



ECONOMIC AND COMMUNITY REGENERATION CABINET BOARD

***Immediately Following Scrutiny Committee on
FRIDAY, 20 JANUARY 2017***

COMMITTEE ROOMS A/B - NEATH CIVIC CENTRE

PART 1

1. To agree the Chairperson for this Meeting
2. To receive any declarations of interests from Members
3. To receive the Minutes of the previous Economic and Community Regeneration Cabinet Board held on 9 December, 2016
(Pages 5 - 10)

To receive the Report of the Chair of Economic and Community Regeneration Scrutiny Committee

4. Review of the Tourism Support in Neath Port Talbot
(Pages 11 - 14)

To receive the Report of the Head of Planning and Public Protection

5. Two Supplementary Planning Guidance Documents
(Pages 15 - 118)
 - Open Space and Green Space
 - Development and the Welsh Language

To receive the Report of the Head of Property and Regeneration

6. Property Performance Report 2016 (*Pages 119 - 122*)

Background Papers:

www.npt.gov.uk/PropertyPerformanceReport

7. **To receive the Forward Work Programme 2016/17**
(*Pages 123 - 124*)

8. Any urgent items (whether public or exempt) at the discretion of the Chairman pursuant to Statutory Instrument 2001 No 2290 (as amended)
9. Access to Meetings - to resolve to exclude the public for the following items pursuant to Regulation 4 (3) and (5) of Statutory Instrument 2001 No. 2290 and the relevant exempt paragraphs of Part 4 of Schedule 12A to the Local Government Act 1972.

PART 2

To receive the Private Report of the Head of Property and Regeneration

10. Energy/Carbon and Water Performance 2016
(Exempt under Paragraph 14) (*Pages 125 - 150*)
11. Aberavon House Redevelopment (Exempt under Paragraph 14)
(*Pages 151 - 154*)
12. Proposed Disposal of the Property Known as Glanafan Comprehensive School, Port Talbot (Exempt under Paragraph 14)
(*Pages 155 - 162*)

S.Phillips
Chief Executive

Civic Centre
Port Talbot

Tuesday, 12 January, 2017

Cabinet Board Members:

Councillors: A.J.Taylor and M.L.James

Notes:

- (1) *If any Cabinet Board Member is unable to attend, any other Cabinet Member may substitute as a voting Member on the Committee. Members are asked to make these arrangements direct and then to advise the committee Section.*
- (2) *The views of the earlier Scrutiny Committee are to be taken into account in arriving at decisions (pre decision scrutiny process).*

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EXECUTIVE DECISION RECORD

CABINET BOARD - 9 DECEMBER, 2016

ECONOMIC AND COMMUNITY REGENERATION CABINET BOARD

Cabinet Board Members:

Councillors: M.L.James (Chairperson) and E.V.Latham

Officers in Attendance:

A.Collins and Mrs.T.Davies

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor M.L.James be appointed as Chairperson for the meeting.

2. **MINUTES OF THE PREVIOUS ECONOMIC AND COMMUNITY REGENERATION CABINET BOARD HELD ON 28 OCTOBER, 2016 AND THE SPECIAL MEETING HELD ON 14 NOVEMBER, 2017**

Noted by the Committee.

3. **QUARTER 2 PERFORMANCE MONITORING - EDUCATION**

Decision:

That the monitoring report be noted.

4. **QUARTER 2 PERFORMANCE MONITORING - ENVIRONMENT**

Decision:

That the monitoring report be noted.

5. **WELSH PUBLIC LIBRARY STANDARDS ANNUAL REPORT 2015 -16**

Decision:

That the Annual Report to the Welsh Government in respect of the Authority's library services performance against the Welsh Public Library Standards (framework 5), be approved, and the feedback, comments and recommendations in the Annual Assessment Report 2015-16, be noted.

Reason for Decision:

To enable the Authority to comply with its statutory duty of providing a library service in Neath Port Talbot.

Implementation of Decision:

The decision will be implemented after the three day call in period.

6. **CHRISTMAS AND NEW YEAR OPENING TIMES 2016 - 17**

Decision:

That the proposed opening and closure times for libraries, museums, theatres, community centres, Margam Country Park, leisure centres and swimming pools over the Christmas and New Year period 2016 – 17, as detailed within Appendix 1 and 2 to the circulated report, be approved.

Reason for Decision:

To ensure that the Council's facilities are available to the public when there is a demand for them to be open and to enable managers to make appropriate arrangements with front line staff over their annual leave.

Implementation of Decision:

The decision will be implemented after the three day call in period.

7. **FORWARD WORK PROGRAMME 2016/17**

That the Forward Work programme 2016/17, be noted.

8. **ACCESS TO MEETINGS**

Decision:

That pursuant to Regulation 4(3) and (5) of Statutory Instrument 2001 No. 2290, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Local Government Act 1972.

9. **CELTIC LEISURE - HALF YEAR PERFORMANCE REVIEW 2016 - 17**

Decision:

That the performance of Celtic Leisure during the first half year 2016, in comparison to the submitted ten year business plan, as detailed in the private circulated report, be noted.

10. **PRESENTATION FROM CELTIC LEISURE**

Decision:

That the private presentation from Celtic Leisure, be noted.

11. **PROPOSED ACQUISITION OF LAND AND RIGHTS ADJOINING THE SITE OF YSGOL GYFUN YSTALYFERA, YSTALYFERA**

Decision:

That the terms and conditions for the acquisition of land adjoining the playing fields at Ffordd Glandwr, Ystalfera and the option to acquire additional land/rights, as detailed in the private circulated report, be approved.

Reason for Decision:

To enable a surfaced play area/outdoor teaching space and an option for a safe route path to be acquired and construct for Ysgol Gyfun Ystalfera.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

This item has been subject to consultation with the Local Ward Member.

12. **PROPOSED LEASE OF BOWLS PAVILION AT KING GEORGE V MEMORIAL PARK, PONTARDAWE**

Decision:

That subject to the consent of the Fields in Trust Cymru, a lease be granted for the Bowls Pavilion to the Trustees of Pontardawe Bowls Club, on the standard terms as set out in Appendix 1 to the private, circulated report.

Reason for Decision:

To allow the Bowls Pavilion to continue to be used in conjunction with the adjoining Bowls Green for the benefit of the community.

Implementation of Decision:

The decision will be implemented after the three day call in period.

Consultation:

This item has been subject to external consultation.

13. **TURBINE HOUSE AND HYDROELECTRIC POWER SCHEME**

Decision:

That the restoration of the Turbine House and the installation of a Hydropower scheme at Margam Country Park, Margam, be approved.

Reason for Decision:

To reinstate a 100 year old Hydroelectric System and associated Turbine House, generating onsite renewable electricity, reducing the dependency

of imported electricity achieving consequential electrical cost savings, and in addition, the Country Park will improve its carbon performance significantly and become an exemplar for environmental education in respect of hydroelectric power.

Implementation of Decision:

The decision will be implemented after the three day call in period.

CHAIRPERSON

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Economic and Community Regeneration Cabinet Board

20 January 2017

Report of the Chair of Economic and Community Regeneration Scrutiny Committee

Matter for Decision

Wards Affected:

All Wards

Review of the Tourism Support in Neath Port Talbot

Purpose of the Report

1. To provide the Economic and Community Regeneration Cabinet Board with the findings following a review of Tourism Support in Neath Port Talbot, and to seek Members approval of the recommendations below.

Executive Summary

2. The report highlights the findings of the review carried out by a small group of Members of the Economic and Community Regeneration Scrutiny Committee on Tourism Support in Neath Port Talbot.
3. The report includes evidence from an online survey along with information received from key stakeholders at meetings of the inquiry group.

Background

4. Members of the Economic and Regeneration Scrutiny Committee have long held the view that Tourism is an extremely important sector for the County Borough and attracts over 1m visitors per annum and contributes significant amounts of money to the local economy.
5. The Scrutiny Committee regularly receives update reports on the Tourism sector from the Economic Development department of the Council.
6. Update reports took on greater importance following the decision taken June 2015 to agree the Destination Management Plan which was completed by the European and External Funding team after the Tourism team was disbanded as part of the Council's Forward Financial Plan.
7. The Committee resolved in 2015 to undertake a review of Tourism support to identify whether there had been any adverse effects on the level and type of support that was provided.

Equality Impact Assessment

8. There are no impacts associated with this report however, if the recommendations are agreed and taken forward then subsequent reports will require an Equality Impact Screening to be undertaken in the first instance before deciding whether a full Equality Impact Assessment is required.

Workforce Impacts

9. There are no direct workforce impacts associated with this report however, if the recommendations are agreed and taken forward there potentially could be workforce impacts.

Legal Impacts

10. There are no legal impacts associated with this report however, the Council has a duty to develop and implement a Destination Management Plan.

Risk Management

11. There are no direct risk management impacts associated with the report however, there may be a risk to the attractiveness to County as a tourism destination if support decreases any further.

Consultation

12. There is no requirement under the Constitution for external consultation on this item.

Recommendations

13. It is recommended that Cabinet Board
 - a. A dedicated resource is identified to drive forward tourism support;
 - b. The Destination Management Plan is considered by the Economic and Community Regeneration Scrutiny Committee on a regular basis to ensure the actions are implemented;
 - c. An all Member seminar is organised to highlight the findings of the review that demonstrates how important the tourism sector is in the County Borough;
 - d. A letter is written and sent to St Modwens to establish what they understand their responsibilities are in relation to Neath Canal and stress the importance of the maintenance that is required.

Reasons for Proposed Decision

14. To ensure that Neath Port Talbot continues to be an attractive destination for tourists and tourism is supported efficiently and effectively within the County Borough.

Implementation of Decision

15. The decisions are proposed for implementation after the three day call in period.

List of Background Papers

16. Final report of the review group from the Economic and Community Regeneration Scrutiny Committee contained within the report pack of the Scrutiny Committee meeting held on 20th January 2017.

Officer Contact

17. Neil Evans, Senior Scrutiny and Member Development Officer

Email: g.n.evans@npt.gov.uk Tel: 01639 763747

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Economic and Community Regeneration Cabinet Board

20th January 2017

Report of the Head of Planning and Public Protection

Nicola Pearce

Matter for Decision

Wards Affected: All

Neath Port Talbot Local Development Plan (LDP) – Consideration of: the Open Space and Greenspace Consultation Draft Supplementary Planning Guidance (SPG); the Development and the Welsh Language Consultation Draft SPG; and the publication / consultation procedures to be implemented.

Purpose of the Report

- 1 To consider and agree the *Consultation Draft* Open Space and Greenspace SPG and the Development and the Welsh Language SPG and the publication / consultation procedures to be implemented.

Executive Summary

- 2 The *draft* Open Space and Greenspace SPG supplements LDP Strategic Policy SP10 (Open Space) and detailed policies OS1 (Open Space Provision) and OS2 (Protection of Existing Open Space). The document provides information in respect of open space provision and sets out the relevant matters that will need to be taken into consideration when developments are being planned in the County Borough.
- 3 The *draft* Development and the Welsh Language SPG supplements LDP Strategic Policy SP22 (Welsh Language) and Policy WL1 (Development in Language Sensitive Areas). The document provides information in respect of the Welsh language and sets out the relevant matters that will need to be taken into consideration when developments are being planned in 'language sensitive areas'.

- 4 The report seeks endorsement of the *consultation draft* SPGs and the approval of the consultation arrangements.

Background

- 5 The Council, at its meeting on the 27th January 2016, adopted the Local Development Plan (LDP) which now provides the basis for decisions on land use planning in the County Borough up to 2026. The preparation of the LDP was the subject of full statutory procedures.
- 6 Whilst the LDP contains sufficient information and policies to provide the basis for the determination of planning applications through the development management process, opportunities have been identified throughout the Plan for further detailed guidance to be provided on particular issues.
- 7 Selective use of SPG is a means of setting out more detailed topic or site specific guidance on the way in which the policies of the LDP will be applied in particular circumstances or areas. While only policies in the LDP have special status in the determination of planning applications, SPG may be taken into account as a material consideration in the decision making process.
- 8 SPG must be consistent with the parent LDP policy and should be subject to wider consultation with the public and stakeholders.

Open Space and Greenspace SPG

- 9 The Open Space and Greenspace Consultation Draft SPG is presented in full in **Appendix 1**. The SPG supplements LDP Strategic Policy SP10 (Open Space) and detailed policies OS1 (Open Space Provision) and OS2 (Protection of Existing Open Space).
- 10 Adopting a committed and proactive approach to the provision and protection of open space, the strategy seeks to address inequalities in provision by retaining and enhancing existing provision and requiring new development to make provision where there is a need.
- 11 The document provides information in respect of the current level of open space provision, sets out the relevant matters that will need to be taken into consideration when developments are being planned in the County Borough, and offers practical guidance in respect of the design and layout of open space provision.

