



Geraint John Planning

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By Email: programmeofficer@npt.gov.uk

LDP Programme Office,
Room 220,
Civic Centre,
Port Talbot
SA13 1P

Dear Sir / Madam,

**Neath Port Talbot County Borough Council Local Development Plan Examination
Response to Matters and Issues: Matter 6: Economy**

Please find enclosed, on behalf of and under instruction from New County Leisure Ltd, representations (supplementing previous evidence submitted), to the Local Development Plan Examination Hearing Sessions.

This submission relates to matters and issues raised by, and set out in, the ED011 Inspectors' List of Matters and Issues (Jan-15) to cover Hearing Matter 6: Economy.

We look forward to attending the Hearing Session(s) in due course. In the meantime we hope and trust that all is in order with this submission. Please do not hesitate to contact us in the event that further information is required or considered beneficial.

Yours sincerely

Geraint John
Director
Geraint John Planning Ltd.

Annex

Preface

This Annex relates to the matters and issues raised by, and set out in, the ED011 Inspectors' List of Matters and Issues (Jan-15) to cover Hearing Matter 6: Economy.

Each of the relevant issues raised in relation to the above matters are considered in detail below.

It should be noted that these representations do not respond to every question raised within the Inspector's Matters and Issues, as all of these questions do not necessitate a response by us, and/or earlier submissions made on behalf of New County Leisure are considered sufficient to address the matters raised. Accordingly, these representations only provide responses to questions where it is considered necessary and relevant to do so.

Summary of Overall Position

The key and principal representations previously submitted by New County Leisure, and which are reiterated in response to the matters and issues raised by the Inspector for the Examination hearing sessions, are set out and detailed below, and are, in summary, as follows:

- Employment allocation EC1/2 of the Deposit LDP (allocated for B1, B2 and B8 uses) comprises only a small proportion (6ha of the previous 27ha) of the previous UDP allocation EC1/14.
- In light of, and as a consequence of these representations, the key parts / policies of the Deposit Plan subject to these representations, and which are considered to need amendment are Policy EC1/2 – amendment of the employment allocation to include a reconciliation of the land currently allocated within the UDP, and the subject of these representations, in this LDP allocation EC1/2.

Response to Matters and Issues

Key Issue: Do the overall scale, type and distribution of the allocated employment and retail sites achieve the relevant objectives of the LDP in a sustainable manner consistent with the WSP and national policy?

How great is the over-provision of employment land? Is this significant and will it have a detrimental impact on the Council's economic strategy, particularly in terms of land values, future growth, job numbers?

Whilst it is appreciated that the plan should avoid the over-allocation of land in order to not confuse the market or undermine future viability of suitable land development, it is considered that the Plan ought to present a robust, positive and aspirational approach - not least given the underlying optimistic economic development/economic growth based strategy to the Plan. The present economic climate provides the potential for economic growth - this optimistic view and outlook was advanced by the Authority in the recent examination hearing for Matter 3: Housing Provision – wherein it was advanced by the Council that the outlook was increasingly positive (with job creation and economic activity increasing and unemployment levels dropping as a result). It is accordingly considered that in this policy and economic climate there is a need for increased employment sites that are readily developable and economically viable.

Paragraph 2.4.17 of the Deposit LDP recognises that 'a mixture of both brownfield and greenfield sites' are required in order to deliver the Plan's economic growth strategy. Of the four LDP employment allocations (totalling 32ha of employment / B uses), it is considered that three of these comprise previously developed, former industrial, brownfield land – which make up 26ha of the total employment / B uses identified. This over-reliance on brownfield sites is considered likely to result in an unnecessary and unhelpful restriction to the employment market and is considered to represent a significant risk to the supply of employment land over the entirety of the Plan period, the entire plan area, and in the area surrounding the M4 in particular.

As such, it is considered necessary to make allowance for a more buoyant economy in line with the Council's economic growth strategy. This would be appropriate, and moreover beneficial, in order to ensure that such uses are delivered. Such a provision is a necessary component of a robust employment land supply, and will also result in significant economic benefits – generating growth and jobs etc. which would be consistent with the LDP Vision, and the policy landscape at national level.

Will the employment allocations be sufficient, in terms of the range of types, location and distribution, to provide for the growth proposed?

Within the Deposit LDP, Policy EC1 provides a list of employment allocations. Employment allocation EC1/2 (allocated for B1, B2 and B8 uses) comprises only a small proportion (6ha of the previous 27ha) of the previous UDP allocation EC1/14. It is considered that the Deposit LDP allocation EC1/2 be amended to include all land previously allocation within the UDP (EC1/14). The reasons for which are outlined below.

