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Neath Port Talbot Deposit Local Development Plan Statement for Hearing Sessions 10 & 11

On behalf of Tata Steel UK Limited (Representor No: 0047)

March 2015

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For and on behalf of Bilfinger GVA Ltd

CONTENTS

1.	Preface	4
2.	Response to Matters identified by the Inspector.....	5
3.	Conclusions.....	13

APPENDICES

Appendix A: Plan to show operational extent of Port Talbot Steelworks

Appendix B: Representations to Deposit LDP

1. Introduction

- 1.1 Tata Steel UK Limited (TSUL) is one of the major employers within South Wales and is the second largest steel producer in Europe. The Port Talbot steelworks makes a significant contribution to the local and regional economies and TSUL has been recognised by the Welsh Government as an “anchor employer” in Wales, with up to 17,000 people employed both directly and indirectly through the localised supply chain. The steel market is a global one and significant investment has been made by TSUL in recent years at the Port Talbot Steelworks to increase its competitiveness in this global market. . This investment is scheduled to continue and, as such, is it is critical that the appropriate planning policy context is in place to facilitate this.
- 1.2 TSUL's land interests at Port Talbot extend to over 1000 hectares and are located approximately 1.5km to the south east of Port Talbot itself. The Port Talbot Docks Industrial Area adjoins the site to the northwest as does Port Talbot Parkway station. The operational area of the steelworks to which these representations relate extends to almost 700ha (1,750 acres). This represents the operational area of the steelworks that falls within TSUL's ownership, and it is this area that TSUL wants to be included with the defined settlement boundary for Port Talbot. A site plan showing the operational area is included in Appendix A.
- 1.3 Notwithstanding the history of the site and the scale of employment it provides, the Port Talbot steelworks has been excluded from the LDP settlement boundary. On the face of it, this suggests that the acceptability of any development at the site would be considered against the ‘open countryside’ policies within the plan. This creates an unacceptable level of uncertainty for any future development at the site. In light of this, representations were made to the Deposit LDP to demonstrate that the site's inclusion within the settlement boundary is critical to provide the clarity and certainty needed to support future growth and development at the site. For ease of reference, a copy of the previous representation is included in Appendix B to this statement.
- 1.4 This statement sets out, on behalf of TSUL, the additional information we consider is directly relevant to the matters identified by the Inspector for Sessions 10 & 11. The following section sets out the matters raised by the Inspector together with our relevant response.

2. Response to Matters identified by the Inspector

- 2.1 Hearing Sessions 10 & 11 relate to the overall scale, type and distribution of the allocated employment and retail sites and whether they achieve the relevant objectives of the LDP in a sustainable manner consistent with the Wales Spatial Plan and national policy.
- 2.2 Specifically, this statement addresses the following questions raised by the Inspector:
- *Will the policy framework adequately protect the Tata Steel site and allow for its future development?*
 - *Does it provide sufficient clarity on the planning position for the works?*
 - *Will it enable development proposals to be determined quickly and consistently?*
- 2.3 Within the Deposit LDP, the steelworks would be considered as 'land outside the settlement boundary'. As a consequence, the site would be subject to the policies of the LDP which seek to resist development outside settlement limits, namely, Strategic Policy SP3 (Sustainable Communities) and Policy SC1 (Settlement Limits). Whilst clearly not appropriate for the steelworks, Policy SP14 (The Countryside and the Undeveloped Coast) could also be argued to apply to any development outside settlement limits.
- 2.4 It is important to emphasise that the area of the site that TSUL is seeking to include within the defined settlement limit does not fall within any statutory internationally or nationally designated conservation sites, nor is it subject to any SLA or Green Wedge designations. The land identified on the plan in Appendix A represents the operational steelworks – a significant area of existing industrial development. We do therefore not see any justification for the Council's decision to omit the site from the adjacent settlement boundary.
- 2.5 Policy SP3 defines the settlement hierarchy for the County Borough, identifying those areas which are the most sustainable locations to accommodate growth over the plan period. This policy again outlines that development not considered to be appropriate outside settlement limits will be resisted.
- 2.6 The detail to support Policy SP3 is provided by Policy SC1 (Settlement Limits). This policy defines the type of development which will be permitted outside the settlement boundary. This includes:

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- Sustainable small scale employment uses that are adjacent to the settlement limit;
 - Live work units;
 - Small scale expansion of an existing business or suitable conversion of an existing building;
 - Appropriate replacement of an existing dwelling;
 - Affordable housing exception site;
 - An appropriate rural enterprise dwelling;
 - Appropriate 'One Planet' development;
 - Sustainable tourism or farm diversification proposals suitable for the countryside location;
 - Provision of public utilities, infrastructure and waste management that cannot be located elsewhere;
 - Development associated with either agriculture, forestry, minerals or energy generation;
 - Appropriate provision of accommodation for Gypsy/Travellers, or
 - The provision of open space and small scale ancillary facilities adjoining the settlement limit.

2.7 Evidently, the above list of development considered appropriate 'in principle', does not provide the flexibility or certainty required for the scale of development that may be proposed at the steelworks site in the future. This creates uncertainty within the plan, which may have a direct impact on future investment decisions at the steelworks.

2.8 It appears that the Council has failed to give sufficient regard to how the constraints of these polices will impact on the continued growth of our client's site operations. For TSUL, this represents a major concern.

2.9 The Deposit Local Development Plan (LDP) has identified a number of objectives in order to achieve the LDP's overall vision. Objective number 12 in particular seeks to:

"Improve and strengthen the economic base of Neath Port Talbot to increase economic activity, reduce the unemployment rate in line with the Welsh average and negate some of the impacts of a reduced working age population."

2.10 To wholly achieve this objective, the Council needs to recognise and support TSUL's existing and potential future aspirations for the site by ensuring its inclusion within the settlement boundary, thereby, providing a planning policy framework that safeguards the future development of our client's land.

2.11 The Economy & Employment Topic Paper (September 2014) (LDP Document Reference: SD45), outlines the importance of creating a sustainable economy for NPT and emphasises the significance of encouraging economic growth, securing the delivery of employment and supporting job creation. Thereby, maintaining the County's economic base. This is also highlighted within the Wales Spatial Plan, where Neath Port Talbot (NPT) is identified within the Swansea Bay – Waterfront and Western Valleys area. The vision for this area, as outlined within the WSP (p.109) is to be:

“A network of interdependent settlements with Swansea at its heart which pull together effectively as a city region with a modern, competitive, knowledge-based economy designed to deliver a high quality of life, a sustainable environment, a vibrant waterfront and excellent national and international connections”.

2.12 The Port Talbot steelworks represent a major contributor to the local and regional economies. The Welsh Government recognises TSUL as an “anchor employer” within South Wales, employing up to 17,000 people both directly and indirectly through the localised supply chain. TSUL is a leading member of ULCOS (Ultra-Low CO₂ Steelmaking) – a pioneering partnership of 48 companies and organisations from 15 European Countries that recently completed the first phase of a cooperative research initiative to achieve a step change in CO₂ emissions from steelmaking. The steelworks clearly has a future in Port Talbot and the representations made to the Deposit LDP are seeking to secure a policy context which supports that. TSUL has made, and is continuing to make, significant investment to increase its competitiveness in the global steel marketplace. At Port Talbot, this includes:

- The commissioning of a £60m energy efficiency scheme in 2010 to capture and reuse gas from the Basic Oxygen Steelmaking (BOS) plant;
- A £50m investment scheme to recover and re-use process-generated waste heat, which was fully commissioned in early 2013; and
- The £185m rebuild of Blast Furnace 4 (also in 2013).