Development and the Welsh Language SPG

- 12 The Development and the Welsh Language Consultation Draft SPG is presented in full in **Appendix 2**. The SPG supplements LDP Strategic Policy SP22 (Welsh Language) and Policy WL1 (Development in Language Sensitive Areas).
- 13 Adopting a committed and proactive approach to the protection and promotion of the Welsh language, the strategy seeks to protect the integrity of the language in identified 'Language Sensitive Areas'.
- 14 The document provides information in respect of the Welsh language, sets out the relevant matters that will need to be taken into consideration when developments are being planned in 'language sensitive areas' and offers practical guidance in respect of the preparation of 'Welsh Language Action Plans'.

Publication and Consultation Procedures

- 15 As carried out previously, for logistical and cost-efficiency reasons the SPG will be published in batches for consultation. The next consultation will consider a further four SPGs. Members should note that a subsequent report concerning the SPG for Renewable and Low Carbon Energy and Design will be considered at the next Cabinet Board meeting.
- 16 The consultation period on the next batch of SPG will be for 6 weeks commencing early March. Representations received as a result of consultation will again be considered by this Cabinet Board, together with any amendments needed to the documents prior to final publication.
- 17 In order to raise awareness and facilitate a public / stakeholder consultation, the following will be undertaken:
 - The Council's website will provide all relevant information and documentation;
 - A notification letter will be sent to relevant stakeholders / organisations listed on the LDP database (i.e. reflecting those organisations that would have an interest);
 - Press releases will be issued (including use of social media); and
 - A Public Notice will be placed in the South Wales Evening Post.

- 18 In accordance with the Authority's Welsh Language Standards Policy all publicity / communication will be bilingual and the Consultation Draft SPG will also be made available in Welsh.
- 19 The Consultation Draft SPG will be available for purchase at a reasonable charge. In common with previous practice, it is suggested that the price be based on the cost of printing together with post and package at the prevailing cost. Electronic copies will be made available at no cost.

Financial Impact

- 20 The decisions will incur expenditure in relation to the publication and consultation procedures. These costs will be accommodated within existing budgets.

Strategic Environmental Assessment (SEA)

- 21 Even though SPG is non-statutory and does not require a Sustainability Appraisal (SA), the SEA Regulations may apply to certain types of SPG. A Screening Exercise has been carried out which concluded that the SPGs would not result in significant environmental effects and would not therefore trigger the need for assessment.

Equality Impact Assessment

- 22 In order to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010, an Equality Impact Assessment (EIA) Screening Exercise has been carried out.
- 23 The LDP was subjected to a Sustainability Appraisal (SA) process which included an assessment of the LDP policies and proposals on equalities (including sex, age, race and disability issues). These aspects have therefore been assessed alongside all the other sustainability and environmental issues, enabling the effects of the Plan to be fully assessed.
- 24 Given that the SA of the LDP incorporated an EIA, and the fact that the SPG only provides guidance on the implementation of LDP policy, the Screening Exercise concluded that there is no requirement to carry out an additional separate exercise.

Workforce Impacts

25 There are no workforce impacts in respect of this report.

Legal Impacts

26 There are no legal impacts in respect of this report.

Risk Management

27 There are no significant risks associated with this report.

Recommendation

28 That having considered the report, it is resolved to make the following recommendations for approval:

1. The Open Space and Greenspace SPG and Development and the Welsh Language SPG as set out in Appendices 1 – 2 respectively are agreed as forming the basis for consultation.
2. The publication and consultation procedures as set out in the report are implemented.

Reasons for Proposed Decision

29 The recommendations are needed to:

1. Ensure that clear guidance is issued by the Council in respect of Open Space and Greenspace and Development and the Welsh Language.
2. Ensure that a consultation exercise is undertaken so that the guidance carries full weight when planning applications and/or appeals are considered.

Implementation of Decision

30 The decision is proposed for implementation after the three day call in period.

Appendices

- 31 Appendix 1 – Open Space and Greenspace SPG Consultation Draft (March 2017).
- 32 Appendix 2 – Development and the Welsh Language SPG Consultation Draft (March 2017).

List of Background Papers

Legislation and Regulations:

- 33 Planning and Compulsory Purchase Act 2004.
- 34 The Town and Country Planning (Local Development Plan) (Wales) Regulations 2015.
- 35 The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004.

Planning Policy / Guidance:

- 36 Neath Port Talbot CBC Local Development Plan (2011-2026) (Jan'16).
- 37 Planning Policy Wales Edition 9 (2016).
- 38 Technical Advice Notes (TANs).

Officer Contact

- 39 Ceri Morris – Planning Policy Manager [Tel: 01639 686320 / E-mail: c.morris1@npt.gov.uk]

APPENDIX 1

Open Space and Greenspace SPG
Consultation Draft (March 2017)

| | |
|---|-----------|
| Note to Reader | 1 |
| 1 Introduction | 3 |
| 2 Open Space Provision in Neath Port Talbot | 5 |
| 2.1 Definition of Open Space | 5 |
| 2.2 Open Space Provision in Neath Port Talbot | 5 |
| 3 Policy Context | 7 |
| 3.1 National Policy Context | 7 |
| 3.2 Local Policy Context | 8 |
| 4 Policy Implementation | 11 |
| 4.1 Policy OS1 - Open Space Provision | 11 |
| 4.1.1 Residential Development | 11 |
| 4.1.2 Employment and Commercial Development | 13 |
| 4.1.3 Provision of Open Space | 15 |
| 4.2 Policy OS2 - Protection of Existing Open Space | 16 |
| 4.3 Pre-Application Discussion and Planning Application Process | 18 |
| 4.4 Management and Maintenance | 19 |
| 4.5 Monitoring and Review | 20 |
| 5 Practical Guidance | 21 |
| 6 Contact Details | 29 |

Appendices

| | |
|--|-----------|
| A Glossary | 31 |
| B Spatial Areas of Neath Port Talbot | 33 |
| C Open Space Provision in Neath Port Talbot | 37 |
| D Costs - Open Space Provision | 39 |
| E Calculating Open Space Contributions | 41 |
| F Process | 45 |
| G Children's Play Categories | 47 |
| H Creating a Quality Play Environment | 51 |

Note to Reader

This note explains the purpose of the Supplementary Planning Guidance (SPG) and how to comment on the document. This note will not form part of the final published SPG.

The Purpose of the Document

The Council, at its meeting on the 27th January 2016, adopted the Local Development Plan (LDP) which now provides the basis for decisions on land use planning in the County Borough up to 2026.

Whilst the LDP contains sufficient information and policies to provide the basis for the determination of planning applications through the development management process, opportunities have been identified throughout the Plan for further detailed guidance to be provided on particular issues.

Selective use of SPG is a means of setting out more detailed topic or site specific guidance on the way in which the policies of the LDP will be applied in particular circumstances or areas. While only policies in the LDP have special status in the determination of planning applications, SPG may be taken into account as a material consideration in the decision making process.

SPG must be consistent with the parent LDP policy and should be subject to wider consultation with the public and stakeholders.

Open Space and Greenspace SPG

The Open Space and Greenspace SPG supplements LDP Strategic Policy SP10 (Open Space), Policy OS1 (Open Space Provision) and Policy OS2 (Protection of Existing Open Space).

The document provides information in respect of open space provision in Neath Port Talbot, sets out the relevant matters that will need to be taken into consideration when developments are being planned in the County Borough, and offers practical guidance in respect of the design and layout of open space provision.

The Consultation / How to Make Comments

The consultation period will run for 6 weeks, **starting on Wednesday 8th March and ending on Tuesday 18th April.**

Comments can be submitted:

Directly Online at: www.npt.gov.uk/ldp/consultation

Alternatively:

Note to Reader

By E-mail to: ldp@npt.gov.uk

By Post to:

Nicola Pearce

Head of Planning and Public Protection,

Neath Port Talbot County Borough Council,

The Quays,

Brunel Way,

Baglan Energy Park,

Neath,

SA11 2GG.

Comments via e-mail or post will need to be submitted using the 'SPG Representation Form'. Copies of the form are available on request or an editable version is available to download from the Council's website: www.npt.gov.uk/ldp

The deadline for comments is Tuesday 18th April. Comments received after the deadline will not be accepted.

This SPG is also available in Welsh, either to download or by request. Should you need this document in another format, then please contact the LDP team at ldp@npt.gov.uk or **[01639] 686821**.

1 Introduction

1.0.1 This Supplementary Planning Guidance (SPG) provides information in respect of open space provision in Neath Port Talbot and sets out the relevant matters that will need to be taken into consideration when developments are being planned in the County Borough.

1.0.2 The Council's planning policy is set out in the Neath Port Talbot Local Development Plan (LDP)⁽¹⁾, namely Strategic Policy SP10 (Open Space) and detailed policies OS1 (Open Space Provision) and OS2 (Protection of Existing Open Space) and this SPG should be read in the context of these policies and explanatory text.

1.0.3 The provision of open space gives the opportunity for more active lifestyles and can therefore play an integral role in improving the health and well-being of residents. In preparing the LDP, the Council has adopted a committed and proactive approach to the provision and protection of open space with the following objectives aiming to:

OB 2: Reduce people's exposure to the determinants of poor health and provide an environment that encourages healthy, active and safer lifestyles.

OB 10: Deliver more equitable open space provision within and around settlements.

1.0.4 New development can place both positive and negative impacts upon a community. Any identified impacts can be addressed through the use of planning obligations (Section 106 agreements). The Council's Planning Obligations SPG⁽²⁾ sets out the measures that all development meeting the specified criteria / thresholds will need to consider. The planning system is therefore an important mechanism to secure provision and address inequalities in open space provision, requiring new development to make provision for open space where there is a need.

1.0.5 The purpose of this SPG is to provide detailed guidance on how the Council will implement open space policies contained within the LDP. In particular, the SPG addresses the following:

- Open space provision in Neath Port Talbot;
- The national and local policy context;
- Implementation of the open space policies; and
- Practical guidance on open space provision.

1 Neath Port Talbot County Borough Council Local Development Plan (2011-2026) Adopted January 2016.
2 Supplementary Planning Guidance: Planning Obligations (October 2016).

1 . Introduction

2 Open Space Provision in Neath Port Talbot

2.1 Definition of Open Space

2.1.1 There are many different categories of open space, each of which has an important role to play in providing recreational opportunities for residents and visitors alike. Technical Advice Note (TAN)16 'Sport, Recreation and Open Space'⁽³⁾, provides a full 'typology' of open space and offers the following definition:

'Open space is defined in the Town and Country Planning Act 1990 as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground. For the purposes of this guidance, open space should be regarded as all open space of public value, including not just land, but also areas of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport, recreation and tourism, and can also act as a visual amenity and may have conservation and biodiversity importance.

Areas which are privately owned may have amenity value, although access will not be possible without the agreement of the land owner. Areas like domestic gardens are relevant, since places without or with few gardens, are likely to be more reliant upon the provision of public spaces'.

2.1.2 It is evident that this broad definition is necessary to enable a full evaluation of recreational opportunities, both formal and informal, to be undertaken and allows the use of these areas by a wide section of the population. In the local context, the LDP identifies open space as:

Publicly accessible recreational space and includes playing fields, sports pitches and courts, children's play areas, facilities for older children, informal open space, greenspace, parks and allotments.

2.2 Open Space Provision in Neath Port Talbot

2.2.1 In 2013, the Council undertook and published an assessment⁽⁴⁾ of open space provision across Neath Port Talbot. This assessment represented a snapshot in time and was an integral part of the evidence base supporting the LDP, ultimately informing the policies in the adopted Plan.

3 Planning Policy Wales (PPW): Technical Advice Note (TAN) 16 'Sport, Recreation and Open Space' (2009) - Welsh Government.

4 LDP Open Space Assessment (January 2013) - Neath Port Talbot County Borough Council.

2 . Open Space Provision in Neath Port Talbot

2.2.2 Applying an agreed set of standards of provision, the assessment was structured on the eight LDP spatial areas and constituent electoral wards. A map and list of the electoral wards within each spatial area is presented in **Appendix B**.

2.2.3 The level of open space provision in any given area changes over time. The fact that new facilities are often provided to serve new development coupled with the fact that older facilities are often removed as they can no longer be maintained, means that the position in relation to provision is dynamic. Consequently, and in parallel to the preparation of this SPG, the Council has reviewed the assessment and produced updated ward provision and requirement tables as a result, thereby providing an up to date picture on existing open space provision in Neath Port Talbot.

2.2.4 An indicative overview of the updated position is provided in **Appendix C⁽⁵⁾**. It is evident that there remain shortfalls in the different categories of provision across the County Borough and new developments will be required to make an appropriate contribution towards open space provision in order to meet the needs of the new residents and ensure that existing shortfalls are not exacerbated by such development.