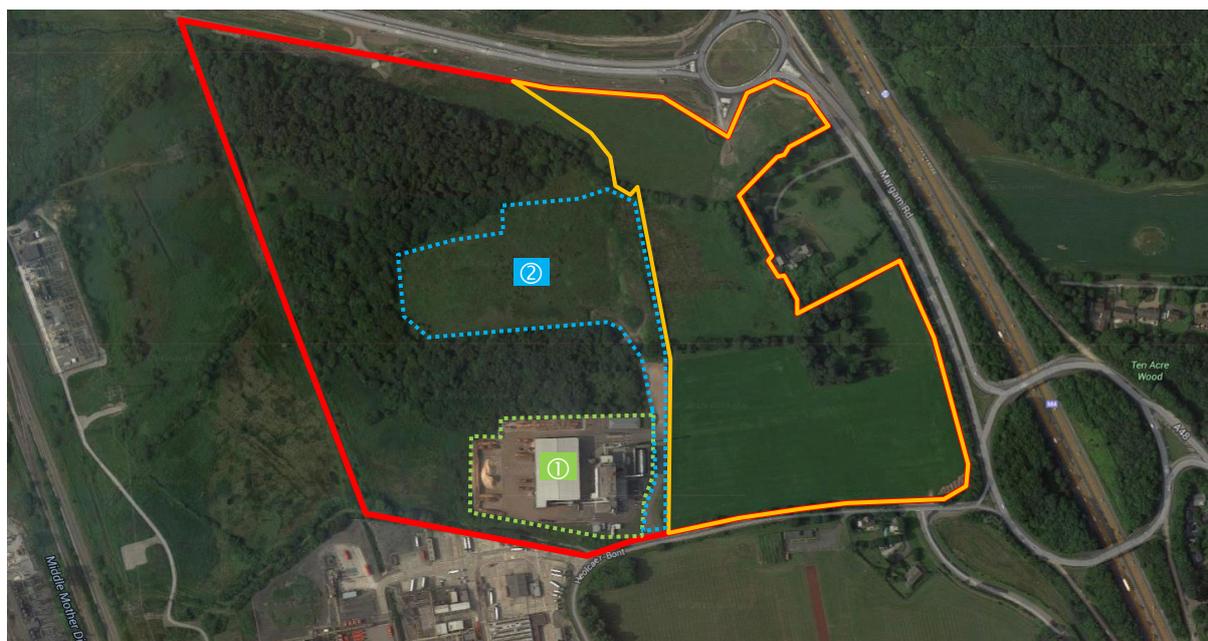
Within the Deposit LDP – Employment Land Review (August 2013) background paper produced by the Authority, an assessment is provided of the existing UDP allocation. In summary it is noted that:

- The site is strategically located in terms of its position relative to the M4 and A48, and has no immediate constraints to development;
- Although the site has limited accessibility by public transport it will benefit from the allocation of a Park and Share facility close to the site along the layby of the A48;
- It is accepted that the development of the site for employment purposes would not negatively affect the neighbouring land uses.

The Peter Brett Associates' (PBA) 2012 Report: 'Economic Assessment and Employment Land Review for Swansea and Neath Port Talbot' recommends focussing allocations on large sites close to the M4 which are commercially attractive, achievable and deliverable. The site is clearly located within close proximity to the M4, and the Deposit LDP Employment Land Review (August 2013) identifies that the wider existing UDP allocation (EC1/14) has significant viability and deliverability credentials. As such, it is considered that the entirety of the existing wider UDP allocation (EC1/14) should be included within the LDP allocation (EC1/2).

It is acknowledged in the supporting text to Policy EC1 that part of this allocation could meet the requirements of the Regional Waste Plan. It is also stated in paragraph 5.2.13 of the Deposit LDP that the site benefits from excellent road transport links and is in close proximity to a number of existing employment allocations.

Furthermore, in addition to the above points which provide support for the allocation of the existing UDP allocation (EC1/14), it is considered that the sustainability credentials of the wider site are further supported by the site's close locational relationship with the existing biomass plant on Heolcae'r-Bont – which is outside of, and adjacent to, the proposed EC1/2 allocation within the Deposit LDP. The Deposit LDP allocation (EC1/2) also excludes the extant planning permission (Planning Ref: P2008/1409 granted at appeal) for a further biomass fired power station ('Biomass 2') to the north of the existing plant ('Biomass 1'). Both of these sites are allocated for employment purposes within the current adopted UDP.