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- 2.13 In addition to the above, a Development Consent Order (DCO) application was submitted to the Planning Inspectorate in August 2014 for the enhancement of the existing on-site power generation facilities. The application is classified as a Nationally Significant Infrastructure Project (NSIP) and proposes the installation of up to two new boilers (nominally 164 Mega Watt thermal (MWth) each) and associated new steam turbine sets with a gross capacity of up to 150 Mega Watt electrical (MWe), which would be connected to the existing process gases (i.e. blast furnace gas, etc.) distribution network in order to receive these gases through new pipe work, all to be located within the Order Limits (the DCO site boundary). The proposed development will increase the power generation capacity of the steelworks to circa 250MW and allow it to be almost self-sufficient in energy terms. The capital investment for the project will be in excess of £200m.
- 2.14 The recent and proposed development at the steelworks demonstrate the commitment of TSUL to the future of steel-making at Port Talbot – a commitment which will also deliver significant economic benefits to both Neath Port Talbot and south Wales. As such, the continued success of the steelworks is central to achieving the objectives of the LDP and the WSP.
- 2.15 It is important to highlight that TSUL's significance as an employer within the Borough of NPT has been recognised and acknowledged within the Council's LDP Background Topic Papers and evidence base. The aforementioned Topic Paper (Economy & Employment) and Economic Assessment & Employment Land Provision for Swansea and Neath Port Talbot (Peter Brett, October 2012) (LDP Document Reference: EB14), both outline that TSUL directly employ some 3,500 people with additional contracting opportunities for local people and businesses. The domination of industrial employment within the County Borough was one of the key findings of the Peter Brett study, with this dominance enabling NPT to be recognised for its distinct economic profile, to which TSUL clearly makes a significant contribution.
- 2.16 Paragraph 8.2.11 of the Peter Brett study states:
- “Unlike most other South Wales economies, the Neath Port Talbot economy remains manufacturing based, dominated by the Port Talbot Tata Steelworks. While manufacturing is generally in decline, the latter is seeking to invest more in production at the Port Talbot plant, and workers in the County Borough and elsewhere are benefitting from the slightly better earnings because of these jobs relative to other local and neighbouring jobs.”*
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- 2.17 Clearly, the contribution that TSUL makes to the economy of NPT is evident, and the inclusion of the steelworks within settlement limits will provide the positive planning context required for this to continue. A clear planning policy context will provide the certainty required for the future development of the steelworks and its continued success.
- 2.18 As previously outlined, initial representations made to the Council during the preparation of the Deposit Plan (Appendix B), sought to emphasise this argument, and demonstrate the clear issues associated with the site's omission from the settlement boundary. The representations placed clear emphasis on the aforementioned policies and the likely consequential impacts on TSUL and the steelworks.
- 2.19 The Council's Consultation Report, Volume 3: Appendix 4, *Responses & Recommendations to the Deposit Plan 'Amended Settlement Limit' Representations (September 2014)* (LDP Document Reference: SD16), sets out the Council's response to these Deposit Plan representations. The Council's responses states the following:
- "...The Council is confident that the overall housing requirement and the strategy that underpins the spatial distribution of locations identified for proposed development within the Deposit Plan, represents the most appropriate and effective mechanism for meeting the level of need for new housing over the Plan period...the Council maintains that the Deposit Plan includes sufficient flexibility to meet the housing needs of the County Borough. The overall housing requirement includes a significant degree of over-provision in the context of the level of housing need established as part of the employment-led approach and also in the context of the recently published 2011 based household projections...*
- In light of the above, the Council does not consider the amendment of the settlement limit to be necessary or appropriate".*
- 2.20 The Council's response was disappointing as it appeared to relate the representation made solely to the provision of additional housing land. This is not what was sought through the representation nor is what TSUL is seeking for the steelworks. . In this light, it is our considered view that the Council has failed to adequately respond to our representation.
- 2.21 It is noted that *Volume 4: Register of Alternative Sites Consultation (September 2014)* (LDP Document Reference: SD17), provides more specific comments from the Council in regards to the Deposit Plan representations and states:
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"Settlement limits are an important tool for managing the shape and extent of the urban area. They define the areas within which development which accords with the role and function of the settlement will be permitted in principle. They allow for development which would contribute towards the creation and maintenance of sustainable communities in accordance with the LDP strategy and they prevent the coalescence of settlements, ribbon development and fragmented development and also prevent inappropriate development in the countryside.

The Tata Steel site constitutes a significant industrial operation and consequently it is not appropriate or justified to include the extent of land within the LDP settlement limit. Whether specific development proposals are appropriate or suitable outside settlement limits will be assessed with reference to the relevant topic policies and national planning policy".