2.2.5 In specific respect of outdoor sport, it should be noted that whilst the Open Space Assessment makes reference to the potential for dual use of school facilities by the community and as such identifies provision, it does not form part of the ward calculation as there are no formal written agreements in place to enable public use. Whilst such agreements are beyond the scope of planning control, where new school provision is proposed, the applicant will be encouraged to enter into such agreements and where this transpires, account will be taken in any future reviews of the Open Space Assessment.

5 As with the original assessment, this updated position represents a snapshot in time and the Council will continue to monitor the situation and undertake periodic reviews of the assessment.

3 Policy Context

3.1 National Policy Context

Planning Policy Wales (PPW) Edition 9 (2016)

3.1.1 PPW sets out the Welsh Government's land use planning policies providing the framework for the preparation of LDPs. This overarching policy document identifies that sport and recreation contribute to our quality of life and the Welsh Government supports the development of sport, recreation and the wide range of leisure pursuits which encourage physical activity. These activities are important for the well-being of children and adults and for the social and economic life of Wales.

3.1.2 The Welsh Government's main planning objectives are to promote:

- A more sustainable pattern of development, creating and maintaining networks of facilities and open spaces in places well served by sustainable means of travel, in particular within urban areas;
- Social inclusion, improved health and well-being by ensuring that everyone, including children and young people, the elderly and those with disabilities, has easy access to the natural environment and to good quality, well-designed facilities and open space; and
- The provision of innovative, user-friendly, accessible facilities to make our urban areas, particularly town centres, more attractive places, where people will choose to live, to work and to visit.

3.1.3 PPW states *'Planning Authorities should provide the framework for well located, good quality tourism, sport, recreation and leisure facilities. The areas and facilities provided in both rural and urban areas should be sensitive to the needs of users, attractive, well maintained and protected from crime and vandalism. They should be safe and accessible, including to deprived or disadvantaged communities and to people whose mobility is restricted, by a variety of sustainable means of travel, particularly walking, cycling and public transport. Long-distance routes, rights of way, disused railways and waterways are also important tourism and recreation facilities, both in their own right and as a means of linking other attractions'*.

3.1.4 PPW states that the planning system should ensure that adequate land and water resources are allocated for formal and informal sport and recreation, taking full account of the need for recreational space and current levels of provision and deficiencies, and the impact of development related to sport and recreation on the locality and local communities.

3.1.5 The document identifies that formal and informal open green spaces, including parks with significant recreational or amenity value, should be protected from development, particularly in urban areas where they fulfil multiple purposes, not only enhancing the quality of life, but contributing to biodiversity, the conservation of nature and landscape,

3 . Policy Context

air quality and the protection of groundwater. Such open spaces also have a role in climate protection and in enabling the adaptation of urban areas to the impacts of climate change, for example by contributing to flood management and helping to reduce urban heat island effects.

3.1.6 Furthermore, PPW stipulates that Development Plans should contain clear policies for the provision and protection of open space; set standards of provision so that deficiencies can be identified and met through the planning process; and ensure that open spaces and built facilities are, where possible, sited, designed and maintained as integral parts of existing and new developments so as to encourage their use.

Technical Advice Note (TAN) 16 Sport, Recreation and Open Space (2009)

3.1.7 TAN16 states that the objectives as set out in PPW can be best achieved by undertaking local assessments of need and audits of all types of existing provision. The Local Planning Authority (LPA) should develop standards that reflect the local social, economic, demographic and geographical characteristics and that are based on robust evidence derived from an open space assessment. The open space assessment should include a quantitative, qualitative and an accessibility component.

3.1.8 The document stipulates that the LPA should also identify and protect open space with a significant amenity, nature conservation or recreational value and subsequently establish criteria against which sites should be assessed if development pressures arise. When planning new open space, sport and recreational facilities, design and noise issues need to be taken into consideration.

3.2 Local Policy Context

3.2.1 The policy framework for the provision of open space in Neath Port Talbot is contained within Policies SP10, OS1 and OS2. Policy SP10 is the strategic policy that sets the context for the subsequent detailed policies and delivers Objectives 2 and 10 of the LDP.

Strategic Policy SP10 Open Space

Policy SP10

Open Space

Provision will be made to ensure that all residents have access to adequate open space through the following measures:

1. Ensuring that new development addresses local needs;
2. Retaining and protecting existing open space.

Policy OS1 Open Space Provision

3.2.2 This policy seeks to ensure that where there is an existing shortfall in one of the specified categories of open space, a development should meet the specified open space standard for the residents of the new site. The policy does not seek to rectify existing shortfalls, but ensure that a development meets the open space needs of the site and its residents.

Policy OS1

Open Space Provision

Where there is a quantitative deficiency in outdoor sport, children's play, informal space or allotments, provision will be sought, including the requirement for maintenance, in conjunction with all new residential developments of 3 or more dwellings, based on the following standards:

| Open Space | Standard |
|-----------------|------------------------------------|
| Outdoor Sport | 1.6 hectares per 1,000 population |
| Children's Play | 0.25 hectares per 1,000 population |
| Informal Space | 0.55 hectares per 1,000 population |
| Allotments | 0.19 hectares per 1,000 population |

In the case of employment or commercial development proposals of over 1,000 sqm, provision will be sought for associated amenity space.

Policy OS2 Protection of Existing Open Space

3.2.3 This policy seeks to protect existing provision and ensure that where a loss is as a consequence of development, it is appropriately replaced.

Policy OS2

Protection of Existing Open Space

Any proposals which would result in the loss of an existing area of open space will only be permitted where it can be demonstrated that:

1. The open space is no longer needed; and

3 . Policy Context

2. There is no shortfall of provision of that category of open space in the ward, before or as a result of the development; and
3. The site would not be suitable to provide an alternative type of open space for which there is a shortfall.

Or:

It can be demonstrated that equivalent or enhanced facilities can be provided on a suitable and accessible replacement site which would serve the local community equally well.

4 Policy Implementation

4.1 Policy OS1 - Open Space Provision

4.1.1 Residential Development

Policy Threshold

4.1.1.1 In accordance with Policy OS1, in locations where there is a quantitative deficiency in one or more of the identified categories of open space, contributions will be required on all new housing developments⁽⁶⁾ on sites accommodating 3 or more units. The threshold of 3+ units will apply to all proposals which result in self-contained units of accommodation, including conversions from non-residential use to residential, or the subdivision of a residential property, where the net increase is 3 units or above the existing number of properties.

Calculating Requirements and Contributions

4.1.1.2 It is expected that contributions will be sought where a shortfall in open space provision has been identified. The required contribution will in the first instance meet the additional demand arising from the proposed development and will not be applied to alleviate any existing open space shortage. Alternatively, the contribution may be used to improve the play value/quality of the existing provision.

4.1.1.3 It should be noted that contributions (via a S106 Agreement) will be required where a developer does not make on-site provision. Where on-site provision is proposed, a developer will be expected to incur the cost of provision and establish a management regime and carry out future maintenance (refer to Section 4.4). In addition, there may be cases where a more appropriate option would be to improve accessibility to an existing area of open space.

4.1.1.4 In calculating the open space requirements to be sought for new residential developments, a consideration will be made of the following components:

- The open space requirement across the various categories per dwelling;
- Where there is existing over provision in any category, whether a shortfall in provision would result as a consequence of the development⁽⁷⁾; and
- Where a S106 Agreement is likely for off-site provision, the likely cost of open space provision for each category.

4.1.1.5 **Appendix D** provides some basic costs across a range of open space types. Applying these financial values provides an indication of the scale of the financial contribution to be sought across the various open space types per additional qualifying

6 The requirement does not relate to proposals for houses of multiple occupation (HMOs) or residential care homes.
7 Where this is the case, the developer would need to make an appropriate level of provision of that category of open space.

4 . Policy Implementation

residential unit. In the event that the cost of providing the various categories of open space changes over time, the most current cost framework will be applied with any changes being communicated to the applicant at the earliest possible stage in the planning application process.

4.1.1.6 Derived from the Council's Planning Obligations SPG⁽⁸⁾, the following table illustrates for each category of open space, the calculation of the open space requirement per dwelling and the likely capital cost per dwelling (for off-site provision). The most recent official estimated average household size figure will be applied to calculate the requirement per additional qualifying residential unit⁽⁹⁾.

Table 4.1.1.1 Calculating Open Space Requirements

| Category | Requirement / 1,000 Population (Hectares) | Requirement / 1,000 Population (square metres) | Requirement / Person (square metres) | Average Household Size | Open Space Requirement / Dwelling (square metres) | Capital Cost / square metre | Cost / Dwelling |
|---------------------------|---|--|--------------------------------------|------------------------|---|-----------------------------|-----------------|
| Outdoor Sport - Pitch | 1.15 | 11,500 | 11.5 | 2.29 | 26.3 | £10.80 | £284.00 |
| Outdoor Sport - Non Pitch | 0.45 | 4,500 | 4.5 | 2.29 | 10.3 | £100.00 | £1,030.00 |
| Children's Play | 0.25 | 2,500 | 2.5 | 2.29 | 5.7 ⁽¹⁾ | £150.00 | £855.00 |
| Informal Space | 0.55 | 5,500 | 5.5 | 2.29 | 12.6 | £5.00 | £63.00 |
| Allotments | 0.19 | 1,900 | 1.9 | 2.29 | 4.4 | £10.90 | £48.00 |

1. This figure does not include any associated buffer zone.

4.1.1.7 It should be noted that outdoor sport (1.6 hectares / 1,000 population) comprises both pitch (1.15 hectares / 1,000 population) and non-pitch provision (0.45 hectares / 1,000 population). In calculating the need, consideration will be given to both types of outdoor sport, as an over provision in one may mask a shortfall in the other⁽¹⁰⁾.

4.1.1.8 A number of worked examples are presented in **Appendix E**.

Division and Phasing of Sites

4.1.1.9 In respect of residential development, in locations where there is a quantitative deficiency in one or more open space categories, where a site has been subdivided into more than one parcel of land and the total number of units on each parcel falls below the

8 Section 5.6 Supplementary Planning Guidance: Planning Obligations (October 2016).

9 <https://stats.wales.gov.wales/Catalogue/Housing/Households/Estimates/averagehouseholdsize-by-localauthority-year>

10 It should be noted that the Council has leased out many of its sports facilities to clubs or local communities to undertake booking and maintenance duties.

threshold for the provision of open space, should the Council consider the site has been artificially subdivided, the site will be treated as one development and the relevant open space requirements will apply.

4.1.1.10 For example, if a parcel of land forms part of a larger site but has been subdivided either before or after the grant of planning permission, each property owner will be required to provide a proportion of the contribution which would have been attributed to the larger site.

4.1.1.11 Where the development of a site is phased, planning applications for 1 or 2 units will not require an open space contribution. However, once an application is submitted that sees the development of the whole site reach 3+ units, open space provision will be sought for the development as a whole.

4.1.1.12 This approach will also apply where planning applications are staggered over a period of time (e.g. where a parcel of land forms part of a larger site but has been subdivided either before or after the grant of planning permission).

4.1.1.13 To make the best and most efficient use of land, developments are expected to meet the densities specified in Policy BE1 (Design) of the LDP. Should a site, or phase of a site be proposed to be developed at a lower density than specified in Policy BE1, or the Council considers the site is being built at a lower density to avoid open space contributions, applications may be refused on such grounds.

4.1.1.14 If a development is phased, particularly on larger sites, the open space requirement shall also be phased to ensure that the development contributes an appropriate level of open space at each stage of the development. The timescales for completion of open space provided will be clearly set out within the S106 agreement and/or planning conditions.

4.1.2 Employment and Commercial Development

Policy Threshold

4.1.2.1 In an attempt to improve the health and well-being of the workforce, employment and commercial proposals which result in a net increase in floorspace of 1,000 sqm or more will be required to provide amenity space to allow employees access to an outdoor amenity area close to the workplace. The provision of amenity space can be as simple as an informal area, courtyard or greenspace with associated seating, access paths and/or landscaping. Such areas could be appropriately designed so as to minimise ongoing maintenance.

4.1.2.2 The adoption date of the LDP (i.e. 27th January 2016) will be used as the base-date from which to monitor any development and/or operation that is incrementally increasing in size.

4 . Policy Implementation

4.1.2.3 The trigger for the provision of amenity space will be reached when, since the adoption date of the plan, the cumulative net floorspace totals 1,000 sqm or more, with the contribution being based on the number of employees the additional floorspace exceeding 1,000 sqm would accommodate.

4.1.2.4 **Appendix F** presents a flow chart and a step-by-step guide of the process that will be followed throughout the planning application stage.

