

Schedule of Council Responses to the SPG Representations (May 2018)

Landscape and Seascape SPG

ID	Name	Organisation	Section	Paragraph	Representation	Council Response	Council Decision
L&S1	Mr R W Ebley		General		In order that change is effectively undertaken all levels of government and other public funded organisations need to demonstrate good management. Independent management accreditation is required to achieve this.	The comment is noted.	That there be no change to the SPG.
L&S9	Judith Doyle	Glamorgan-Gwent Archaeological Trust	General		<p>You will be aware that we are retained by your Authority to give advice to you regarding archaeology and the historic environment, through our archaeological planning team and the heritage management team. Neath Port Talbot have adopted the Historic Environment Record which is curated by this Trust and holds data on the historic environment for south east Wales.</p> <p>As the draft document notes, many of the landscape and seascape areas in their current form result from prehistoric and historic settlement and management of resources. The draft notes briefly that there is a Register of Landscapes but does not detail this. There are two Registered Landscapes in the Neath Port Talbot Council area. These are Merthyr Mawr, Kenfig and Margam Burrows Registered Landscape of Outstanding Historic Interest (Cadw reference HLW (MGI)1, which includes elements of coastline, and the Mynydd Margam/Margam Mountain Registered Landscape of Special Historic Interest (Cadw reference HLW (WGI/MGI) 2). Margam Park, also within the Glamorgan Register of Historic Parks and Gardens (Cadw reference GM52), is a Grade I designation.</p> <p>The management of these sites, and the impact of development on them, needs to be managed and mitigated in line with current Welsh Government Policy, Chapter 6 of Planning Policy Wales, Conserving the Historic Environment, TAN24: The Historic Environment; and most specifically the <i>Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process: Revised (2nd) Edition (ASIDOHL2) 2007</i>.</p> <p>Only a small percentage of archaeological sites of all dates have any form of statutory protection, and the</p>	<p>The points raised are noted. It is accepted that additional information about historic landscapes and historic landscape designations should be included in the SPG, and it is proposed to include this within Chapter 2.</p>	<p>That the following amendments be incorporated into the SPG:</p> <p>Add new section after Paragraph 2.0.21:</p> <p><u>Register of Landscapes of Historic Interest in Wales</u></p> <p><i>The most important and best-surviving historic landscapes in Wales are identified in the 'Register of Landscapes of Historic Interest in Wales'. There are two Registered Historic Landscapes within (or partly within) NPT: 'Merthyr Mawr, Kenfig and Margam Burrows' Registered Landscape of Outstanding Historic Interest [Cadw Ref HLW(MGI)1]; and 'Mynydd Margam' Registered Landscape of Special Historic Interest [Cadw Ref HLW(WGI/MGI)2]¹. Specific guidance on the management and conservation of these areas within the planning process has been published by Cadw².</i></p> <p>Insert associated footnotes:</p> <p>1. The extent of these areas is available via the LLe website:</p>

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					<p>remainder amounts to thousands of sites, including standing buildings, buried archaeological remains and findspots. The draft SPG details some of these in the Special Landscape Areas features and characteristics, as important factors in formation of the current landscape and seascape of the area, both from a physical and visual nature, and this is recognised in the many designations of wider land and seascapes. As members on the steering group, we have contributed to the Lavernock Point to St Ann's Head Shoreline Management Plan and this includes recognition of the historic environment and historic assets.</p> <p>Proposed changes to these land and seascapes can be mitigated by early consultation with us as your Authority's archaeological advisors. Factors from a historic environment aspect which may cause risk are erosion by both physical and development means, on a large scale or as accumulative impact from smaller events. As the draft notes, sustainable management and forward planning from early stages in line with current legislation is best practice, and the Well-being of Future Generations (Wales) Act includes stewardship of and involvement with the historic environment.</p> <p>It is important to recognise that Planning Policy Wales refers to archaeological sites being preserved in situ as a priority, and preserved by record if their preservation in situ cannot be achieved.</p> <p>All archaeological work, including that which may impact any landscape or seascape, should be undertaken to the Standards and Guidance of the Chartered Institute for Archaeologists. It is our policy to recommend that all work is undertaken either by a Registered Organisation (RO) with the ClfA or by a MCIfA level member. These professional organisations are experienced in working alongside other professions where archaeology is a consideration with other matters.</p>		<p>http://lle.gov.wales</p> <p>2. Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process (2nd Edition):</p> <p>http://cadw.gov.wales/docs/cadw/publications/LandscapesRegisterGoodPractice_EN.pdf</p>
L&S2	Rhian Isaac	Natural Resources Wales	2	2.0.7	Suggested wording: ' <i>LANDMAP...is an all-Wales GIS based landscape resource where...</i> '	The proposed amendment to Paragraph 2.0.7 is accepted in order to improve clarity.	That the following amendments be incorporated into the SPG: Para 2.0.7 – amend to read: ' <i>LANDMAP (Landscape Assessment and Decision Making</i>

