

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
LOCAL DEVELOPMENT PLAN

HEARING STATEMENT

On Behalf of:	Mr Keith Miller
Relating to:	Session 2 (Matter 2): Plan Preparation – Growth and Spatial Strategies, Overarching and Area Based Policies, Regeneration Areas
Proposal:	N/A
Site:	N/A

Report By: Matthew Hard MRTPI
Our Ref: 2013/038
Representor No.: 0128
Date: February 2015



Neath Port Talbot County Borough Council Location Development Plan

CDN Planning for Keith Miller (Representor No. 128)

Hearing Statement – Session 2 (Matter 2)



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1 INTRODUCTION

- 1.1 This statement has been prepared by CDN Planning (Wales) Ltd (“CDN”) on behalf of our client Mr Keith Miller. CDN are instructed to act for Mr Miller in submitting representations on the Neath Port Talbot (“the LPA”) Local Development Plan (“LDP”).
- 1.2 This statement is set out to address the matters and issues raised by the Inspector in advance of the examination hearings. It refers to various Core Documents using the code attributed to the documents within the examination library, e.g. SD04 is the deposit LDP dated August 2013, although for ease of reference the title of the document is referred to at its first use.

2 MATTERS AND ISSUES

- 2.1 The Inspector’s List of Matters and Issues (ED011) provides a set of questions to be answered, where appropriate. These are set out below with CDN’s response.
- 2.2 **Key Issue: Is the overall strategy coherent and based on a clear and robust preparation process? Are the strategy and policies realistic and appropriate in the light of relevant alternatives and are they based on robust and credible evidence?**

- 2.3 ***Is the LDP's overall strategy consistent with those of neighbouring authorities? What are the main cross boundary issues and how have these been addressed?***
- 2.4 There is a trend in neighbouring Swansea's emerging LDP to regenerate and encourage new development in the city's eastern flanks. The emerging LDP Proposals Map (see examples at Appendix A) show proposed housing allocations in Bonymaen and new development along Fabian Way. Although the Strategic Diagram on page 23 of the Deposit LDP (SD04) shows two "primary network links" from the west of NPT to the east of Swansea, and the "strategic regeneration area" of Coed Darcy, SD04 fails to consider the strategic, sub-regional opportunities afforded by sound plan-making. With Coed Darcy, the Fabian Way campus and continuing growth at SA1 Swansea Waterfront, the areas between the Tawe and Neath estuaries deserve bespoke, cross-border, planning.
- 2.5 Page 7 of SD04 mentions the fact that NPT forms part of the Swansea Bay city region, but there is seldom any other recognition of the sub-regional issues aside from brief mention of the Wales Spatial Plan.
- 2.6 Therefore it is our position that the cross-boundary issues such as travel-to-work relationships with Swansea, network / communication issues between settlements on the borders of the authorities and the fundamental spatial planning objectives and opportunities within the development plan period for the NPT-Swansea boundaries are ignored.
- 2.7 ***Is the vision appropriate and sufficiently detailed? Is the overriding theme of sustainable development explicit and is its full breadth covered in the vision? Will the identified objectives enable it to be achieved? Should OB15 include a reference to the countryside of the County Borough?***
- 2.8 The LDP Vision, set out on page 13 of SD04 is not sufficiently detailed, because it's imprecise nature means it will be difficult to monitor success and achievement (or otherwise) against it. The LDP covers 15 years (of which four have already passed) up to 2026. The remaining eleven years of the LDP period equate to almost one-third of the time until 2050, by when the UK should have reduced greenhouse gas emissions by 80% (Climate Change Act – UK02). The vision fails to set out how NPT intends to marry the competing issues fundamental to sustainable development, and in particular how the LDP period must balance the three arms of sustainable development to help the area grow in a manner that enables the 2050 target to be met.
- 2.9 The vision and objectives do not fully set out what sustainability within NPT should be, nor what the LPA consider sustainable development to be. Admittedly, WPP01 (Planning Policy Wales) does this, but consideration of local context would help demonstrate how the LPA wish their authority to develop and what they LPA envisage their authority to be in 2026 and beyond.
- 2.10 No, OB15 should not refer specifically to countryside. Valued countryside, e.g. important landscapes or sites with biodiversity value, should be treated differently to countryside (insofar as it refers to land outside of development limits) that has no intrinsic qualities.
- 2.11 ***Does the key diagram accurately reflect the Spatial Strategy? Are other diagrams helpful and necessary?***

2.12 We have no comment on this issue.

2.13 ***How does the employment-led growth model used in NPT differ from those which focus on population change? What are its benefits and why is it appropriate in this case?***

2.14 We have no comment on this issue.

2.15 ***With regard to the chosen economic-led growth scenario, what is meant by the term ‘aspirational’? Is it also realistic and deliverable?***

2.16 It is considered that the term aspirational is used because of the intention to create significant job growth in an area that has suffered from post-industrial decline. In order to be realistic, the LDP needs to include flexibility, not least in terms of different methods of delivering housing across the remaining plan period. It is not considered that the plan has included such an approach. Whilst encouraging employment growth is valid, the distribution of homes to deliver the population growth required should focus on areas where people want to live as well as in efforts to regenerate particular areas. The LDP fails to do this.