2.22 It is acknowledged that the principal purpose of the settlement boundary is to enable the development of land to be managed appropriately, with the foremost intention of ensuring sustainable communities are developed and maintained in accordance with the LDP strategy.

2.23 However, the LDP strategy locates the site within The Coastal Corridor Strategy Area. It is understood from the LDP that the 'Coastal Corridor Strategy Area' is home to the majority of the population and benefits from good infrastructure, facilities and easy access to the M4. As such, the Council acknowledges that this will make the area more attractive in terms of investment for business and commercial development.

2.24 The development and role of the Coastal Corridor Strategy Area is reflected in the Development Strategy of the LDP which seeks to focus development within this area. It is stated on page 18 of the Plan:

"The strategy therefore focuses on the Coastal Corridor and Valley areas within a different context to reflect their varying potential to accommodate new development. In doing so, the strategy provides a balance between facilitating economic development, acknowledging the Coastal Corridor as the strongest area for attracting inward investment..."

2.25 We would therefore argue that the operations and continued success of TSUL as an employer is wholly in accordance with the role and function of the Port Talbot settlement, and is clearly supported by the Council's decision to include the site within the Coastal

Corridor Strategy Area. As such, it is our considered view that it is inconsistent to exclude operational industrial land from the settlement boundary, particularly when it is evident that TSUL contribute enormously to the economic sustainability of NPT. This inconsistency is brought into focus when considered against the provisions of Policy SP11 (Employment Growth) which seeks to support and safeguard existing employment uses and Policy EC2 (Existing Employment Areas) which identifies 18 existing employment areas within the County Borough. These include existing employment areas located within the coastal zone such as Baglan Energy Park and Baglan Industrial Estate. There appears to be no justification within the Deposit LDP to justify the inconsistent approach taken to these employment sites and the Port Talbot steelworks.

2.26 We also note that the site is identified as an area of important industrial land within Council's Waterfront Regeneration Strategy (2011) (LDP Document Reference: NPT11).

2.27 The Strategy identifies a number of Strategic Goals for this area, which it is stated have the potential to contribute to the growth and diversity of the local economy. Of these, the following is particularly relevant:

"Strategic Goal 3: To develop existing and establish major new employment sites within the area of Port Talbot that meet the needs of modern business, strengthen the local economy and ensure the provision of employment opportunities".

2.28 Within the strategy, the significance of TSUL and the steelworks at Port Talbot is emphasised. Page 4 states:

"The Corus Steel Works dominates the industrial land use and is a major employer, supporting a community of subcontractors and associated industries."

2.29 This is further supported on page 19 of the Strategy, where it states:

"The development of sites for modern business and industrial uses is fundamental to the regeneration of the Waterfront and the successful transition of the local economy."

2.30 It is considered that the exclusion of the steelworks from settlement limits is inconsistent with this strategy. It is therefore crucial that the policy framework be appropriate to reflect the importance of our client's site as highlighted by the Council in the Strategy.

2.31 As clearly demonstrated throughout these representations, TSUL contributes significantly to the local economy. It is clear from the above Strategic Goals that it is the Council's

intention to ensure the economy of Port Talbot is strengthened, sustained, and attracts investment.

2.32 Evidently, the inclusion of the TSUL's land within the settlement boundary is necessary, and will provide the support and flexibility that TSUL require to ensure the policy framework adequately protects the site and allows for future development.

2.33 We therefore maintain the view that the Deposit LDP does not provide sufficient certainty to accommodate TSUL's future expansion needs. TSUL considers this to be a major short-coming of the LDP.

3. Conclusions

3.1 This statement has set out, on behalf of our client TSUL, our comments and responses to the matters and issues identified by the Inspector for consideration as part of Hearing Sessions 10 & 11. We will be in attendance at these Hearing Sessions to discuss these matters further.

3.2 On behalf of TSUL, we maintain our position, that:

- The plan is unsound on grounds of coherence, effectiveness, consistency and alignment with national policy and fails policy tests C1 C4, CE1 and CE4.
- TSUL is a major employer and contributes enormously to the local and wider economy of Neath Port Talbot. The exclusion of our clients land is considered to be a major short-coming of the LDP.
- It is our view that the steelworks should be included within the settlement boundary given its status as a major employer within the County Borough.