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							<i>Process) is an all-Wales GIS-based landscape resource developed by the Countryside Council for Wales [now Natural Resources Wales (NRW)] where...'</i>
L&S3	Rhian Isaac	Natural Resources Wales	2	2.0.8	Suggested wording: <i>'The process uses five nationally consistent, quality assured spatial dataset layers'</i> . The word <i>'aspects'</i> should be removed after Visual & Sensory.	The proposed amendments to Paragraph 2.0.8 are accepted in order to improve clarity.	That the following amendments be incorporated into the SPG: Para 2.0.8 – amend to read: <i>'The process uses five nationally consistent, quality assured spatial datasets layers'</i> . Para 2.0.8 (3 rd bullet point) - amend to read: <i>'Visual and Sensory aspects'</i> .
L&S4	Rhian Isaac	Natural Resources Wales	2	2.0.17 / 2.0.18	Issue 1 does not appear to relate to TAN8 Strategic Search Areas?	Issue 1 (covered by the LDP Landscape Advice Report) did cover wind farms, and therefore does relate to TAN8, although this is not listed in Paragraph 2.0.17. For clarity therefore, it is considered that the paragraph should be amended to correct this point. <i>Waste landfill</i> should also be listed under Issue 1.	That the following amendments be incorporated into the SPG: Para 2.0.17 (Point 1) – amend to read: <i>'The identification of areas of countryside where wind farms, coal, aggregates and stone extraction and waste landfill would not be acceptable'</i> .
L&S5	Rhian Isaac	Natural Resources Wales	2	2.0.22	UK Marine Policy Statement (2011) & reference.	The suggested addition of the year of the <i>'UK Marine Policy Statement'</i> and a reference is accepted in order to improve clarity.	That the following amendments be incorporated into the SPG: Para 2.0.22 - amend to read: <i>'...the UK Marine Policy Statement (2011)...'</i> Add reference as a new footnote: 'UK Marine Policy Statement (2011) (HM Government 2011) https://www.gov.uk/government/publications/uk-marine-policy-statement '.
L&S6	Rhian Isaac	Natural Resources	2	2.0.25	There is no reference to the Registered Historic Landscape at Kenfig & Margam Burrows.	It is accepted that the Registered Historic Landscape at Kenfig and	That the following amendment be

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		Wales				Margam Burrows should be referred to in Paragraph 2.0.25 in order to fully cover all the relevant designations that apply.	incorporated into the SPG: Para 2.0.25 - amend by adding: 'Kenfig and Margam Burrows is also a Registered Landscape of Outstanding Historic Interest included in the Register of Landscapes of Historic Interest in Wales (Cadw).'
L&S7	Rhian Isaac	Natural Resources Wales	4		We recommend you check updates in Planning Policy Wales Edition 10.	The comment is noted.	That there be no change to the SPG.
L&S8	Rhian Isaac	Natural Resources Wales	5	5.2	SLA4 (Margam) - it is worth referring to Mynydd Margam Registered Historic Landscape.	The information given in Chapter 5 for each of the Special Landscape Areas sets out the features and characteristics of each SLA rather than the designations that apply, and the information is quoted from the Landscape Advice Report. It would therefore not be considered appropriate to amend this section to refer to the Historic Landscape designation. It is proposed to add further information about the Register of Historic Landscapes to Chapter 2 (refer to L&S9 response).	That there be no change to the SPG.
L&S10	Mr John Flowers	Church Place Watch Group	5	5.2	SLA2 (Dulais Valley - 3 rd bullet point): <i>'It is a wide, rolling, pastoral valley with significantly treed field boundaries, many of these contain grown out hedges which are a strong element in this landscape on the lower ground whereas drystone walls are a landscape feature of the upper reaches of the valley sides'</i> . I find the inclusion of this paragraph somewhat nebulous. Consequently, I re-read this paragraph in relation to the boundary between Church Place and Y Sticlau sites. On evidence available to me, this paragraph is wrong in fact and false in interpretation. It is just an opinion without any substance or fact. To define the Church Place and Y Sticlau sites having <i>'treed field boundaries'</i> is a false assertion and to relegate the <i>'dry-stone wall'</i> to merely a <i>'landscape feature'</i> is a deliberate misinterpretation.	The information given in Chapter 5 for each of the Special Landscape Areas sets out in general terms the broad features and characteristics of the whole SLA rather than describing specific features individually. The information is quoted from a separate document (the LDP Landscape Advice Report). It is therefore not considered to be necessary or appropriate to amend this section to delete part of the description.	That there be no change to the SPG.