2.17 ***With regard to growth and population what alternative strategies and outcomes were considered? Does the LDP propose too great a level of growth and should some sites be de-allocated?***

2.18 We have no comment on the first part of this question. In regard to the second part, the LDP does not propose too great a level of growth. Indeed, as our evidence on Matter 3 will set out, the LDP fails to rectify the problem associated with under-development during the UDP period.

2.19 ***How were the Coastal Corridor and Valleys Strategy Areas identified? Were genuine alternatives considered?***

2.20 It appears a flawed approach to divide the authority into two areas. Some parts of the Coastal Corridor will share many characteristics with the Valleys area – especially in the Port Talbot hinterland.

2.21 ***What is the purpose of the flexible approach to development in the Valleys Strategy Area....***

2.22 We have no comment on this issue.

2.23 ***Is it necessary to identify Pontardawe and the Upper Neath Valley as Strategic Growth Areas?....***

2.24 We have no comment on this issue.

2.25 ***Is development within dormitory settlements as restricted as that proposed within the open countryside?***

2.23 We have no comment on this issue.

2.24 ***Will the climate change and health objectives be properly addressed? How will the LDP achieve meaningful improvements in these areas? How can these be measured?***

- 2.25 The four points set out in Policy SP1 of SD04 are too imprecise to be meaningfully monitored. The points are entirely valid, but are not interlinked with the concept of sustainability that ought to run through the heart of the LDP. These points would serve a better purpose either embedded (in a different form if necessary) in policies that could actively be used in the development management process, or reworded so as to include specific targets or aims that can be monitored. Such aims should be based on sound science and robust evidence.
- 2.26 In terms of health, some of the five measures set out in Policy SP2, as currently worded, would not appear to be addressable through either the development plan process or through development management.
- 2.27 ***How is the matter of flood risk addressed in the LDP? Is this approach adequate?***
- 2.28 We have no comment to make on this issue.
- 2.29 ***What is the purpose of the settlement hierarchy? Is it clear what scale and type of development will be appropriate in each tier of the hierarchy?***
- 2.30 The entire settlement hierarchy (SD04 – page 26) seems flawed. It is self-evident that the larger settlements will benefit more new development. Usually such a tiered approach would be more useful in terms of retail / commercial planning, rather than in the overall approach to development. Moreover, it is difficult to ascertain why settlements within the Coastal Corridor that are part of the contiguous built-up areas of Port Talbot or Neath (e.g. Skewen, Briton Ferry, Sandfields) need to be separated in the hierarchy from the main centres.
- 2.31 ***How were settlement boundaries identified? Should Glyncastle be drawn within the Resolven settlement boundary?***
- 2.32 It is apparent from analysing various parts of the Proposals Map that the settlement boundaries tend to be just carried over from the UDP without any consideration. One example fundamental to our client's instructions is where an area of land at Skewen continues to be retained outside of the settlement boundary despite serving no purpose as open countryside, being bordered by the railway, Coed Darcy and new housing development.
- 2.33 The LPA ought to have undertaken a comprehensive analysis of all settlement boundaries. Some candidate sites have seemingly been excluded partly due to being outside of a settlement boundary, when the settlement boundary could have been altered to accommodate a potential development site.
- 2.34 ***What is the current situation with regard to Coed Darcy Strategic Regeneration Area?***
- 2.35 We have no comment to make on this issue.
- 2.36 ***The assumed rate of housing development per annum at Coed Darcy increases over the plan period. What evidence is there to support this rate of delivery? Is it realistic to expect an additional 250 units to be provided there?***
- 2.37 We have no comment to make on this issue, aside from the fact that the LPA consider Mr Miller's alternative site at Maes-y-Gwilog Farm to be inappropriate for allocation, despite the proximity of that land to Coed Darcy and also to the recently completed Crymlyn Gardens development – which the LPA have not recommended be extended with new housing allocations. Figure 1 below shows this relationship.