Report

Appendices



Report

Appendix A
Plan to show
operational
extent of Port
Talbot Steelworks



Report

Appendix B

**Representations
to Deposit LDP**

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
LOCAL DEVELOPMENT PLAN (2011-2026)



DEPOSIT LDP REPRESENTATION FORM



Please complete in BLOCK CAPITALS and in Black Ink only.

All forms must be returned by midnight on Tuesday 15th October 2013. Representations received after the deadline will not be accepted.

By post to: Nicola Pearce
Head of Planning,
Neath Port Talbot County Borough Council,
The Quays,
Brunel Way, Baglan Energy Park,
Neath, SA11 2GG.

Or e-mail to: ldp@npt.gov.uk (an editable version in Word is available to download at www.npt.gov.uk/ldp)

Alternatively, you can submit your comments directly online at www.npt.gov.uk/ldp/consultation

Please note that guidance notes can be found at the back of this representation form.

Please use separate forms for each topic you wish to comment on. This form may be photocopied.

Please note that representations cannot be treated as confidential. All representations will be made available for public inspection and placed on the Council's website.

Separate forms are available to make representations on the Sustainability Appraisal (incorporating Strategic Environmental Assessment) and on the Habitat Regulations Appraisal.

PART 1: CONTACT DETAILS

You / Your Client's Details	
Title / Name:	Elaine Lewis
Organisation: (if relevant)	Tata Steel
Address:	c/o Agent
Postcode:	
Tel:	c/o Agent
E-mail:	

Agent's Details (if relevant)
Mr Ben Lewis
GVA
One Kingsway Cardiff
CF10 3AN
02920 248911
Ben.lewis@gva.co.uk

PART 2: COMMENTING ON THE PLAN

An independent Inspector appointed by the Welsh Government will examine the Neath Port Talbot Local Development Plan (LDP). It is the Inspector's job to consider whether the Plan is sound. There is no legal definition of 'sound' but in this context we use its ordinary meaning of 'showing good judgement' and 'able to be trusted'.

The questions or 'tests', which the Inspector will consider in deciding whether the Plan is sound, are set out below. It may help you to read them and the guidance notes in Part 5 before you tell us what you think of the Plan and its policies.

TESTS OF SOUNDNESS

- [1] The purpose of the examination of a Local Development Plan (the Plan) is to consider whether it is 'sound'. This means that anyone who wants to comment on or object to the Plan should seek to say how it is unsound and what is needed to make it sound. Sound may be considered in this context within its ordinary meaning of '*showing good judgement*' and '*able to be trusted*'. To assess the Plan 10 tests are used. These tests are set out in Part 2 of this form.
- [2] Where you propose a change to the Deposit Plan it would be helpful to make clear which test(s) of soundness you believe the Plan fails. The tests are in 3 groups - 'procedural' (2 tests); 'consistency' (4 tests); and 'coherence and effectiveness' (4 tests).
- [3] If you wish to comment on the way in which the Authority has prepared the Plan, it is likely that your comments or objections would fall under one of the procedural tests.
- [4] If you wish to comment on or object to the content of the Plan, it may help to look at the 'consistency' and the 'coherence and effectiveness' tests.
- [5] Failing to identify a test will not mean that your comments will not be considered, providing it relates to the Plan (or part of the Plan) and it is clear what change(s) you are seeking. You should include all your comments on the Plan and set out your full case on the form, using accompanying documents where necessary. If you seek more than one change and consider that the Plan fails to meet more than one test of soundness it is not necessary, but may be helpful, to complete separate forms, particularly where the matters are not directly related. It would help if you use separate forms if you wish to make comments objecting to part of the Plan and in support of other parts of the Plan, but again only one form is necessary to express support for different parts of the Plan.

Before you set out your comments in detail, it would be helpful to know whether you think the plan is sound, or if you think that all or parts of it are unsound and where it needs changing.

I think the LDP is sound

I think the LDP is unsound and should be changed

TESTS OF SOUNDNESS:

If you consider the LDP to be *Unsound*, please indicate (✓) which Test(s) it does not meet.