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					<p>The visible recognisable physical boundary line between these two sites has been shown to be a dry-stone retaining wall irrespective of later tree growth down-side of the wall on the sloping ground of Church Place. If there were an uncluttered view from the dwellings of Clos Y Sticlau, particularly house two, and looking down-hill, the dry-stonewall is not visible, but looking up-hill from the adjoining Church Place properties, the face of the dry-stone retaining wall would be visible. However, whether visible or not, it does not change the line of the boundary.</p> <p>I find it hard to appreciate why this non-specific paragraph has been included and cannot see a logical reason for its purpose. In conclusion, I ask that the paragraph of SLA2 Dulais Valley 'treed field boundaries' be deleted.</p> <p>[Note: the representation is supplemented by various file notes in evidence of an ongoing dispute in respect of the boundary between Church Place and Clos Y Sticlau, Seven Sisters].</p>		

Biodiversity and Geodiversity SPG

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B&G1	Mr R W Ebley		General		In order that change is effectively undertaken all levels of government and other public funded organisations need to demonstrate good management. Independent management accreditation is required to achieve this.	The comment is noted.	That there be no change to the SPG.
B&G2	Judith Doyle	Glamorgan-Gwent Archaeological Trust	General		<p>You will be aware that we are retained by your Authority to give advice to you regarding archaeology and the historic environment, through our archaeological planning team and the heritage management team. Neath Port Talbot have adopted the Historic Environment Record which is curated by this Trust and holds data on the historic environment for south east Wales.</p> <p>Many aspects of both biodiversity and geodiversity are also linked with the historic environment. As the draft document notes, fens and marshes, and areas of</p>	<p>The points raised are noted.</p> <p>It is agreed that many biodiversity and geodiversity features are also important features in the context of the historical environment and reference could be made to this in the document. It is considered that an additional paragraph could be added in Section 2 to recognise this along with specific reference in relation to green infrastructure in</p>	<p>That the following amendments be incorporated into the SPG:</p> <p>Add new section after Paragraph 2.3.7:</p> <p><i>'The biodiversity and geodiversity resource in Neath Port Talbot supports features that are also important in relation to the historical and archaeological</i></p>

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					<p>upland peats are important habitats with resident and visiting animal species as well as plants. These features are also important in the archaeological and historic environment, as the waterlogged environment ensures the anaerobic survival of organic materials such as wood, bone, leather and wool, including worked finds and dateable plant and animal deposits. Natural features such as woodlands, hedges, boundaries and watercourses are often the result of historic human intervention and land and water management over millennia, and should be recognised as such. Works to create mitigatory habitats often directly affect historic assets and the historic environment. Examination of historic settlement has shown that settlement and land use recognised and related to areas of differing geology, and over recent centuries with the industrial minerals extraction and transportation. The restoration or reclamation of former industrial areas, including for biodiversity reasons, will have archaeological issues that may require mitigation.</p> <p>The draft notes that enhancement and protection of biodiversity and geodiversity will be achieved by identification and protection of designated sites of differing levels of importance, and the natural heritage of features are recognised. This will also protect in some areas the historic environment and this also should be recognised as another allied benefit.</p> <p>Regarding the Regionally Important Geodiversity Sites (RIGS) both Aberdulais Falls and Melincourt Brook have statutory protection and are important for their archaeological remains and understanding of early industrial processes and water management.</p> <p>The management of all these sites, and the impact of development, or changes of land use, on them, needs to be managed and mitigated in line with current Welsh Government Policy, Chapter 6 of Planning Policy Wales, Conserving the Historic Environment, TAN24: The Historic Environment; and supporting Best Practice Guidance.</p> <p>Proposed changes can be mitigated by early consultation with us as your Authority's archaeological advisors. Factors from a historic environment aspect which may cause risk are change from both physical and development means, on a large scale or as</p>	<p>Paragraph 2.4.2.</p> <p>Details of the RIGS designations are provided in Appendix B. This includes references to historical interest recorded within these sites.</p> <p>We recognise the need for developments and any specific biodiversity / geodiversity measures to take account of other issues, including historical features, in line with the LDP policies, PPW and TANs. Further reference to such issues is however considered to be outside of the scope of the SPG.</p>	<p><i>environment. Waterlogged habitats, such as fens and bogs, preserve archaeological artefacts such as bone, wood and material and can provide an important historical flora and fauna record. Hedges, field boundaries, woods and watercourses often contribute towards the historical record of previous land use and human intervention. Areas of mining and other industrial uses may also be important in relation to conserving our industrial heritage.</i></p> <p>Para 2.4.2 - amend to read: <i>'...can deliver a great number of benefits to society, including green space, biodiversity protection and enhancement, preservation and interpretation of our historic environment, and flood attenuation...'</i></p>