Calculating Requirements and Contributions

4.1.2.5 Provision for associated amenity space will be sought in relation to proposals for employment or commercial development of over 1,000 sqm (i.e. net) and will be based on the standards identified for informal open space as outlined in the following table:

| Category | Requirement / 1,000 Additional Employees (Hectares) | Requirement / 1,000 Additional Employees (square metres) | Requirement / Additional Employee (square metres) |
|---------------|---|--|---|
| Amenity Space | 0.55 | 5,500 | 5.5 |

4.1.2.6 For all development, during the application process, planning officers will advise what open space need the site generates. The Council's preference will always be for amenity space to be provided on-site as an integral part of the overall development so as to encourage its use. For new build developments, it is expected that this requirement be factored into the design of proposals.

4.1.2.7 Any amenity areas provided on-site would not be adopted by the Council and consequently the developer would be responsible for future management and maintenance. Where there is no scope for on-site provision but there is an opportunity to improve access to an existing nearby area, or make improvements to an existing nearby area to accommodate use by staff, where the Council is required to carry out future maintenance, there will be a need to calculate the associated costs.

4.1.2.8 For extensions to existing businesses, it is acknowledged that some established premises may not have appropriate space within the curtilage where provision could be achieved. In such circumstances, the developer will be required to submit a statement outlining why on-site provision is not feasible, and where the Council accepts that the physical scope for provision is limited, the Council will consider the issue of whether new provision could be made available off-site or whether there is potential to improve linkages to existing public open space or whether the planning obligation could focus on improving the quality of the existing provision. Such instances will be considered on a case-by-case basis and the scale of the financial contribution sought will then reflect the scale of the proposed development in terms of the anticipated number of additional employees.

4.1.2.9 A number of worked examples are presented in **Appendix E**.

4.1.3 Provision of Open Space

4.1.3.1 The delivery of open space facilities through the planning system shall be delivered via one, or an appropriate and agreed mix of the following mechanisms:

- On-site provision;
- Financial contributions for off-site provision.

4.1.3.2 Where a developer proposes to provide all required facilities on-site and be responsible for future maintenance, there would be no need to calculate costs associated with open space contributions.

On-Site Provision

4.1.3.3 In line with national policy, the Council's preference will always be for open space to be provided on-site as an integral part of the overall development, in order to deliver mixed and balanced communities and to encourage their use. Should the Council agree the provision of on-site facilities is not appropriate or feasible, off-site provision will be accepted.

4.1.3.4 Each development will need to make provision for the open space needs of its residents. Where there is an existing ward shortfall in a particular category, a developer will be required to make full provision for those categories.

4.1.3.5 If there is an existing over provision of a particular category of open space in a ward, this will be taken into account in assessing the impact of the development on the level of provision at that particular time. In addition, where there is existing provision, due consideration would need to be given to its accessibility. The 'accessibility standards' detailed within the Council's Open Space Assessment will be used to determine whether the existing provision is within appropriate distances.

4.1.3.6 In cases where accessibility is poor, or where the existing provision lies beyond the relevant accessibility standard, consideration will be given to how the accessibility could be improved or alternatively, where improvements cannot be made, make on-site provision.

4.1.3.7 The S106 agreement will include a requirement for the facility to be provided at a particular stage of the development.

Financial Contributions for Off-Site Provision

4.1.3.8 There may be circumstances where it is not feasible or appropriate to accommodate the required open space within the development site (e.g. due to the size of the site or the site characteristics dictate that the site would be inappropriate to accommodate the relevant open space category).

4 . Policy Implementation

4.1.3.9 In these instances the Council will accept a commuted payment in lieu of on-site provision. This arrangement will require developers to make financial contributions for the provision of off-site facilities, the improvement / enhancement of existing off-site facilities and the ongoing maintenance of such facilities (refer to Section 4.4 below).

4.1.3.10 In instances where there are multiple deficiencies of open space, an assessment will be made as to which categories will be prioritised and having full regard to the requirements set out within the Community Infrastructure Levy (CIL) Regulations, the Council may seek to combine or 'pool' contributions from individual development proposals.

4.1.3.11 Regulation 123 of the CIL Regulations limits the number of planning obligations that can be pooled (maximum of five). The Council's approach to dealing with this pooling restriction will be through specifying 'infrastructure pots' (projects) with each project able to take up to five pooled contributions. Such an approach will help ensure that the need for infrastructure improvements can be effectively and equitably addressed with all parties making an appropriate contribution, and in the case of smaller scale developments, enables monies to be combined to provide small scale improvements to open space facilities in the locality.

4.1.3.12 Any off-site provision will be of the same quality as would have been provided on-site and the off-site contribution should have the same financial value as the facilities that would have been provided on-site. Any off-site provision will need to be located in close proximity to the development site⁽¹¹⁾ or within the same community / electoral ward, or in the case of allotment provision, spatial area.

4.1.3.13 Further practical guidance in respect of the design of open space is provided in Chapter 5.

4.2 Policy OS2 - Protection of Existing Open Space

4.2.1 Loss of even small areas of open space can have an impact on the local area, especially where there is an existing shortfall or where alternative facilities are not readily accessible to the community affected by the lost facility.

4.2.2 Whilst national policy protects sports pitches, Policy OS2 seeks to protect all areas identified as open space. Any proposals for the development of land which is wholly, or in part, identified as open space will need to satisfy the specified criteria which seek to ensure that all possible options have been assessed before consideration is given to the alternative use of the open space.

4.2.3 In order to comply with Policy OS2, developers must either demonstrate that all of the criteria (1, 2 and 3) have been satisfied, or as an alternative, demonstrate that equivalent or enhanced facilities can be provided on a suitable and accessible replacement site that would serve the local community equally well.

4.2.4 In terms of the evidence/justification that would need to be provided, the details outlined below would be considered by the Council to be the minimum requirement. It should be noted however that all proposals will be considered on a case by case basis, and once details of proposals are known there may be instances where additional detail is required from the developer. Consequently, the details provided are not considered to be exhaustive and should only be used as a guide rather than a comprehensive list of requirements.

Criteria 1, 2 and 3

4.2.5 Criteria 1 (*the open space is no longer needed*)⁽¹²⁾:

- When was the facility last used and what was it used for.
- The reasons why it is no longer in use.
- Where the public go to access alternative provision for the category of open space.
- Whether measures have been put in place to restrict access to the site.

4.2.6 Criteria 2 (*there is no shortfall of provision of that category of open space in the ward, before or as a result of the development*):

- A calculation of the existing ward provision for the category of open space⁽¹³⁾.
- If the proposal is for residential development, a calculation of the requirements of the site for that category of open space⁽¹⁴⁾.
- In the event that the facility/provision was lost to development, a calculation to determine whether as a consequence, there would be a shortfall in provision for that category.

4.2.7 Criteria 3 (*the site would not be suitable to provide an alternative type of open space for which there is a shortfall*):

- An explanation of why any of the categories that experience a shortfall in provision could not be provided on-site as an alternative to the existing provision⁽¹⁵⁾.

Provision of Equivalent or Enhanced Facilities

4.2.8 The developer would be required to provide the following:

12 This information could be informed by consultation with the local Councillor, Community Council, local residents groups, communities and/or neighbours.

13 Information on existing ward provision is available in the Council's Open Space Assessment. The Council can advise in respect of the position where clarification is needed.

14 Refer to Table 4.1.1.1 (Page 12).

15 The nature of the information will vary from site to site and will be dependant on the categories which experience a shortfall in provision.

4 . Policy Implementation

- A description of the equivalent/enhanced facilities proposed, together with detailed plans and suitably scaled drawings showing the location and layout of the replacement facilities.
- A quantitative and qualitative comparison (by category) of what alternative provision is being proposed to replace what is to be lost.
- A justification of why the site is considered to be a suitable replacement facility.
- Details of how accessible the replacement site is compared to the existing provision.
- Details of the ongoing proposals to manage and maintain the new facility.

4.3 Pre-Application Discussion and Planning Application Process

Pre-Application Discussion

4.3.1 Applicants are encouraged to partake in early discussions with the Planning Department to discuss which policies are relevant to their proposal, the open space requirements that the proposal will generate, other planning obligations and to determine any site-specific considerations⁽¹⁶⁾.

4.3.2 Discussions should take place with planning officers who will liaise with internal departments as appropriate. Detailed negotiations will focus on what open space policies are relevant, what level of provision is required, how the provision should be delivered (e.g. on-site / off-site), and future management and maintenance. In the case of off-site provision, potential indicative S106 costs can also be provided where relevant.

4.3.3 **Appendix F** presents a flow chart and a step-by-step guide of the process that will be followed throughout the planning application stage.

Outline Applications

4.3.4 All residential planning applications that are located within areas where there is a quantitative deficiency in one or more of the identified categories of open space and meet the identified threshold will be subject to an open space contribution.

4.3.5 Where an application for outline planning permission is granted, the permission will identify whether a contribution towards open space will be part of the development. Where an open space agreement is secured at the outline planning stage, any changes to the number of units in a subsequent planning application may result in the level of open space contribution changing. These stipulations will be contained within the S106 agreement.

16 The procedures for undertaking pre-application discussions applied by the Council can be found on the Council's website: <http://www.npt.gov.uk/default.asp?page=41326>

Full / Reserved Matters Applications

4.3.6 In line with the thresholds identified, full planning permissions will contain a related planning condition and/or the developer will be expected to enter into a S106 agreement with the Council. The S106 agreement will set out the requirement for providing open space provision and the conditions by which the provision will be delivered (i.e. either on-site/off-site and future maintenance thereof).

Renewal of Planning Consent

4.3.7 New applications submitted on sites which previously had planning approval or applications for the renewal of a planning consent will be assessed using the open space policies contained within the LDP. This may mean that open space provision will be required even where there has been no previous contribution towards open space. This reflects changes in policy context since the original application and the County Borough wide need for open space provision. If the application seeks the approval of reserved matters, the requirements of the original outline approval would need to be followed.

Negotiating Open Space Provision

4.3.8 When accounting for the range of planning obligations that may be levied on any given proposal, the Council acknowledges that there may be circumstances where a developer considers that the delivery of the level of open space required is not viable. Such issues could be compounded in locations where there are multiple deficiencies across all categories.

4.3.9 In such instances, the Council will consider, subject to a detailed financial appraisal, reduced contributions, phased payments, or the removal of the requirement to contribute to open space provision. At an early stage in pre-application discussions, developers are encouraged to make themselves familiar with all the planning obligations, including open space provision, and to identify any viability issues in the preparation of their application.

4.3.10 Where the Council is satisfied that the developer has been able to show, using robust evidence, that the provision of open space in accordance with the standards set out in Policy OS1 is not viable, a reduced contribution may be negotiated or the requirement to provide open space removed.

4.3.11 It should be noted that any requirement to contribute towards other infrastructure requirements (as outlined within the Council's Planning Obligations SPG) as a result of the development will not negate the need for open space provision. **Developers need to consider the costs associated with delivering open space requirements and other obligations before entering into land negotiations.**

4.4 Management and Maintenance

4.4.1 The provision made for the ongoing management and maintenance of the public open space is a key consideration in the determination of planning applications. The Council will need to be satisfied that open space facilities provided as part of a development proposal will be made available and subsequently retained, managed and maintained.

4 . Policy Implementation

4.4.2 It is the Council's preferred option that the applicant implements a private management plan to support the future maintenance of all types of open space provision. The management plan will need to demonstrate to the Council's satisfaction that suitable arrangements have been made for the facility's long term maintenance and as such will need to identify who will be responsible for managing and funding the maintenance of the open space, for example a sufficiently resourced management company. New or improved off-site provision may also offer opportunities for future management by a management company or community group.

4.4.3 Whilst it is not expected that the Council will adopt any new areas of open space created or incur any future financial liabilities, there may be circumstances where it is not feasible or practicable for the ongoing management of a site to be conducted by the developer or other appointed management body. Under such circumstances, the Council will be prepared to consider adopting the facility and properly maintain it as public open space, however, the adoption of land will always be subject to a payment by the developer of a commuted sum to cover the cost of future maintenance.

4.4.4 Where developers make a financial contribution in-lieu of on-site facilities, including additional equipment / improvements to existing open spaces and/or facilities, a commuted sum for future maintenance costs will also be sought.

4.4.5 The figure will be calculated using agreed maintenance costs and cover a 20 year timeline. Each proposal will be considered on a site by site basis and the developer will be required to provide sufficient details to enable an accurate calculation of costs.

4.4.6 Planning permission for developments will be subject to a legal agreement that will include the details relating to on-site and/or off-site open space provision, ongoing maintenance and adoption if appropriate. All S106 agreements run with the land so future successors in title are bound by the obligations, providing the legal mechanism to ensure the provision and future maintenance and retention of the open space.

4.4.7 Alternative methods of management and maintenance are available, including the involvement of community councils, other community management companies, arrangements with a charitable trust or organisation, or lease of land to a community group. If a developer wishes to follow any of these alternative approaches, it will have to be demonstrated how such an approach can meet the Council's requirement for the open space to be managed and maintained.

