

***Neath Port Talbot County Borough Council
Cyngor Bwrdeistref Sirol Castell-nedd***

***Democratic Services
Gwasanaethau Democrataidd***

Decision Notice

REGENERATION AND SUSTAINABLE DEVELOPMENT CABINET BOARD - URGENCY ACTION , TUESDAY, 31ST MAY, 2022

Please see below approval of decision as follows:

1. **Local Development Plan - Submission of Council Owned Sites
as part of the Call for Candidate Sites 310522JWR
(Pages 3 - 14)**

To seek Members approval to submit Council owned sites as part of the Call for Candidate Sites under the Local Development Plan Review.

Having given due regard to the Integrated Impact Screening Assessment. Approval be granted for the Head of Property and Regeneration to be given delegated authority to submit the sites that have been identified in Appendix 1 as part of the Call for Candidate Sites under the LD review. Appendix 1 was accessed via Teams to Decision Makers.

For Immediate Implementation

Yours sincerely

p.p Chief Executive



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Regeneration and Sustainable Development Cabinet Board

**Report of the Head of Property & Regeneration
Simon Brennan**

31st May 2022

MATTER FOR DECISION

WARD(S) AFFECTED: ALL

LOCAL DEVELOPMENT PLAN – SUBMISSION OF COUNCIL OWNED SITES AS PART OF THE CALL FOR CANDIDATE SITES

Purpose of Report

To seek Members approval to submit the Council owned sites that have been identified in appendix 1 as part of the Call for Candidate Sites under the Local Development Plan review.

Executive Summary

To seek Members approval to submit the Council owned sites that have been identified in appendix 1 as part of the Call for Candidate Sites under the Local Development Plan (LDP) review.

Reason for Urgency

The deadline for submission of sites as part of the Call for Candidate Sites under the Local Development Plan is 31st May 2022. Due to the Local Elections, there was not the opportunity to get the relevant report to Board at an earlier date.

Background

Planning Policy

The Planning and Compulsory Purchase Act 2004 requires local authorities in Wales to prepare a Local Development Plan (LDP) for their area.

Neath Port Talbot Council (NPTC) adopted its LDP in January 2016. The Plan provides a clear vision for the County Borough setting out where, when and how much new development will take place over the plan period (2011-2026). Section 69 of the Planning and Compulsory Purchase Act 2004 and Regulation 41 of the Town and Country Planning (Local Development Plan) Regulations 2005 as amended in 2015, requires LDPs to be reviewed at intervals of not more than 4 years from adoption. In January 2020, given that four years had passed since the adoption of the LDP, NPTC commenced a review of its LDP. Following public consultation January-March 2020, the LDP Review Report was approved for publication in July 2020.

Following approval of the Delivery Agreement (DA) (a public statement of commitment and a project management tool) for the Replacement LDP (RLDP) by Council in December 2021, and subsequent agreement by Welsh Government (WG) in January 2022, the Council has started to prepare its RLDP.

As part of the preparation of the RLDP, the Council will re-consider all aspects of the current LDP, including all current policies and site-specific allocations.

The RLDP will set out where, when and how much growth will take place over the next 15 years (2021-2036).

As set out in the DA, one of the key stages in the preparation of the RLDP, is the submission and consideration of Candidate Sites for site specific allocations, for a range of development types. The key principle of the Candidate Sites assessment process is to gather suitable evidence from site promoters to robustly demonstrate the suitability, deliverability and financial viability of sites for inclusion in the RLDP.

The 'Call for Candidate Sites' is the first formal stage in the preparatory stages of the RLDP following agreement and publication of the DA. As part of the Call, site promoters are able to submit sites to be considered for inclusion in the RLDP.

The 'Call' is scheduled to run from noon 1st March until noon 31st May 2022. Candidate sites are sites that could be included in the RLDP for: New development; Redevelopment; or Protection.

Candidate Sites can be for residential (including for gypsy and travellers pitch provision), employment, retail, tourism, community use, education, health and social care, leisure and recreation, green infrastructure, active travel, transport infrastructure, renewable energy, waste or minerals.

The Council is inviting developers, landowners, and the public to submit candidate sites. Following the "Call", the Council will assess each site and determine if they are suitable or not for inclusion in the RLDP. The key principle of the Candidate Site Assessment is to gather suitable evidence from site promoters to robustly demonstrate the suitability, deliverability and the financial viability of the sites for inclusion in the RLDP.