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					<p>accumulative impact from smaller events. As the draft notes, sustainable management is best practice, and the Well-being of Future Generations (Wales) Act includes stewardship of and involvement with the historic environment.</p> <p>It is important to recognise that Planning Policy Wales refers to archaeological sites being preserved in situ as a priority, and preserved by record if their preservation in suit cannot be achieved.</p> <p>All archaeological work, including that undertaken to assess change in sensitive habitats which may impact the historic environment, should be undertaken to the Standards and Guidance of the Chartered Institute for Archaeologists. It is our policy to recommend that all work is undertaken either by a Registered Organisation (RO) with the CIfA or by a MCIfA level member. These professional organisations are experienced in working alongside other professions where archaeology is a consideration with other matters.</p>		
B&G3	Hannah Roberts	Natural Resources Wales	General		<p>We welcome that the Biodiversity and Geodiversity SPG provides comprehensive advice for developers, and emphasises the importance of the Environment Act's enhanced biodiversity duty in relation to planning decisions. In particular, we welcome the proposed approach to assessing the effects of development on ecosystem resilience, the advocacy of avoidance of harm to protected habitats and species, the emphasis placed on enhancement opportunities, and promotion of linked green infrastructure within development.</p> <p>We have previously provided comprehensive comments on your Authority's 'Open Space and Greenspace SPG' (our letter dated 19 June 2017; ref: CAS-34315-B5Y8) and suggest that these documents should be inter-linked to provide an over-arching framework for green infrastructure provision within the county, emphasising the wider ecosystem services that green infrastructure can provide, and referencing well-being goals within the framework of the Future Generations (Wales) Act.</p>	<p>The comments of support are noted.</p> <p>In respect of 'green infrastructure', this is addressed in Section 2.4 of the SPG. The importance of green infrastructure is duly recognised and a green infrastructure approach is promoted throughout the document. Notwithstanding this point, it is accepted that a cross-reference to the Council's 'Open Space and Green Space SPG' should be added.</p> <p>'Ecosystem services' in the way of multiple benefits is specifically referenced in Paragraph 2.4.2 and the 'Well-being of Future Generations (Wales) Act 2015' is referenced in Paragraph 3.0.2. No further detail is therefore considered necessary in this regard.</p>	<p>That the following amendment be incorporated into the SPG:</p> <p>Para 2.4.2 – add reference as a new footnote:</p> <p><i>'Open Space and Greenspace Supplementary Planning Guidance (July 2017)'</i></p>
B&G4	Hannah Roberts	Natural Resources Wales	Appendix C	C.0.3	<p>We note and welcome Appendix C which indicates specific guidance on wind energy developments. With regards to bat surveys to inform planning applications as mentioned in table C.0.3, we advise that surveys at</p>	<p>The comment of support is noted.</p> <p>It is agreed that reference to</p>	<p>That the following amendments be incorporated into the SPG:</p>

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					<p>height should be a consideration.</p> <p>Furthermore, with regards to the provision of roosting opportunities as enhancements, careful consideration would need to be given to such measures to inadvertently avoid bat casualties.</p>	<p>surveying at height for bats in relation to wind farms should be added to the list of specific information requirements in Appendix C.</p> <p>In addition, it is also agreed that further text be added to clarify that additional bat roosting provision should be carefully sited to ensure that an increase in casualty risk from a wind farm will be avoided.</p>	<p>Appendix C Para C.0.3 (Box 4th bullet point) – amend to read: <i>'Bat roosting and activity surveys including surveys at height and including assessment of collision risk'</i>.</p> <p>Appendix C Para. C.0.10 (Box 2nd bullet point) – amend to read: <i>'Nesting, roosting and foraging opportunities for bats and birds at locations that do not increase risk of casualty'</i>.</p>
B&G5	Hannah Roberts	Natural Resources Wales	Appendix C	C.0.7	<p>Relating to the specific mitigation measures for wind energy development: <i>'Maintaining the area around the turbines to discourage target species use (e.g. Nightjar)'</i> – we advise that there is only one study we are aware of that has examined this, which found it made no affect in relation to Nightjar.</p> <p>Please see <i>'Individual study: The effectiveness of deterrent measures to minimize disturbance impacts to breeding European nightjar at an upland wind farm site in South Wales, UK'</i>, Shewring M.P. and Vafidis J.O. (2017) found online at: https://www.conservationevidence.com/individual-study/6628</p> <p>Your Authority may wish to take this study into account.</p>	<p>The comment is noted.</p> <p>It is accepted that it is unclear whether management to deter 'nightjar' from wind turbines works. Consequently, specific reference to nightjar should be removed.</p>	<p>That the following amendments be incorporated into the SPG:</p> <p>Appendix C Para. C.0.7 (Box 5th bullet point) – amend to read: <i>'Maintaining the areas around the turbines to discourage target species use. (e.g. Nightjar)'</i>.</p>