4.5 Monitoring and Review

4.5.1 The implementation of policies and the delivery of open space will be monitored and reported in the LDP Annual Monitoring Report. In addition, the ward provision and requirement tables as presented in the Open Space Assessment (summarised in **Appendix C**) will be the subject of a focused review on an annual basis to account for any new residential development that takes place. A more comprehensive assessment, including a review of any changes to the status of existing provision will be undertaken periodically every 3 years.

5 Practical Guidance

5.0.1 This section seeks to provide developers with some general principles and examples of good practice in respect of the design and layout of open space provision, including informal open space, children's play, allotments, multi-use spaces and greenspace.

5.0.2 Open space should be designed as an integral part of the development, not considered as an afterthought by utilising parcels of land which are left over or difficult to develop. Spaces need to have an element of natural surveillance from neighbouring properties but also be mindful of the proximity to houses/roads etc., ensuring that amenity issues are not compromised. Whilst developers can include areas of landscaped amenity space as part of a development, these will not be considered towards the open space requirements of a site, unless they are of sufficient size and offer opportunities for recreation⁽¹⁷⁾.

Informal Open Space

5.0.3 Areas of informal open space are integral to the flow and overall look and feel of a housing development. These areas need to be large enough to be usable and to be classified as informal open space rather than forming part of a site's general amenity space. Informal open space can have a variety of potential uses (e.g. children's play/games, adult recreation, dog walking, sitting/socialising etc.) and as a result such areas need to cater and provide for all ages and for people of limited mobility equally. The provision of benches/seating and associated hard surfaced paths, will allow people to socialise with their friends and neighbours and allow parents of younger children to relax whilst their children play. Trees within these areas should be retained wherever possible as these provide shaded areas for sitting, recreation or opportunities for games, exploring, climbing etc.

5.0.4 Landscaping will be an important factor to consider in the design of any space, and including native species of trees, shrubs and wildflower meadow provides interest for residents and children whilst assisting to increase local biodiversity. Such areas could contain some log seating nearby for people to view these areas and their associated wildlife. Within the wider informal space introducing stepping stones within shallow depressions where water can collect, will provide interest and play opportunities during wetter weather. By incorporating some of these suggestions an area becomes more interesting and more likely to be used by a wider section of the community and become a place where people are more likely to want to visit and use. It also assists in giving areas additional play value.

17 In respect of parcels of land which are utilised for drainage (e.g. Sustainable Urban Drainage Systems), whilst these areas may be adopted by the Council for drainage purposes, they will not be adopted for open space purposes.

5 . Practical Guidance

Informal Recreation Opportunity - Pontrhydyfen



Source: Neath Port Talbot County Borough Council.

Informal Opportunities - Freiburg, Germany



Source: Lindsey Houston © Free Play Network/Playlink.

Play for Children and Young People

5.0.5 This includes provision for children and young people of all ages and abilities, not just play areas for younger children. Play is a vital part of a child's physical, mental and social development. Play areas need to provide interest and challenges and be a place where the children have fun and feel they belong and have freedom to play.

Natural Play Feature - Balmaha Play Landscape, Scotland



Source: Sue Gutteridge, Stirling Council © FreePlay Network/Playlink.

Space for Everyone - Chapelfield Play Area, Cowie, Stirling



Source: Sue Gutteridge, Stirling Council © FreePlay Network/Playlink.

5.0.6 Whilst a typical play area has fixed play equipment, it is possible for such areas to be more adventurous and challenging, providing something a little different to complement traditional equipment which offers different and less restrictive play opportunities. Traditionally children's play areas have been categorised as one of the following⁽¹⁸⁾:

18 The Fields in Trust (FIT) 'Planning and Design for Outdoor Sport and Play' (2008) provides details on the characteristics of the different play areas. This is examined in more detail in **Appendix G**.

- *Local Area for Play (LAP)* - this tends to be close to home, relatively small in size and caters for younger children. It does not need to contain play equipment [e.g. based on the recommended size of the activity zone, a proposal of approximately 17 residential units would require on-site provision].
- *Local Equipped Area for Play (LEAP)* - this area is laid out with features and equipment for children who are beginning to go out independently and again is quite close to home. Play features are an integral part of the LEAP, however it is important that the space can be used for physical activity and games, and therefore careful consideration needs to be given to their siting and the positioning of equipment [e.g. based on the recommended size of the activity zone, a proposal of approximately 70 residential units would require on-site provision].
- *Neighbourhood Equipped Area for Play (NEAP)* - this area is specifically designated, laid out and equipped mainly for older children, but also offers play opportunities for younger children. They provide a greater opportunity for active and passive play [e.g. based on the recommended size of the activity zone, a proposal of approximately 175 residential units would require on-site provision].
- *Local Landscaped Area for Play (LLAP)* - an area with little or no equipment, but is imaginatively designed and contoured using as far as possible natural materials such as logs or boulders which create an attractive setting for play. Offers play opportunities for all age groups but is a shared space which can be used by the whole community [e.g. based on the recommended size of the activity zone, a proposal of approximately 157 residential units would require on-site provision].

Varied Opportunities - Chapelfield Play Area, Cowie, Stirling



Source: Sue Gutteridge, Stirling Council © FreePlay Network/Playlink.

Natural Play Feature - Waverley Park, Stirling



Source: Sue Gutteridge, Stirling Council © FreePlay Network/Playlink.

5.0.7 As an alternative to a play area comprising only traditional fixed play equipment, a variety of play opportunities could be offered on-site. For example, grassed slopes provide opportunities for free play, or a slide can be built into the slope with 'steps' offering opportunities for climbing up the bank to access the slide or to conquer the hill. Logs or boulders can provide seating and balancing opportunities and their placement in a circle

5 . Practical Guidance

or semi-circle offers opportunities for socialising. Shallow depressions collect rainwater and provide more messy play opportunities which are enjoyed by many children. Stepping stones across these wet areas provide challenge and somewhere to play or sit. Areas where the grass is left a little longer or planted with wildflowers provide further opportunities for exploration and free play, as do areas of trees and shrubs.

5.0.8 Different surfaces offer differing play opportunities (e.g. sand, bark, hard surfacing, grass etc.). Provision of pathways can also provide play opportunities as they can meander around features and have different surface treatment, some are suitable for wheeled transport and others provide more challenges. The design and layout of a path through an area can become a play opportunity (e.g. within an area of longer grass, a mown meandering path becomes a maze for younger children and trees and shrubs with fallen branches/twigs can offer opportunities for den building).

5.0.9 It is important to look at the site for the play area and identify what existing features it has which offer opportunities for play (e.g. trees, depressions or slopes). If a site has variety and offers opportunities for formal and free play and makes provision for children, parents/carers to sit and socialise, it helps to create social spaces that people want to use. Play areas will need to have an element of natural surveillance, but also need an appropriate buffer to nearby dwellings to avoid issues with noise and disturbance. Most importantly play areas should be fun and offer multiple opportunities and be areas that children and young people want to use and feel they belong. They should offer freedom to explore, but in a safe environment.

5.0.10 The FIT standards (refer to **Appendix G**) should generally be adhered to in respect of the provision/facilities that the different play spaces contain and the appropriate buffers to dwellings and proximity to roads etc. In addition to the FIT standards, the advice contained in **Appendix H** 'Creating a Quality Play Environment' will need to be adhered to and should be considered by developers in the early stages of the planning and design of children's play spaces. This will ensure that new play facilities provide quality play opportunities and environments.

Play Area - Trebanos, Pontardawe



Play Opportunities, Coed Darcy, Neath



Source: Neath Port Talbot County Borough Council.

Source: Neath Port Talbot County Borough Council.

5.0.11 As a general rule variety both within and between play areas is good as it allows different play opportunities, increases interest and offers different opportunities and challenges for children.

Allotments

5.0.12 Allotments provide opportunities for active recreation, allow social interaction, help reduce food miles and promote physical and mental health and well-being. A traditional allotment averages 250 sqm, which may be daunting for many gardeners, and also potentially limits the number of allotments available. Consideration should be given to the establishment of new / extended allotment sites which allow a greater number of half size plots, which would still allow ample opportunity for people to grow fruit and vegetables, but at a more manageable scale⁽¹⁹⁾.

5.0.13 In addition, there are a number of 'community gardens' in the County Borough and whilst these vary in size, they do offer some potential for growing produce albeit at a much smaller scale than an allotment. Whilst provision of such community gardens would not address any shortfall in allotment provision, where space is limited, these may offer some potential and be able to be provided on-site providing positive benefits in terms of health and well-being and social interaction.

Multi-Use Spaces

5.0.14 In order to make best use of open spaces, consideration should be given to the multi-use of areas of open space. This could include providing some play features, benches or planting around the unused or underutilised edges of a sports pitch. In doing so, existing areas of informal open space become more interesting and therefore more likely to be used. Examples may include the provision of seating, encouraging biodiversity with thoughtful planting, providing an informal path to encourage people to walk through, providing logs for seating, balancing etc.

5.0.15 Such an approach allows areas to appeal to a range of age groups including children and adults alike. It can help engender community cohesion and health and well-being as people meet and interact, making spaces more appealing will encourage people to stop and use them, for active and more passive forms of recreation and relaxation.

¹⁹ A recent development as part of the Crymlyn Grove development in Skewen, has produced 18 plots with an average plot size (excluding paths etc) of approximately 64 sqm.

Wyvis Street, London



Source: Design for Play (Play England) © Katie Shackell.

Greenspace

5.0.16 Generally the County Borough is well served by greenspace, especially in the valley communities and in areas around the main settlements. Within settlements, particularly in the urban areas, there is often less opportunity for people to access smaller local areas of greenspace.

5.0.17 Whilst there is no policy standard in respect of greenspace, where opportunities exist to revitalise an existing area of informal open space with more naturalistic planting, this should be taken. It is possible to design greenspace into existing and planned open spaces and improve its accessibility. Greenspace has more naturalistic features which allow the user to enjoy the natural qualities of green areas and can help promote health and well-being.

5.0.18 Due to the naturalistic features of greenspace, such areas may also be able to have a dual function in contributing towards the biodiversity mitigation and compensation measures necessary for a particular development.

5.0.19 A more innovative approach should be taken where access to greenspace is more limited. This can be achieved by seeking the 'greening' of existing areas of informal (or other relevant categories of) open space. Improving local areas in this way can help to make greenspace more widely accessible to a greater number of people, help to provide more attractive and potentially more active communities and add biodiversity value.

Greenspace & Informal Space - Wyvis Street, Tower Hamlets, London



Source: Design for Play (Play England) © Katie Shackell.

Naturalistic Open Space, Stirling



Source: Design for Play (Play England) © Stirling Council Play Services.

6 Contact Details

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6 . Contact Details

Supplementary Planning Guidance: Open Space and Greenspace (Consultation Draft - March 2017)