✓

Procedural Tests	
P1	It has been prepared in accordance with the Delivery Agreement including the Community Involvement Scheme.
P2	The plan and its policies have been subjected to Sustainability Appraisal including Strategic Environmental Assessment.

Consistency Tests	
C1	It is a land use plan which has regard to other relevant plans, policies and strategies relating to the area or to adjoining areas.
C2	It has regard to national policy.
C3	It has regard to the Wales Spatial Plan.
C4	It has regard to the relevant community strategy/ies.

✓
✓

Coherence and Effectiveness Tests	
CE1	The plan sets out a coherent strategy from which its policies and allocations logically flow and/or, where cross-boundary issues are relevant, it is compatible with the development plans prepared by neighbouring authorities.
CE2	The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and/or are founded on a robust and credible evidence base.
CE3	There are clear mechanisms for implementation and monitoring.
CE4	It is reasonably flexible to enable it to deal with changing circumstances.

✓
✓

PART 3: YOUR REPRESENTATION AND SUGGESTED CHANGES

Please read the guidance notes in Part 5 before completing this part of the form.

PLEASE NOTE: Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

3(a): Amendment to the Wording of the Plan

Does your required amendment to the wording relate to:

	✓	
A new Policy	<input type="checkbox"/>	Where in the Plan?
A new Paragraph	<input type="checkbox"/>	

Changes to a Policy
Changes to a Paragraph

✓

Which Policy Number or Paragraph Number?

Please state your representation, including your additional wording or proposed amended wording with your reasons (*attach separate sheet if necessary*):

3(b): Amendment to the Sites in the Plan

Do you wish to:

Amend the boundaries of an existing site?	Yes	If Yes, please give the Site Reference: There is no specific reference. It is requested that the entirety of the Tata Steel site is included within the settlement boundary.
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Delete an existing site?	No	If Yes, please give the Site Reference:
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Add an additional site?	No	If Yes, please give the Site Location:
		If this site was previously submitted as a Candidate Site, please give the Candidate Site Reference:

Please give your reasons (*attach separate sheet if necessary*):

GVA has been instructed by Tata Steel UK Limited to prepare representations to the Neath Port Talbot County Borough Council Deposit Local Development Plan (2011 - 2026) consultation document, in respect of their land interests in the area.

Neath Port Talbot County Borough Council (hereinafter 'the Council') has set out its vision, through planning policy, for the next 15 years identifying the extent of development in what it considers to be appropriate locations, as identified on the Proposal Map which accompanies the Deposit Plan.

Tata Steel's land interests at Port Talbot extend to over 1000 hectares located approximately 1.5km to the southeast of Port Talbot itself. The Port Talbot Docks Industrial Area adjoins the site to the northwest as does Port Talbot Parkway station. The northeast boundary of the site is bounded by Heilbronn Way and directly beyond this lies Taibach, which largely consists of residential dwellings interspersed with leisure and commercial uses. The River Afan forms the site's northern and western boundaries over which there are numerous links into the Aberavon and Sandfields developments. These easily accessible areas provide a host of services and facilities that are within reach of, and generally support, the steelworks site.

In addition, the site is in easy reach of the settlements of Margam and Baglan, with good public transport links and vehicular access to major transport routes such as the M4. Tata Steel is one of the largest employers within South Wales and has recently been investigating all options to increase competitiveness in a global market. Significant investment has already been made into the Port Talbot site (for example the rebuild of Blast Furnace 4 and construction of a Basic Oxygen Steelmaking off-gas waste heat recovery plant).

Tata Steel is keen to ensure that the Local Development Plan (LDP) provides the certainty, clarity and flexibility required to allow for the continued growth of its site operations, which are key to the economic prosperity of the County Borough. It is crucial that flexibility is built into the plans process allowing future scope to meet the development needs of the site for the LDP period; up until 2026.