As a landowner, the Council will also need to submit its own land as part of this Call, as the Council's own sites can help to deliver the vision, objectives and strategies of the RLDP. However, submission of the sites does not guarantee inclusion within the Plan; each site will need to be rigorously assessed to ensure it is suitable, deliverable and financially viable.

In respect of illustrating deliverability of Council owned sites, the Welsh Government's Development Plans Manual (DPM) 2020 states that 'if the site is in public ownership, it is identified in a published disposal strategy and/or through Council resolution if the land is to be retained / or sold by the Council. There should be a clear commitment to bringing the site forward at a point in time within the plan period, including where relevant, identified / committed funding streams'.

Property & Regeneration

The Council, as landowner, has assessed its land ownership for potential sites that could be submitted as part of the Call for Candidate Sites, under the Local Development Plan Review.

As part of this process, the Council has discounted hundreds of potential sites due to a lack of viability or other site constraints and is now seeking to submit the identified sites edged red within Appendix 1.

The majority of the sites within Appendix 1 are suitable for residential development. However, there are also a number of potential employment

sites that have been identified as well as an extension to the Cae Garw Travellers site.

The Council has sought to identify suitable sites for development in the urban, valley and rural areas of the County. However, whilst the Council's ownership was considered in every Ward, due to the known constraints or viability issues that affect some of our sites, we are unable to bring forward sites for every ward.

All the potential residential and employment sites have been subject to a viability assessment that shows that they are financially viable. It is also considered that the proposed sites have no obvious site constraints that would prevent their future development. However, Members should be aware that the review of these sites has largely been a desktop exercise and the Call for Candidate Sites is the first stage of a lengthy process to establish whether these sites along with many other privately owned sites are a viable proposition.

If any of the identified sites were to get through to the next stage of the LDP process, they would be subject to a much more rigorous test of both financial viability and site constraints. Therefore, whilst the Council is looking to submit a fairly large number of sites, it is likely that a number of these will fall by the wayside as we move along the LDP process. This could be for any number reasons such as highway issues, ground conditions, biodiversity etc. However, many of these constraint are not issues that would be picked up at this early stage.

Despite the above, the Council is confident that a number of the identified sites will prove to be viable and that they will help the Council deliver on the overall objectives of the LDP. However, as part of the Call of Candidate Sites, the Council has to show a commitment, even at this early stage, that if any these sites are proven to be viable, that the Council would look to bring them forward for development.

Therefore, the Head of Property and Regeneration is asking Members for delegated authority to submit the sites that have been identified in Appendix 1 as part of the Call for Candidate Sites under the LDP review.

Financial Impact

None

Integrated Impact Assessment

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage assessment has indicated that a more in-depth assessment is not required.

Valleys Communities Impacts:

The Council is seeking to submit both residential and employment sites that will have a positive impact on the Valleys Communities.

Workforce Impact

The Council is seeking to submit a number of employment sites that will have a positive workforce impact.

Legal Impact

The legal principles involved in this process are as detailed above.

Risk Management

No implications.

Consultation

Following the publication of the Candidate Sites Register (CSR) (end of June), a period of informal Community feedback will commence for approximately 9 weeks.

During this period, the general public, Council members and stakeholders will be able to provide informal comments about the sites on the CSR. Whilst the Council will not be responding to any informal comments received during this period, the comments will nevertheless be used to inform the wider candidate site assessment process.

This process will enable the LDP team to gather initial feedback on the sites and any issues raised in comments can subsequently be raised with the relevant stakeholders during the candidate site assessment process (e.g. concerns about sewerage treatment works capacity can be raised with Dwr Cymru Welsh Water or concerns about flooding can be raised with Natural Resources Wales). It will also give the community and

stakeholders the opportunity to register their interest in any candidate site(s) and have their contact details added to our consultee database so that they can be kept up to date with the LDP preparation process in the future.

During the 9 week informal community feedback period, the LDP team will run a number of drop-in surgeries (in-person / virtual) for Elected Members to provide feedback on candidate sites.

Recommendations

It is recommended that having due regard to the Integrated Impact Screening Assessment that the Head of Property and Regeneration be provided with delegated authority to submit the sites that have been identified in Appendix 1 as part of the Call for Candidate Sites under the LDP review.