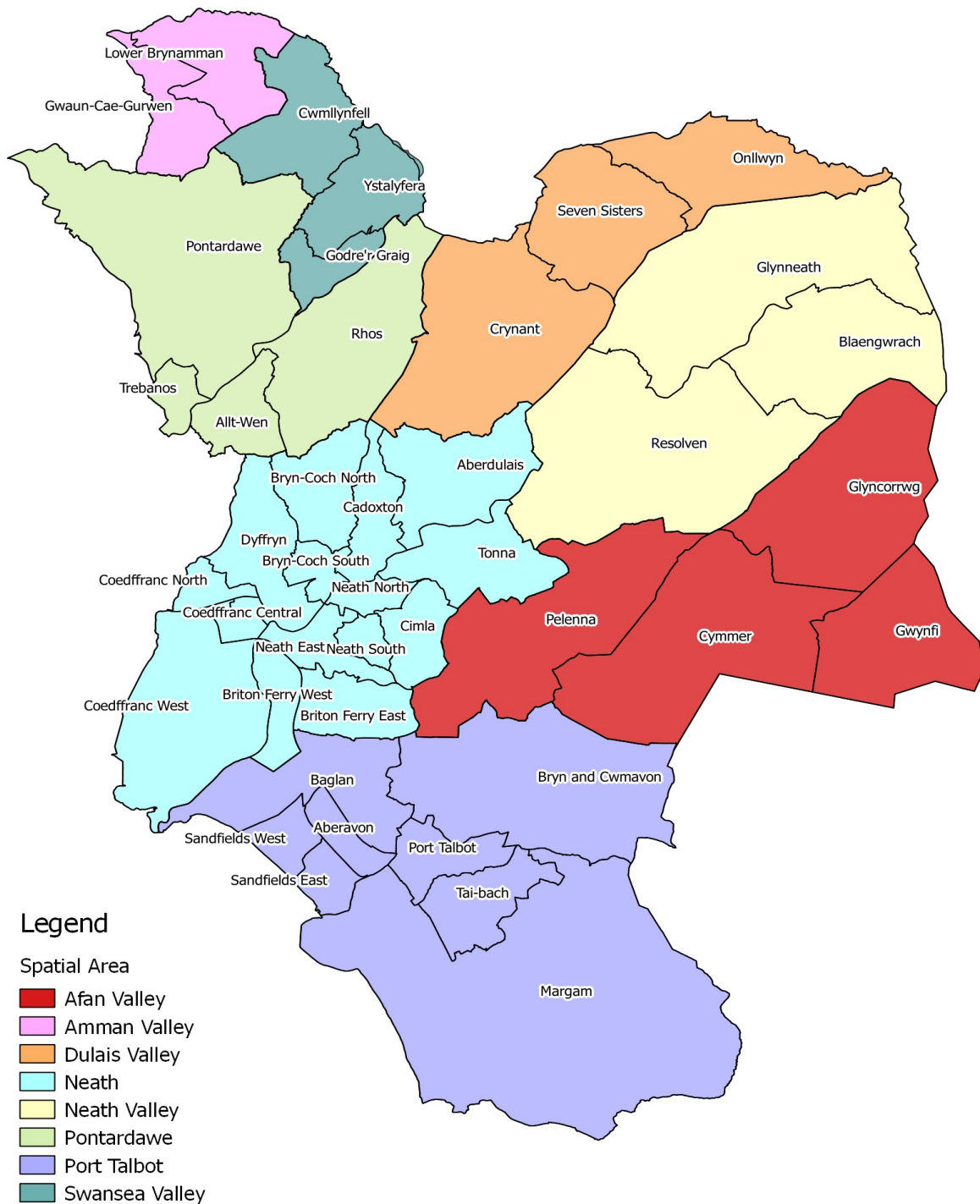
Appendix A: Glossary

Glossary of Terms

| | |
|---------------------------------|---|
| Accessibility Standard | The Council within the Open Space Assessment has used the following accessibility standards for the following types of open space. The figures relate to distance from the site: Pitch sport - within 1,200m, Non pitch - within 1,600m, Children's Play: Local Area for Play (LAP) 100m; Local Equipped Area for Play (LEAP) 400m, Neighbourhood Equipped Area for Play (NEAP) 1,000m and a Destination Playground 2,000m. There are no standards for informal open space as it should be as close to home as possible, nor allotments as provision is provided on a spatial area basis. |
| Children's Play | This provision covers all aspects of equipped play areas for children and youths and includes playgrounds, Multi Use Games Areas, Teen Shelters, Skateboard ramps, BMX tracks, basketball etc |
| Developer Contributions | See Planning Obligation |
| Greenspace | An area of open space which has some naturalistic features and offers recreational opportunities |
| Informal Open Space | This is a publicly accessible area, which provides opportunities for recreation or gentle relaxation (possibly with seats). These areas tend to be grassed and their size and level of use can vary. |
| Local Development Plan (LDP) | A statutory development plan for the Local Planning Authority area in Wales under Part 6 of the Planning and Compulsory Purchase Act 2004. A land use plan that is subject to independent examination, which will form the statutory development plan for a local authority area |
| Open Space | Refers to publicly accessible recreational space and includes playing fields, sports pitches and courts, children's play areas, facilities for older children, informal open space, greenspace, parks and allotments |
| Outdoor Sport | Includes both pitch sport (such as rugby, football, cricket) and non Pitch sport such as bowls, tennis and athletics. There are separate requirements for each type which make up the overall outdoor sport requirement of 1.6ha/1000 population |
| Planning Obligation | Legal agreements between a Local Planning Authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken. For example, the provision of open space. Sometimes called 'Section 106' agreements. |
| Section 106 Agreement (S106) | A legal agreement under Section 106 of the 1990 Town & County Planning Act. Section 106 agreements are legal agreements between a Planning Authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken. |
| Supplementary Planning Guidance | Non-statutory piece of guidance produced by the Local Planning Authority which expands upon certain policies and proposals set out in the development plan. |

Appendix B: Spatial Areas of Neath Port Talbot

Map B.0.1 LDP Spatial Areas



List of Wards by Spatial Area

Afan Valley

- Cymmer
- Glyncoirwg
- Gwynfi
- Pelenna

Amman Valley

- Gwaun Cae Gurwen
- Lower Brynamman

Dulais Valley

- Crynant
- Onllwyn
- Seven Sisters

Neath

- Aberdulais
- Briton Ferry East
- Briton Ferry West
- Bryncoch North
- Bryncoch South
- Cadoxton
- Cimla
- Coedffranc Central
- Coedffranc North
- Coedffranc West

- Dyffryn
- Neath East
- Neath South
- Neath North
- Tonna

Neath Valley

- Blaengwrach
- Glynneath
- Resolven

Pontardawe

- Alltwen
- Pontardawe
- Rhos
- Trebanos

Port Talbot

- Aberavon
- Baglan
- Bryn and Cwmafan
- Margam
- Port Talbot
- Sandfields East
- Sandfields West
- Taibach

Swansea Valley

Appendix B: . Spatial Areas of Neath Port Talbot

- Cwmllynfell
- Godre'r Graig
- Ystalyfera

Appendix C: Open Space Provision in Neath Port Talbot

C.0.1 An indicative overview of the updated position is presented in the table below⁽²⁰⁾. In the context of the policy standards, cells coloured red indicate a shortfall in provision whereas cells coloured white indicate where the standards have been met.

C.0.2 It should be noted that as with the original 2013 assessment, this updated position represents a snapshot in time and the Council will continue to monitor the situation with the assessment being periodically reviewed.

Table C.0.1 Indicative Overview of Open Space Provision in Neath Port Talbot

| Spatial Area | Ward | Pitch Sport | Non Pitch Sport | Informal | Children's Play | Allotments |
|---------------|-------------------|-------------|-----------------|----------|-----------------|------------|
| Amman Valley | Gwaun Cae Gurwen | Red | Red | White | Red | Red |
| | Lower Brynamman | Red | Red | White | Red | Red |
| Afan Valley | Cymmer | Red | Red | White | Red | Red |
| | Glyncorwg | White | Red | White | Red | Red |
| | Gwynfi | Red | Red | White | Red | Red |
| | Pelenna | White | Red | Red | Red | Red |
| Dulais Valley | Crynant | Red | Red | White | White | Red |
| | Onllwyn | White | Red | Red | White | Red |
| | Seven Sisters | White | Red | White | Red | Red |
| Neath | Aberdulais | Red | Red | White | Red | Red |
| | Briton Ferry East | Red | Red | White | Red | Red |
| | Briton Ferry West | Red | Red | White | Red | Red |
| | Bryncoch North | White | Red | Red | Red | Red |
| | Bryncoch South | White | Red | White | Red | Red |
| | Cadoxton | Red | Red | White | Red | Red |
| | Cimla | Red | Red | White | Red | Red |
| | Coedfranc Central | Red | Red | White | White | Red |
| | Coedfranc North | Red | Red | Red | Red | Red |
| | Coedfranc West | White | Red | White | White | Red |
| | Dyffryn | Red | Red | White | Red | Red |
| | Neath East | Red | Red | Red | Red | Red |
| | Neath North | Red | Red | White | Red | Red |
| | Neath South | Red | Red | White | Red | Red |
| Tonna | Red | Red | White | Red | Red | |

Appendix C: . Open Space Provision in Neath Port Talbot

| Spatial Area | Ward | Pitch Sport | Non Pitch Sport | Informal | Children's Play | Allotments |
|----------------|-----------------|-------------|-----------------|----------|-----------------|------------|
| Neath Valley | Blaengwrach | | | | | |
| | Glynneath | | | | | |
| | Resolven | | | | | |
| Pontardawe | Alltwen | | | | | |
| | Pontardawe | | | | | |
| | Rhos | | | | | |
| | Trebanos | | | | | |
| Port Talbot | Aberavon | | | | | |
| | Baglan | | | | | |
| | Bryn & Cwmafan | | | | | |
| | Margam | | | | | |
| | Port Talbot | | | | | |
| | Sandfields East | | | | | |
| | Sandfields West | | | | | |
| | Taibach | | | | | |
| Swansea Valley | Cwmllynfell | | | | | |
| | Godre'r Graig | | | | | |
| | Ystalyfera | | | | | |

Appendix D: Costs - Open Space Provision

D.0.1 The following table illustrates the level of costs, excluding maintenance, associated with the provision of a range of sports facilities:

| Facility Type | Area (Sq M) | Capital Cost (£) |
|--------------------------------|-------------|------------------|
| Rugby Union Natural Turf | 10,400 | 115,000 |
| Cricket Natural Turf | 20,649 | 265,000 |
| Bowling Green Natural Turf | 1,600 | 140,000 |
| | | |
| Football (Mini) | 1,419 | 20,000 |
| Football (Youth) | 5,917 | 70,000 |
| Football (Senior) | 7,420 | 85,000 |
| | | |
| Tennis Courts (x2) | 1,227 | 200,000 |
| Tennis Courts (x4) | 2,342 | 350,000 |
| Tennis Courts (x6) | 3,456 | 455,000 |
| | | |
| Multi-Use Games Area (Macadam) | 782 | 145,000 |

Source: Sport England 2016

Appendix E: Calculating Open Space Contributions

[Note: the examples provided below only set out the capital cost of open space provision and do not include ongoing maintenance costs].

Residential Development

Example 1: A scheme comprising 9 units with shortfalls in all categories of open space.

- To calculate the site requirement for each category of open space, multiply the number of residents with the level of provision (per person) that Policy OS1 requires:

Table E.0.1 Calculating Site Requirements

| Category | Requirement / Dwelling (sqm) | Site Requirement (sqm) |
|--------------------------|------------------------------|------------------------|
| Pitch | 26.3 | 237.02 |
| Non-Pitch | 10.3 | 92.75 |
| Informal | 12.6 | 113.36 |
| Children's Play | 5.7 | 51.53 |
| Allotments | 4.4 | 39.16 |
| Total Requirement | 59.3 | 533.82 |

- These requirements will then be translated into a cost per type based on the calculation in the Planning Obligations SPG⁽²¹⁾.

Table E.0.2 Calculating Financial Contributions

| Category | Average Cost / sqm | Site Requirement (sqm) | Financial Contribution (£) |
|--------------------------|--------------------|------------------------|----------------------------|
| Pitch | £10.81 | 237.02 | £2,562.13 |
| Non-Pitch | £100.00 | 92.75 | £9,274.50 |
| Informal | £5.00 | 113.36 | £566.78 |
| Children's Play | £150.00 | 51.53 | £7,728.75 |
| Allotments | £10.89 | 39.16 | £426.44 |
| Total Requirement | | 533.82 | £13,958.60 |

Appendix E: . Calculating Open Space Contributions

Example 2: A scheme comprising 50 units with shortfalls in pitch, non-pitch and children's play.

- To calculate the site requirement for each category of open space, multiply the number of residents with the level of provision (per person) that Policy OS1 requires:

Table E.0.3 Calculating Site Requirements

| Category | Requirement / Dwelling (sqm) | Site Requirement (sqm) |
|--------------------------|------------------------------|------------------------|
| Pitch | 26.3 | 1,316.75 |
| Non-Pitch | 10.3 | 515.25 |
| Informal | 12.6 | 629.75 |
| Children's Play | 5.7 | 286.25 |
| Allotments | 4.4 | 217.55 |
| Total Requirement | 59.3 | 2,965.55 |

- As there are no shortfalls in the ward in informal open space and allotments, a check will be made to ensure whether as a result of the development this over provision will be lost. In addition, consideration will be given to whether the existing provision, is accessible to the residents of the new site using the accessibility standard. If it is not, contributions may be sought. Such matters will be considered on a site by site basis.
- These requirements will then be translated into a cost per type based on the calculation in the Planning Obligations SPG:

Table E.0.4 Calculating Financial Contributions

| Category | Average Cost / sqm | Site Requirement (sqm) | Financial Contribution (£) |
|--------------------------|--------------------|------------------------|----------------------------|
| Pitch | £10.81 | 1,316.75 | £14,234.07 |
| Non-Pitch | £100.00 | 515.25 | £51,525.00 |
| Informal | £5.00 | Nil | Nil |
| Children's Play | £150.00 | 286.25 | £42,937.50 |
| Allotments | £10.89 | Nil | Nil |
| Total Requirement | | 2,965.55 | £108,696.57 |

Appendix E: . Calculating Open Space Contributions

- Where a site crosses multiple wards an assessment will be made of the percentage of the site within each of the wards, which will allow the number of units and therefore the relevant open space requirement, to be calculated for each ward. The calculations as detailed above will then be made to assess what the overall site requirements are.