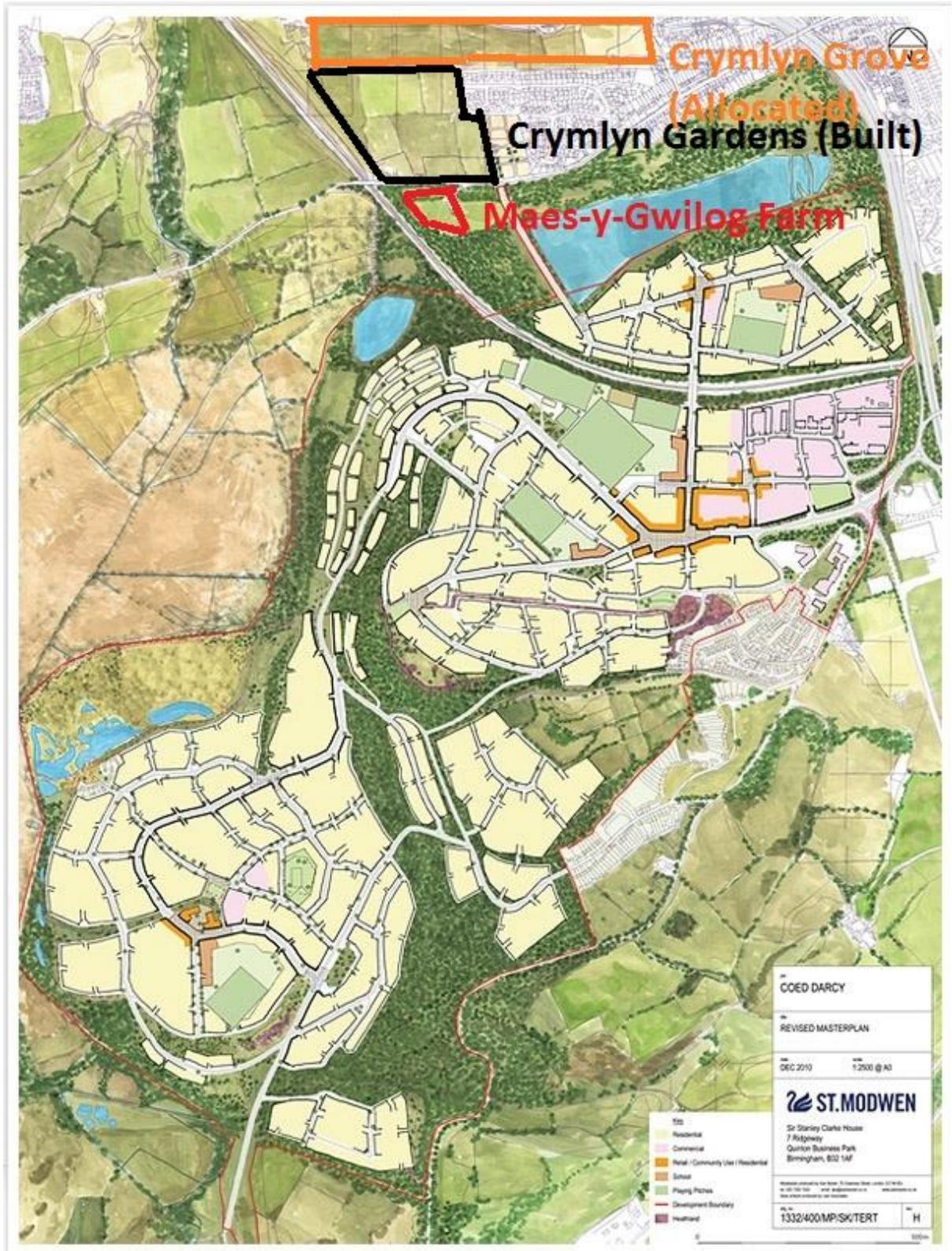


Figure 1: Edited Coed Darcy masterplan (downloaded from <http://www.coeddarcy.co.uk/design-and-development.html> and edited by CDN Planning)

2.38 ***Does FC03, which reduces the number of dwellings proposed, adequately resolve the flood risk issue at the Harbourside Regeneration Area?***

2.39 We have no comment to make on this issue, apart from the fundamental issue that if the LPA are allocating new development in areas of flood risk, there must be credible and robust assessment of the effects of this, including an assessment of alternatives, and the decision underpinned by robust evidence.

2.40 ***Is the Plan clear about when SPG will be produced?***

2.41 We have no comment to make on this issue.

3 CONCLUSION

3.1 The Inspector's main question on this matter:-

“Is the overall strategy coherent and based on a clear and robust preparation process? Are the strategy and policies realistic and appropriate in the light of relevant alternatives and are they based on robust and credible evidence?”

3.2 The LDP does not have sufficient regard to the emerging Swansea LDP and the emerging Swansea Bay City Region concept. It does not meet Soundness Test C1 or CE1.

3.3 The LDP does not have a coherent strategy from which the policies and allocations flow. Indeed the strategy is flawed, and is not based on a clear vision. The LPA have not considered fully all alternatives to their chosen strategy, policies and allocations. The evidence base itself is not fully robust, and its use in underpinning the chosen vision, strategy and allocations is not therefore credible. It does not meet Soundness Test CE1 or CE2.

3.4 The absence of potential targets for addressing climate change or delivering sustainable development mean the LDP is flawed. Nor does the LDP address issues that have previously arisen during the UDP (and the LDP period from 2011 to date), such as the undersupply of housing. The LDP fails to meet Soundness Test CE3.

3.5 It is debatable whether there is any flexibility within the plan, despite frequent uses of the word within the text of the LDP. Therefore the plan fails to meet Soundness Test CE4 as it offers no flexibility to deal with changing circumstances.

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Appendix A

Extracts from City and County of Swansea Local Development Plan Draft Proposals Map
(January 2015)