These representations are therefore made in respect of the failure of the Council to include the Tata Steel land holding within the defined settlement boundary for the Deposit LDP. In particular, attention is drawn to the requirements of Strategic Policy SP3 (Sustainable Communities) which defines the settlement hierarchy for the County Borough and identifies those areas which are the most sustainable locations and can more appropriately accommodate growth in terms of their function. This is further supported by Policy SC1 (Settlement Limits) which states that "*Development within settlement limits that is proportionate in scale and form to the role and function of the settlement as set out in the Settlement Hierarchy will be acceptable in principle.*" This policy goes on to list 12 criteria which seek to govern proposals for developments that fall outside the settlement limits. These are as follows:

1. It constitutes a sustainable small scale employment use adjacent to a settlement limit; or
2. It constitutes live-work unit(s) immediately adjacent to a settlement limit in the Valleys Strategy Area only; or
3. It constitutes the small-scale expansion of an existing business or the suitable conversion of an existing building; or
4. It constitutes the appropriate replacement of an existing dwelling; or
5. It is an affordable housing exception site; or
6. It is an appropriate rural enterprise dwelling; or
7. It is an appropriate 'One Planet Development'; or
8. It is a sustainable tourism or farm diversification proposal that is suitable in a countryside location; or
9. It is associated with the provision of public utilities, infrastructure and waste management facilities that cannot reasonably be located elsewhere; or It is associated with either agriculture, forestry, minerals or energy generation; or
11. It relates to the appropriate provision of accommodation for Gypsies / Travellers; or
12. It constitutes the provision of Open Space and small scale ancillary facilities adjoining the settlement limit.

It is acknowledged that settlement limits are an important tool for managing and shaping the extent of the urban area, by defining the areas within which development which accords with the role and function of the settlement should be permitted in principle. They also allow for development which would contribute towards the creation and maintenance of sustainable communities in accordance with the LDP strategy. With this in mind and taking these criteria into account in respect of the steelworks site, it is considered that there is insufficient flexibility to accommodate Tata Steel's future expansion needs in the event that the site were to remain outside the settlement boundary and the criteria outlined in Policy SC1 were to be applicable to future planning applications.

As the Deposit LDP currently stands, the Tata Steelworks site remains outside the settlement

boundary and is unallocated for any specific purpose. As Officers of the Council are aware, the Port Talbot site is an integrated steelmaking site using imported raw materials. In April 2010, the Applicant commissioned a £60m energy efficiency scheme at the Port Talbot site, involving the capture and reuse of gas from the Basic Oxygen Steelmaking (BOS) plant. This was followed by a £50m scheme to re-use waste heat on the same site which was fully commissioned in early 2013. These are just two examples of continued major investment into the Council's administrative area, which will continue into the future.

In view of the likelihood of continued investment into this site, it is paramount that Tata Steel receives the upmost support from the Council in relation to development plan policy.

As it stands, the steelworks site meets the definition of previously development land (PDL) as outlined in Planning Policy Wales Edition 5 (November 2012), given that it is occupied by permanent structures and fixed infrastructure which enable the operations of the steelworks and associated facilities contained therein. In view of the level of development at the site, its sustainable location in close proximity to existing settlements and the commitment to continued growth, there is robust reasoned justification for the site to be included within the urban settlement boundary.

The site is a major employment generator for the County Borough and the remainder of South Wales. There are various operations currently being undertaken on the site and the need to be able to quickly adapt to economic, environmental and social global changes to maintain competitiveness is a foremost objective of the organisation. For these reasons, and in order to avoid unnecessary stifling of development, the site's inclusion within the settlement limits would ensure that future planning applications will be determined against the most appropriate planning policy context in the quickest possible timeframe.

We are also mindful that the LDP period extends until 2026, which is a considerable time period that could see numerous changes within the operational requirements of the Steelworks site. In addition, there are likely to be various personnel changes within the Planning Department of the County Borough over the Plan period. This could lead to uncertainty over the future determination of planning applications resulting from the planning policy context that would be applicable to the site in the event that it were to remain outside the settlement boundary. Whilst verbal reassurances from Officers are welcomed by Tata, this does not necessarily provide sufficient protection for the future operational development of the steelworks site.

The exclusion of the entirety of the steelworks site from the settlement boundary, which is a major employer and growth area, is considered to be a shortfall of the LDP, which will ultimately result in the plan being found to be unsound by the Inspector on the basis that it fails tests of soundness C1, C4, CE1 & CE4.