Example 3: Combining S106 Contributions

- Taking Example 2 above (i.e. 50 units with shortfalls in pitch, non-pitch and children's play provision), the total open space contribution has been calculated as £108,696.
- If, for example, the existing children's play provision is considered to be too far from the site and it is not possible to improve accessibility, it would be possible to use the whole of the developer contribution to provide and maintain a new children's play space closer to the development site.

Employment / Commercial Development

Example 4: New build factory unit comprising 1,500 sqm employing 35 staff.

It is expected that amenity space will be provided within the development site and will be based on the standards identified for informal open space (i.e. 5.5 sqm per employee):

- On-site Provision: $5.5 \times 35 = \underline{192.5 \text{ sqm}}$

Example 5: Extension to an existing commercial premises of 800 sqm, which has already been extended by 500 sqm since the LDP adoption date (i.e. 27th January 2016).

The cumulative floor area of the two extensions exceeds 1,000 sqm. The open space requirement is therefore calculated on the basis of the following:

- $800 + 500 = 1,200 \text{ sqm}$
- Given that the amenity space requirement is based on a number of employees, the applicant would need to provide additional information in respect of the increase in employee numbers associated with the net increase in floorspace (i.e. 200 sqm).

Example 6: Extension to an existing employment premises of 1,800 sqm, where the development proposal involves the demolition of existing floorspace.

- The floor area of the buildings being demolished to facilitate development will be calculated. Consideration will be given to whether there have been any extensions to the premises since the LDP adoption date (27th January 2016).
- If the sum of the new extension floorspace, associated demolitions, plus the previously approved extensions exceeds 1,000 sqm there will be a requirement for the provision of amenity space.
- Assuming the demolition equals 900 sqm and there was a previous extension of 300 sqm:
 - $1,800 - 900 = 900$ sqm
 - $900 + 300 = 1,200$ sqm
- Therefore need to provide amenity space for the associated number of staff for the resultant floorspace over 1,000sqm ($1,200 - 1,000 = 200$ sqm).
- If there had been no previous approval for an extension in this example, the 'net floorspace' would be 900 sqm and hence there would be no Policy requirement for amenity space for staff.

Appendix F: Process

Figure F.0.1 Policy OS1 (Residential)

Policy OS1 (Residential)

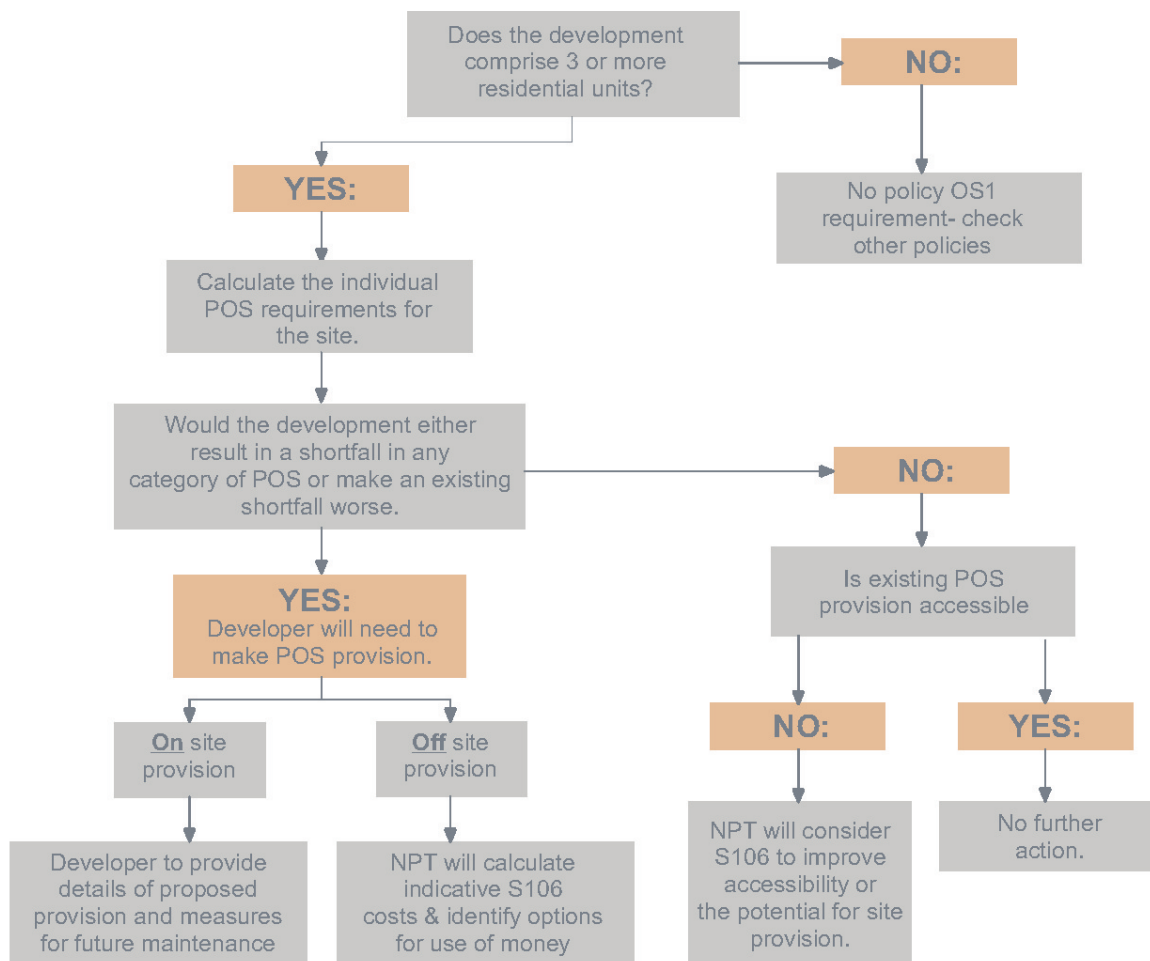
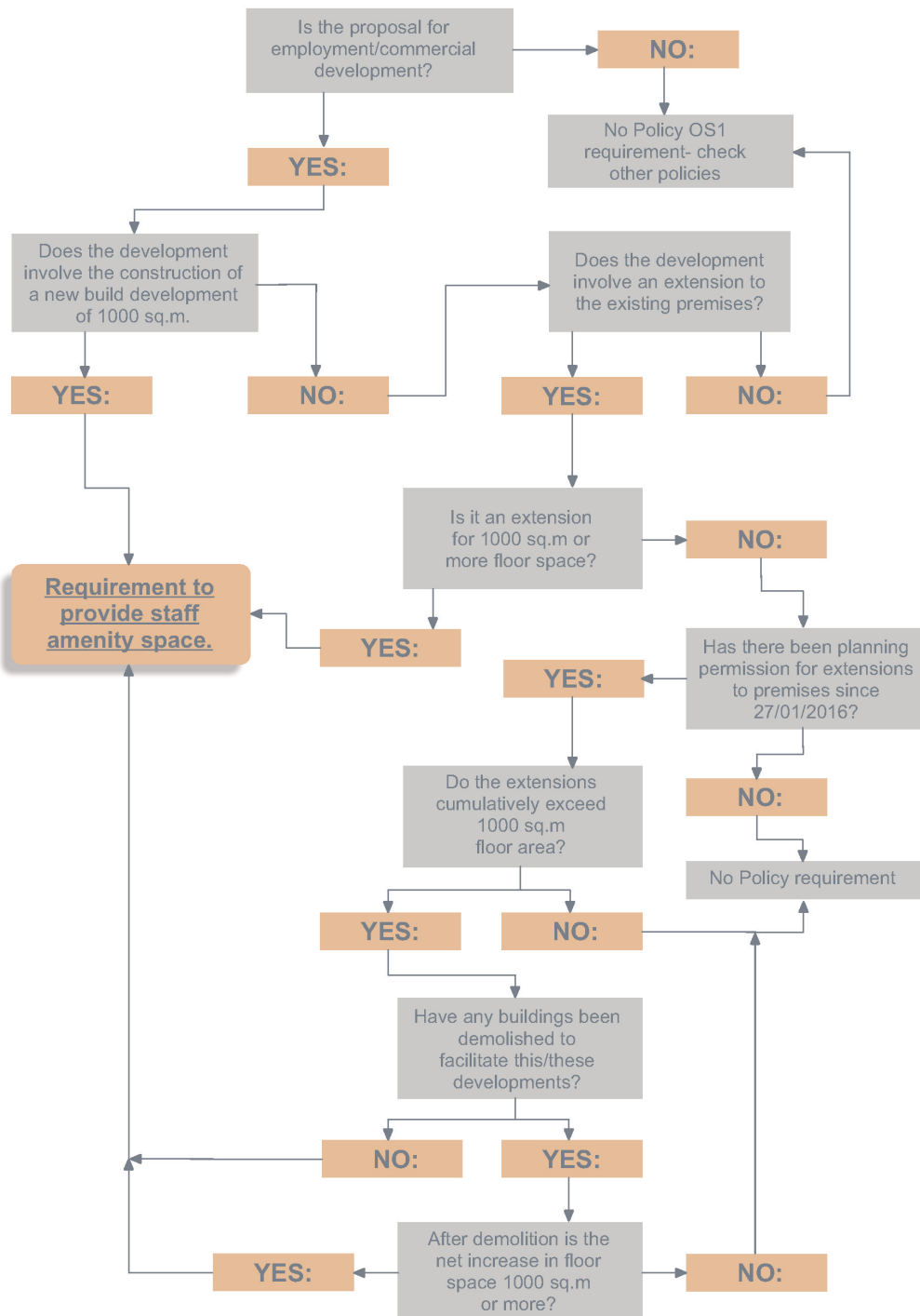


Figure F.0.2 Policy OS1 - Employment/Commercial Development

Policy OS1 Employment/Commercial Development



Appendix G: Children's Play Categories

G.0.1 The Fields In Trust (Planning and Design for Outdoor Sport and Play) 2008 provides detailed information on the characteristics (summarised in the table below) of the following main types of designated children's play areas:

- Local Area for Play (LAP);
- Local Equipped Area for Play (LEAP);
- Local Landscaped Area for Play (LLAP); and
- Neighbourhood Equipped Area for Play (NEAP).

Table G.0.1 Children's Play Area Characteristics

| | LAP | LEAP | LLAP | NEAP |
|-------------------------|---|--|--|--|
| Age Range | Generally up to 6, but may be used by older children. | Primarily for children who are beginning to go out and play independently. | Use in the context of play by children and young people alike. | Primarily for older children but with play opportunities for younger children too. |
| Walk Time to Home | Within 1 minute. | Within 5 minutes. | Within 5 minutes. | Within 15 minutes. |
| Position | Beside well used pedestrian route. | Beside well used pedestrian route. | Beside well used pedestrian route. | Beside well used pedestrian route. |
| Activity Zone (minimum) | 100sqm recommended. | 400sqm recommended. | 900sqm recommended | 1,000sqm comprising an area for play equipment and structures and a hard surfaced area of at least 465sqm. |
| Buffer Zone (minimum) | 5m separating the activity zone from the forward most part of the nearest dwelling that faces the LAP and have varied planting to provide a mix of scent, colour and texture. | 10m between the activity zone and the boundary of the nearest property containing a dwelling. A minimum of 20m should be provided between the activity zone and the habitable room | None required | 30m separating the the activity zone and the boundary of the nearest property containing a dwelling. A greater distance may be required if a purpose built skateboarding facility is |