Site Context Plan

Legend	
	LDP Allocation EC1/2
	Reconciled UDP Allocation EC1/14
	Biomass 1
	Biomass 2

Planning Policy Wales promotes the co-location of uses which contribute to the shift towards a low carbon economy, as outlined in the extract below.

"Local planning authorities should support the shift towards a low carbon economy, for example by encouraging the development of clusters of industrial and commercial uses deriving environmental benefit from co-location, especially through the development of waste stream technologies and practices (i.e. eco-industrial networks). They should look favourably on proposals for new on-site low carbon energy generation including, for example, high efficiency energy recovery from waste, as well as generally facilitating the provision of an integrated network of waste facilities, provided that there are no unacceptable impacts on local amenity." (Planning Policy Wales 7th Edition, July 2014: Paragraph 7.4.1)

The existing operational biomass plant, and the approval of planning permission for a further biomass fired power station enables the proposed wider site allocation to deliver co-ordinated, integrative employment uses that would benefit from co-location, and provide wider environmental and sustainability benefits owing to the direct operational link relating to the processes associated with the biomass plant(s).

The benefits of co-location are partly recognised in the supporting text to Policy EC1/2 – which identifies that there is the possibility that the proposed allocation has the ability contribute to the Regional Waste Plan – not least due to the existing and permitted biomass plants on the site. This is an important point, as it is entirely conceivable that the proposed enlarged employment allocation has the ability to act as a site for the relocation of Western Logs (their current site is proposed to be allocated in the LDP for housing under Policy H1/14). This scenario would result in the release of an allocated housing site and provide a direct operational link between the processes associate with the biomass plant(s). Moreover, the Compulsory Purchase of land to facilitate the Peripheral Distributor Road recognised and took account of the need to obtain access into the land and the surrounding employment area – recognising its strategic and accessible location.

In light of the above, it is considered that the allocation of the wider site, as was previously allocated in the UDP (EC1/14) would wholly achieve the relevant objectives of the LDP, and would fully harness and maximise the potential of a development opportunity that would be sustainable and entirely consistent with national policy.

Key Issue: Have relevant alternatives been considered and is the identification of the allocated sites based on a robust and rational site selection process?

Why aren't existing UDP sites, for example J38, Margam, fully allocated?

As previously identified, the Deposit LDP – Employment Land Review (August 2013) background paper produced by the Authority, provides an assessment of the UDP allocation. Whilst this identifies a number of factors which would support the allocation of the entirety of the wider UDP allocation (i.e. by virtue of its strategic location, and limited impact on neighbouring land uses), it is identified that there are ecological constraints, and that any development would need to consider impacts on local biodiversity and drainage, in the form of appropriate mitigation.

As such, it appears that the LPA have looked to justify the omission of the land not included within allocation EC1/2 (this land comprises a number of candidate sites, such as PT48 and PT54, which account for the majority of the land excluded) currently allocated for employment uses under the UDP on the basis of ecology. However within the LDP Candidate Site Assessment Report (August 2013) (included in Appendix 1) it is actually recommended that candidate sites PT48 and PT54 should be allocated within the LDP for employment uses. This suggests that there is a degree of inconsistency and inaccuracy in the overall assessment as to whether the UDP allocation should be 'rolled forward' into the LDP.

In relation to the issue of ecology, at the CPO Inquiry dealing with PDR, there was significant debate regarding the level of ecological constraint to the development of the PDR. It was established as part of the Inquiry that the ecological value of the UDP employment allocation was not significant and would not be a fundamental constraint to development. The plan included (Appendix 2) was submitted to the Inquiry on behalf of the Authority. It confirms that invasive species (such as

Japanese Knotweed) are present in the proposed alternative site, and in the subsequent period since this assessment was undertaken it is considered that the situation would have worsened.

Furthermore, it is important to note that in the case of the biomass fired power station granted planning permission (Ref: P2008/1409) by appeal no issues of ecology were raised in the Inspector's report – a planning condition however was attached which required a prior to works commencing on site a programme of ecological mitigation to be agreed. This confirms that ecology matters were not considered to be fundamental constraints to the development of the land. In addition, based on the assessment within the Employment Land review report it is considered that any development proposals which came forward on the land which has been excluded from the LDP for employment uses could be adequately mitigated for.

Accordingly, in light of the above, it is considered that on the basis of a robust and rational site-selection process the wider existing UDP allocation (EC1/14) should be allocated.

What evidence is there that the consequences of flood risk at some sites can be acceptably managed?