Reasons for Proposed Decision

To enable the sale of a surplus property and attain a capital receipt.

Implementation of Decision

With immediate effect.

Appendices

Appendix 1 See attached plans edged red.

List of Background Papers

None.

Officer Contact

For further information on this report, please contact Dean Nicholas, Property and Regeneration on extension 6665, or e-mail d.nicholas@npt.gov.uk

Appendix 1

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Appendix - Integrated Impact Assessments (IIA) First Stage

Submission of Council-owned sites as part of the Replacement Local Development Plan (RLDP) Call for Candidate Sites Integrated Impact Assessment (IIA) - First Stage

1. Details of the initiative

Initiative description and summary: Submission of Council-owned sites as part of the RLDP Call for Candidate Sites.
Service Area: Property and Regeneration
Directorate: Environment and Regeneration

2. Does the initiative affect:

	Yes	No
Service users	✓	
Staff	✓	
Wider community	✓	
Internal administrative process only		✓

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		✓				Identification of Council owned land/sites that might be suitable for future development is part of the first stage of preparation of the RLDP. Development of such sites could potentially affect any residents but will not take place until after the RLDP is adopted and/or planning permission has been granted, following detailed scrutiny, public involvement and consultation and Council and Welsh Government
Disability		✓				
Gender Reassignment		✓				
Marriage/Civil Partnership		✓				
Pregnancy/Maternity		✓				
Race		✓				
Religion/Belief		✓				
Sex		✓				
Sexual orientation		✓				

						agreement in accordance with processes specifically intended to help ensure that no individual group will be impacted differently because of their particular characteristics.
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4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/ How might it impact?
People's opportunities to use the Welsh language			✓			The initial identification of candidate sites will not in itself have any impact on people's opportunities to use the Welsh Language.
Treating the Welsh language no less favourably than English			✓			As above.

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity			✓			The initial identification of candidate sites will not in itself have any impact on the maintenance or enhancement of biodiversity.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.			✓			The initial identification of candidate sites will not in itself have any significant impact on the promotion of the resilience of ecosystems.

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people	✓		The submission of Council-owned sites for consideration for possible development will enable detailed investigation about the best use of the land to meet all the Council's aims and objectives, including the long term well-being of the people of NPT.
Integration - how the initiative impacts upon our wellbeing objectives	✓		The submission of Council-owned sites for consideration for possible development will enable detailed investigation about the best use of the land to meet all the Council's aims and objectives, including integration with all other relevant plans, initiatives and strategies, working towards the same well-being objectives.
Involvement - how people have been involved in developing the initiative	✓		Once the window for submission of Candidate Sites closes and the Candidate Site Register is published at the end of June, colleagues in planning will be conducting a period of informal community feedback of around 9 weeks. In parallel, there will be drop-in surgeries for Members (either in person/virtual), again to provide feedback as appropriate. This will enable consultation to be made on the Council-owned sites at the more appropriate time of the Local Development Plan process.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	✓		As above, the involvement and consultation procedures will be undertaken as part of the LDP review process.
Prevention - how the initiative will prevent problems occurring or getting worse	✓		Identification of Council-owned land suitable for development is part of a on-going process of managing and seeking to make best use of Council assets in order to ensure that the Council is in the strongest possible position to address or avoid future problems occurring or getting worse.

7. Declaration - based on above assessment (tick as appropriate)

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	
<p>Equalities – The selection of sites for submission as Candidate Sites has been undertaken with full consideration of equalities issues throughout the process.</p> <p>Welsh Language – The selection of sites for submission as Candidate Sites will be undertaken in accordance with the Welsh Language Standards (No. 1)) Regulations 2015 and will fully embody the principles of the regulations at the appropriate stages of the plan making process.</p> <p>Biodiversity – In itself, the initial selection of sites for submission as Candidate Sites will not affect biodiversity.</p> <p>Well-being of Future Generation (5 ways of Working) – The selection process undertaken embraced all five ways of working. The process positively integrated with the Council's well-being objectives; involved people and collaboration with partners and should help to prevent future problems arising.</p>	

	Name	Position	Date
Completed by	Dean Nicholas	Principal Estates Manager	30/05/2022
Signed off by	Simon Brennan	Head of Property & Regeneration	30/05/2022