Sensitive Areas) requires the submission of a Language Action Plan above the identified thresholds, i.e. more than 10 dwellings for residential development. **The authority should justify the rational for these thresholds, based on robust evidence.**

In respect of the **measures identified in para 5.5.32 of the Deposit Plan, the Welsh Government considers that they are broadly in line with TAN 20.** The authority will need to confirm that mitigation measures can still be sought in light of the S106 pooling limitations and CIL regulations. (See our Infrastructure Statement).

The authority should provide an update as to when the Welsh Language SPG as referenced in para 5.5.33 will be produced, with appropriate references included within the monitoring framework, if applicable.