It is understood, as indicated in the SFCA Stage 1 & 2 (September 2014) that part of the site lies within TAN 15 DAM Flood Zone C2 and NRW Flood Zone 2 or 3. It is considered that these issues can be wholly addressed and acceptably managed as part of the detailed design of the site and the application stage Flood Consequences Assessment, and that there is sufficient information at this stage to show that the existing UDP allocation site can be developed to deliver the uses envisaged by the LDP allocation without a significant impact on the viability or deliverability of the site.

Concluding Remarks

In light of, and as a consequence of these representations, it is considered that the employment allocation of Policy EC1/2 should be amended to include a reconciliation of the land currently allocated within the UDP (EC1/14).

There are no evident constraints to, or reasons for not allocating the land – which is currently allocated in the UDP, and is highly accessible and strategically located.

In light of the Plan's underlying optimistic and economic development based strategy it is illogical not to allocate the site – particularly given that the remainder of the existing UDP allocation has seen and experienced development – to which any enlarged LDP allocation would be complimentary to.

Appendices

Appendix 1: Extracts from LDP Candidate Sites Assessment Report

Site Ref:	Spatial Area	Site Size (ha)	Site Location	Proposed Use	Commentary
					Decision: to allocate / safeguard the site in the LDP.
PT48	Port Talbot	6.59	Land at Junction 38, Margam	Employment	Site is located within UDP allocation EC1/14 (Junction 38, Margam) which has been assessed. Decision: to allocate the site in the LDP.
PT50	Port Talbot	0.83	Land at Caegarnw Farm, near Pyle	Mixed Use (Employment)	Site is located in open countryside and is more appropriately considered against the policies contained in the LDP. Site removed from the Assessment.
PT54	Port Talbot	17.27	Land at Junction 38, Margam (adjacent to railway line)	Employment	Site is located within UDP allocation EC1/14 (Junction 38, Margam) which has been assessed. Decision: to allocate this area of the site for employment uses in the LDP.
PT68	Port Talbot	5.92	Land off Junction 38, Margam (between the M4 and the Biomass Plant - Site A)	Employment	Site is located within UDP allocation EC1/14 (Junction 38, Margam) which has been assessed. Decision: not to allocate this area of the site for employment uses in the LDP. Harbourway passes through the site hence the majority of the site area will not be available for development.
PT77	Port Talbot	5.87	Land at Port Talbot Docks (Site A)	Employment	<i>This site was resubmitted in round 2 - site was not proposed for employment uses but for residential development.</i>
PT78	Port Talbot	3.95	Land at Port Talbot Docks (Site B)	Employment	<i>This site was resubmitted in round 2 - site was not proposed for employment uses but for mixed use development.</i>

Site Ref:	Spatial Area	Site Size (ha)	Site Location	Proposed Use	Commentary
PT80	Port Talbot	0.96	Land adjacent to Junction 38, Margam (between M4 and the Biomass Plant - Site B)	Employment	Site is located within UDP allocation EC/1/14 (Junction 38, Margam) which has been assessed. Decision: to allocate the site in the LDP.
PT81	Port Talbot	4.62	Land adjacent to Junction 38, Margam (between M4 and the Biomass Plant - Site C)	Employment	Site is located within UDP allocation EC/1/14 (Junction 38, Margam) which has been assessed. Decision: to allocate the site in the LDP.