Please refer to attached Site Plan (Ref. 0000.00.10.11.831 Revision A) for the extent of the Tata Steel landholding that should be included within the settlement boundary in order to ensure that the LDP is found to be sound.

PART 4: WHAT HAPPENS NEXT?

At this stage, you can only make comments in writing (these are called 'written representations').

However, everyone that wants to change the Plan can appear before and speak to the Inspector at a 'hearing session' during the Public Examination.

But you should bear in mind that your written comments on this form will be given the same weight by the Inspector as those made verbally at a hearing session.

Participation at a Hearing Session - the Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at a hearing session of the Public Examination.

4(a): Do you want your comments to be considered by 'written representations' or do you want to speak at a hearing session of the Public Examination?

(Please tick one of the following)

I do not want to speak at a hearing session and am happy for my written comments to be considered by the Inspector

I want to speak at a hearing session

4(b): If you wish to speak, please confirm which part of your representation you wish to speak to the Inspector about, and why you consider it to be necessary to speak at the hearing:

We consider it necessary to speak at the hearing and address the Inspector in order to discuss the merits of including the Tata Steel site within the defined settlement boundary for Neath Port Talbot. Specifically, it will be necessary provide the Inspector with pertinent background information to the Tata Steel site in order to emphasise the organisation's economic importance within the community and need for development flexibility now, and in the long-term.

Signed: Ben Lewis

Date: 15/10/13

Do not forget to enclose any relevant documentation (e.g. site plan, sustainability appraisal) with this form.

PART 5: GUIDANCE NOTES

YOUR REPRESENTATION AND SUGGESTED CHANGES (PART 3)

- [1] If you want changes made to the Plan, please be specific. For example, if you want new text added, please set out the new text and explain clearly where it should go in the Plan.
- [2] If you want changes to the Plan, we will assume you do not consider the Plan to be sound. However, please note that it is not the role of the Inspector to make an acceptable plan better.
- [3] If you do not consider the Plan to be sound and that it should be changed, please explain clearly why you think the changes are needed. If you think a change is needed for the Plan to meet one or more tests of soundness, please tell us which one(s).

[4] Your representations should be set out in full. This will help the Council and the Inspector to understand the issue you raise. You will only be able to submit further information to the Examination if the Inspector invites you to address matters that he or she may raise. You must use this form to draw the Inspector's attention to matters about which you are concerned; you cannot rely on submissions made at previous consultation stages as the Inspector is not bound to consider them.

[5] Please indicate if you are submitting other material to support your representations.

[6] Where a group shares a common view on how it wishes the Plan to be changed, it would be helpful for that group to send a single form with their comments, rather than for a large number of individuals to send in separate forms repeating the same point. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

[7] If you want to add a new policy, paragraph or text, please set out clearly in Part 3 where you think it should go in the Plan.

PROPOSING ALTERNATIVE SITES (PART 3)

[1] If you want to add a new site, amend the boundaries of an existing site or delete an existing site, please attach an Ordnance Survey (OS) based site plan identifying the boundaries (red line) that you wish to be included in the Plan and if relevant provide details of its proposed use. On this Plan please also identify other land that is in your ownership using a blue line.

[2] If you are proposing to add a new site, then this representation form should be accompanied by a Sustainability Appraisal. This information must be consistent with the scope and level of detail of the Sustainability Appraisal conducted by the Authority. The appraisal should use the same Sustainability Framework as set out in the Council's Sustainability Appraisal Report of the Deposit LDP. It should also refer to the same baseline information in identifying the likely significant effects of the revised policy or new site. Candidate sites were subject to assessment against sustainability criteria to assess the suitability of the site.

[3] The Council has prepared a separate guidance note on the scope and level of detail required in the accompanying Sustainability Appraisal and this can be obtained either online at www.npt.gov.uk/ldp or directly from the LDP Team on 01639 686421 or e-mail at ldp@npt.gov.uk

FURTHER INFORMATION

Further information on any aspect of the preparation of the LDP can be obtained from the LDP Team on 01639 686421 or e-mail at ldp@npt.gov.uk or by visiting www.npt.gov.uk/ldp