Candidate Sites Submitted for Retail Use

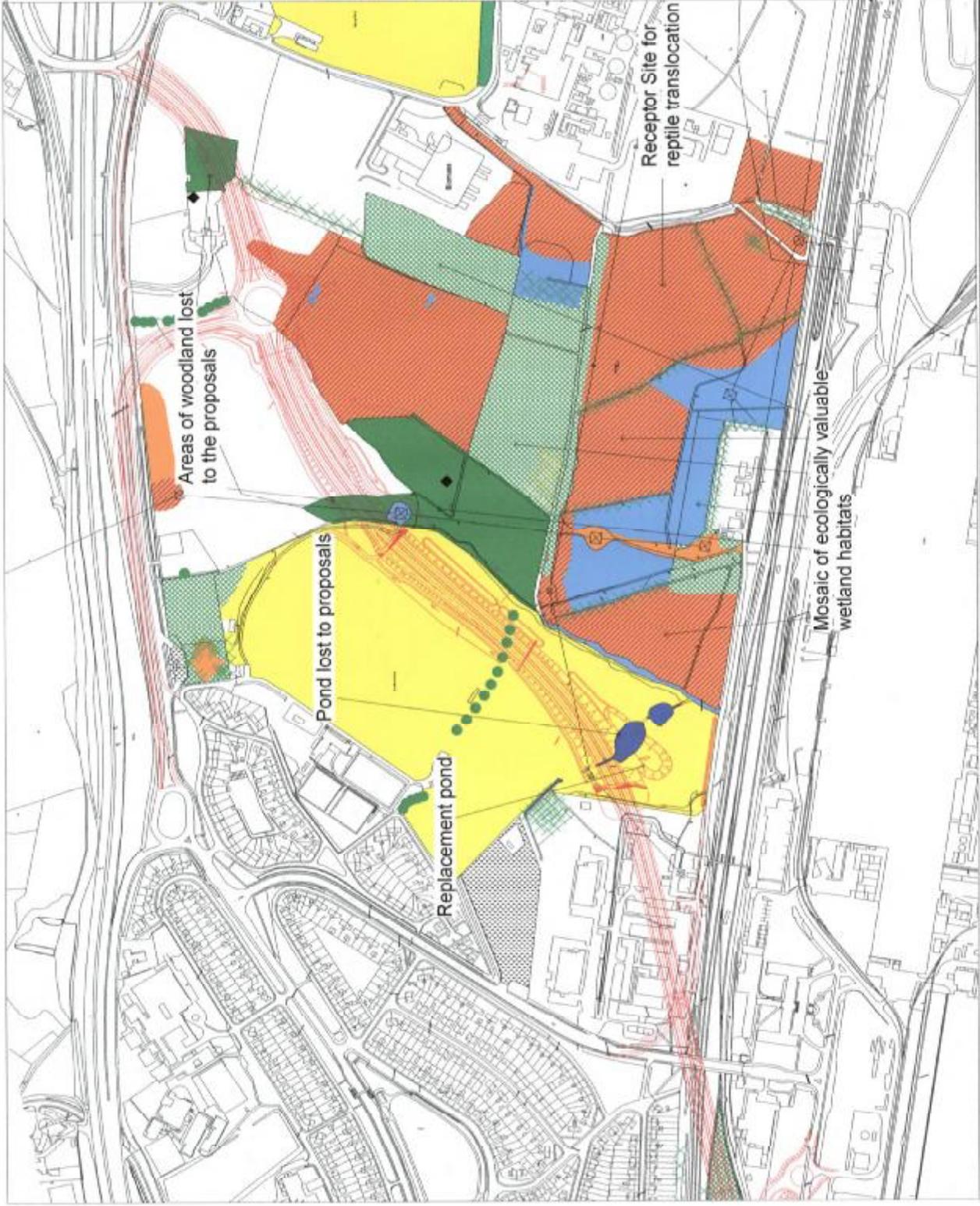
1.0.2 The table below details those Candidate Sites that were submitted for retail related development. Such sites were however removed from the Candidate Site Assessment as they were more appropriately considered as part of a separate Retail Study⁽¹¹⁾ which informed the LDP. A brief commentary is however provided outlining the results of the assessment.

Table 1.2 Candidate Sites Submitted for Retail Use

Site Ref:	Spatial Area	Site Size (ha)	Site Location	Proposed Use	Commentary
DV2	Dulais Valley	0.10	Car Sales Garage, Main Road, Crynant	Retail (Petrol Station / Convenience Store)	Retail Assessment did not identify any need. Sequentially, the site is not located adjacent to any town, district or local centre. Any proposal to is more appropriately considered against the policies contained in the LDP - site removed from the Assessment.
DV43	Dulais Valley	1.65	Nant Y Cahn Business Park (alongside the Health Centre)	Retail (Petrol Station / Convenience Store)	Retail Assessment did not identify any need. Sequentially, the site is not located adjacent to any town, district or local centre.

11 Retail Study (2013).

Appendix 2: PDR Public Inquiry Ecological Habitats Overview Plan



KEY

= Proposed scheme layout

- = Amenity grassland
- = Standing water
- = Marshy grassland
- = Semi-natural broad-leaved woodland (wet woodland)
- = Dense scrub
- = Swamp (reedbeds)
- = Semi-improved grassland
- = Plantation mixed woodland
- = Bare ground
- = Recently disturbed area
- = Running Water
- = Invasive Species
- = Scattered scrub
- = Scattered broad-leaved trees
- = Scattered Bracken



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DRAWING TITLE

Ecological Habitats

Statement of Evidence - Ecological
Overview (Document 1)

DATE 16TH MAR 2009 DRAWN BY ASK
SCALE 1:5000 CHECKED JW
CAD REF T:\Public\DM\10150334

**PORT TALBOT PERIPHERAL
DISTRIBUTOR ROAD**

PUBLIC INQUIRY

TACP

TACP is a not-for-profit charity that provides a free public inquiry service for all local authorities in Wales.

FIGURE NO. 2.3
SHEET NO. 3 OF 3
REV A