Appendix G: . Children's Play Categories

| | LAP | LEAP | LEAP | LLAP | NEAP |
|-----------|--|---|--|---|---|
| Features | Occupies a relatively flat, well drained site grassed or hard surfaced. It may contain demonstrative features that allow young children to identify and claim the space as theirs. | Occupies a reasonably flat, well drained site grassed or hard surfaced, together with impact absorbing surfaces beneath or around play equipment or structures as appropriate. Should provide a stimulating and challenging play experience and have enough space within the area of the LEAP to allow children to be active and play chase type games. | facade of the nearest dwelling ⁽¹⁾ . The buffer should have varied planting to provide a mix of scent, colour and texture. | Occupies a well drained, imaginatively landscaped site suitable for play. Planting should be varied to provide a mix of scent, colour and texture. It is designed to provide a suitable mix of areas for physical activity and areas for relatively calm relaxation and social interaction. | Occupies a well drained site with both grass and hard surfaced areas together with impact absorbing surfaces beneath and around play equipment and structures as appropriate. Should provide a stimulating and challenging play experience and have enough space within the area of the NEAP to allow children to be active and play chase type games. |
| Equipment | None required, relies on demonstrative features indicating play is positively encouraged | May include equipment providing opportunities for balancing, rocking, climbing, overhead activity, sliding, swinging, jumping, crawling, rotating, imaginative play, social play and play with natural materials such as sand and water or other activities. The number and nature of play equipment is for local consideration but a minimum of 6 play experiences is recommended. Seating for adults and siblings should be provided together with one or more litter bins. | May include equipment providing opportunities for balancing, rocking, climbing, overhead activity, sliding, swinging, jumping, crawling, rotating, imaginative play, social play and play with natural materials such as sand and water, ball games, wheeled areas or other activities. The number and nature of play equipment is for local consideration but a minimum of 9 play experiences is recommended. Seating for adults and siblings should be provided together with one or more litter bins. Convenient and secure parking facilities for bicycles should be provided. | Little or no equipment, but is imaginatively designed and contoured using as far as possible natural materials such as logs or boulders which create an attractive setting for play. Seating is desirable. | May include equipment providing opportunities for balancing, rocking, climbing, overhead activity, sliding, swinging, jumping, crawling, rotating, imaginative play, social play, play with natural materials such as sand and water, ball games, wheeled areas or other activities. The number and nature of play equipment is for local consideration but a minimum of 9 play experiences is recommended. Seating for adults and siblings should be provided together with one or more litter bins. Convenient and secure parking facilities for bicycles should be provided. |
| Fencing | It may have a guard rail/ fence/ planting to indicate the perimeter and may need a barrier limiting the speed of a child leaving the space (depends on the location). | Boundaries should be recognised by landscaping although some fencing may be necessary if the site adjoins one or more roads and may need a barrier limiting the speed of a child | Boundaries should be recognised by landscaping, perimeter fencing is generally considered inappropriate, some fencing may be necessary if the site adjoins one or more roads and may need a barrier limiting the speed | Boundaries should be recognised by landscaping, perimeter fencing is generally considered inappropriate, though some fencing may be necessary if the site adjoins one or more roads and may need a barrier | Boundaries should be recognised by landscaping, perimeter fences are generally considered inappropriate though some fencing may be necessary if the site adjoins one or more roads and may need a barrier |

Appendix G: . Children's Play Categories

| | LAP | LEAP | LLAP | NEAP |
|---------|---|---|---|---|
| Signage | Should indicate it is an area for children's play and that dogs are not welcome | leaving the space (depends on the location). Should indicate it is an area for children's play and that dogs are not welcome. Name and phone number of facility operator with an invitation to report incident/ damage to the area/ equipment. Location of the nearest telephone should also be indicated. | of a child leaving the space (depends on the location). Not necessary the site should be recognisably available for use by children, though the area is an open space for shared use and enjoyment by all sections of the community. | limiting the speed of a child leaving the space (depends on the location). Should indicate it is an area for children's play and that dogs are not welcome. Name and phone number of facility operator with an invitation to report incident/ damage to the area/ equipment. Location of the nearest telephone should also be indicated. |

1. Careful consideration needs to be given to design and means of enclosure / planting / other physical features on the boundary of the residential property and potential for overlooking of property / gardens from equipment etc, or potential loss of privacy and creation of nuisance.
2. Careful consideration needs to be given to design of enclosure / planting / other physical features on the boundary of the residential property and potential for overlooking of property / gardens from equipment etc and potential loss of privacy and creation of nuisance.

Appendix H: Creating a Quality Play Environment

H.0.1 As part of Local Authority duties from Welsh Government in relation to children's play, authorities must assess open spaces for the quality of opportunity that they provide. 'Wales – A Play Friendly Country', the statutory guidance for the assessment, states that quality play provision offers all children the opportunity to freely interact with or experience the following:

- **Other children** - of different ages and abilities with a choice to play alone or with others, to negotiate, co-operate, fall out, and resolve conflict.
- **The natural world** - weather, trees, plants, insects, animals, mud.
- **Loose parts** - natural and man-made materials that can be manipulated, moved and adapted, built and demolished.
- **The four elements** - earth, air, fire and water.
- **Challenge and uncertainty** - graduated opportunities for risk taking; both on a physical and emotional level.
- **Changing identity** - role play and dressing up.
- **Movement** - running, jumping, climbing, balancing, rolling, swinging, sliding and spinning.
- **Rough and tumble** - play fighting.
- **The senses** - sounds, tastes, textures, smells and sights.

H.0.2 In order to understand the extent to which playgrounds provide this Neath Port Talbot County Borough Council has developed a Play Space Assessment against which all fixed play equipment sites are scored.

H.0.3 The form is broken down into three areas: Playground; Overall Site; and Accessibility. Each area is given a weighted score by which the quality of the space can be measured and compared with others.

H.0.4 In the development of new play facilities the Assessment should be used to inform and influence the decisions made around location and content of these facilities. The following guidance is provided to assist developers in understanding the basis of the Assessment form.

Playground - Quality

Appendix H: . Creating a Quality Play Environment

H.0.5 Well maintained playground equipment and safety surfacing can help ensure that spaces remain attractive and appealing places for children and families to visit. When spaces appear to be falling into disrepair, have worn paintwork or damaged equipment it can quickly look neglected which may negatively influence behaviours within the space.

Issues to consider:

- Why is a specific item of equipment being chosen? Who will use it and what can they do with it? Does it have high 'play value'? Could something of higher play value be provided that would offer a better experience?
- What surfaces are being used within the playground? Is this required by legislation? Would a different surface under, around, or joining equipment enhance the space? For example, grass, sand and bark all add to the aesthetic appeal of a space but can also add to children's experience by bringing texture, interest and variety to their play. This can be used to break up areas of hard standing or safety surface (this should be considered alongside British Standards for safety surfacing that will require impact absorbing surface under some equipment).
- Could a child with a disability access the space and move around the playground? Does the equipment available offer opportunities for them to play? This does not always need to be specialist equipment but wherever possible equipment should be chosen that does not exclude children with disabilities.

H.0.6 Playgrounds will be classified according to the Fields in Trust classifications of LAP, LEAP, NEAP.

Overall Site

H.0.7 This section looks at the overall site, including those areas outside of the playground. This may be as much as a bowling green, tennis court or pavilion, or as modest as a small area of open space adjacent to the playground.

H.0.8 These areas will be considered for how they contribute to the quality of children's play within the site.

Issues to consider:

- How does the overall site contribute to children and young people's play experiences?
- How does it provide for social and physical play, in its landscaping and layout as well as through fixed seating etc?
- Are there natural features that encourage play with the environment, and provide smells, textures and interest?

- Does the site stimulate imagination? Do features have lots of uses and encourage children to play with them in lots of different ways?
- Does the site look appealing? Does it sit well within its surroundings? Would a child want to play in it?
- Is the site safe? How well can it be seen from the road or from nearby houses? Is there a sense of 'informal supervision' from passers-by or residents?
- Are fences or boundaries appropriate? What purpose are they intended to serve? Could something else do the same job and also enhance the play opportunities available, such as boulders or planting?

Accessibility

H.0.9 Ensuring spaces are accessible to all is vital to ensure that spaces can be used by children, young people and families. Not only the accessibility with the space, but also its position within the community.

Issues to consider:

- How will users get to the space? (Remember, this may be different to how you *want* them to get to the space!)
- Can children easily walk or ride their bike to get there? Are there main roads to cross? Can anything be done to the space to change this, such as moving the access point?
- Is there clear signage? Is it located in a position that is easy for users to see it? Does the wording of this encourage children to play there? Is the writing large enough to be easily read?
- Are access paths/streets well lit? Does the site benefit from 'overflow' lighting from the streets? Will users feel safe within the site?

APPENDIX 2

Development and the Welsh Language SPG
Consultation Draft (March 2017)

| | |
|---|-----------|
| Note to Reader | 1 |
| 1 Introduction | 3 |
| 2 Welsh Language in Neath Port Talbot | 5 |
| 2.1 Language Sensitive Areas | 5 |
| 2.2 Current Situation and Trends | 5 |
| 2.3 Welsh Language Impact Assessment (2012) | 6 |
| 3 Policy Context | 7 |
| 3.1 National Policy Context | 7 |
| 3.2 Local Policy Context | 8 |
| 4 Thresholds and Requirements | 11 |
| 4.1 Policy Thresholds | 11 |
| 4.2 Division and Phasing of Sites | 11 |
| 5 Policy Implementation | 13 |
| 5.1 Pre-Application Discussion and Planning Application Process | 13 |
| 5.2 Role of Partner Organisations | 14 |
| 5.3 Section 106 Contributions | 14 |
| 5.4 Monitoring and Review | 17 |
| 6 Practical Guidance | 19 |
| 6.1 Welsh Language Action Plans | 19 |

Appendices

| | |
|--|-----------|
| A Language Sensitive Areas | 21 |
| B Process - Is a Welsh Language Action Plan required? | 23 |
| C Welsh Language Action Plans | 25 |
| D Potential Mitigation Measures | 31 |
| E Contact Details | 35 |

Note to Reader

This note explains the purpose of the Supplementary Planning Guidance (SPG) and how to comment on the document. This note will not form part of the final published SPG.

The Purpose of the Document

The Council, at its meeting on the 27th January 2016, adopted the Local Development Plan (LDP) which now provides the basis for decisions on land use planning in the County Borough up to 2026.

Whilst the LDP contains sufficient information and policies to provide the basis for the determination of planning applications through the development management process, opportunities have been identified throughout the Plan for further detailed guidance to be provided on particular issues.

Selective use of SPG is a means of setting out more detailed topic or site specific guidance on the way in which the policies of the LDP will be applied in particular circumstances or areas. While only policies in the LDP have special status in the determination of planning applications, SPG may be taken into account as a material consideration in the decision making process.

SPG must be consistent with the parent LDP policy and should be subject to wider consultation with the public and stakeholders.

Development and the Welsh Language SPG

The Development and the Welsh Language SPG supplements LDP Strategic Policy SP22 (Welsh Language) and Policy WL1 (Development in Language Sensitive Areas).

The document provides information in respect of the Welsh Language in Neath Port Talbot, sets out the relevant matters that will need to be taken into consideration when developments are being planned in 'language sensitive areas' and offers practical guidance in respect of the preparation of 'Welsh Language Action Plans'.

The Consultation / How to Make Comments

The consultation period will run for 6 weeks, **starting on Wednesday 8th March and ending on Tuesday 18th April.**

Comments can be submitted:

Directly Online at: www.npt.gov.uk/ldp/consultation

Alternatively:

Note to Reader

By E-mail to: ldp@npt.gov.uk

By Post to:

Nicola Pearce

Head of Planning and Public Protection,

Neath Port Talbot County Borough Council,

The Quays,

Brunel Way,

Baglan Energy Park,

Neath,

SA11 2GG.

Comments via e-mail or post will need to be submitted using the 'SPG Representation Form'. Copies of the form are available on request or an editable version is available to download from the Council's website: www.npt.gov.uk/ldp

The deadline for comments is Tuesday 18th April. Comments received after the deadline will not be accepted.

This SPG is also available in Welsh, either to download or by request. Should you need this document in another format, then please contact the LDP team at ldp@npt.gov.uk or **[01639] 686821**.

1 Introduction

1.0.1 This Supplementary Planning Guidance (SPG) provides information in respect of the Welsh language in Neath Port Talbot and sets out the relevant matters that will need to be taken into consideration when developments are being planned in the designated 'language sensitive areas'.

1.0.2 The Council's planning policy is set out in the Neath Port Talbot Local Development Plan (LDP)⁽¹⁾, namely Strategic Policy SP22 (Welsh Language) and Policy WL1 (Development in Language Sensitive Areas) and this SPG should be read in the context of these policies and explanatory text.

1.0.3 The Welsh language is an integral part of the social fabric and an important element of day to day life in many areas within the County Borough. Whilst these areas contain very high levels of Welsh speakers, the erosion of the language in recent years has become a great concern. In preparing the LDP, the Council has adopted a committed and proactive approach to the protection, promotion and enhancement of the Welsh language with the following objective aiming to:

OB 25: Preserve and enhance the area's cultural heritage and identity with a focus on the Welsh language in language sensitive areas.

1.0.4 In specific respect of the Welsh language, while new development is needed to sustain and reinvigorate communities, the Council has a duty to ensure that developments do not have an adverse impact on the language and that developers provide appropriate and sufficient measures to protect, promote and enhance the language. Through the implementation of LDP policies therefore, the Council will ensure that qualifying developments prepare Welsh Language Action Plans (WLAPs) outlining the measures to be taken.

1.0.5 In broad terms, new development can place both positive and negative impacts upon a community. Such impacts have already been assessed through a Welsh Language Impact Assessment (WLIA) that was undertaken to inform the evidence base for the LDP. Therefore any proposed mitigation which aims to protect, promote and enhance the Welsh language will be addressed through the use of planning obligations (Section 106 agreements). Section 5.3 of this document together with the Council's Planning Obligations SPG⁽²⁾ sets out the measures that all development meeting the specified criteria / thresholds will need to consider.

1.0.6 Accordingly, the purpose of this SPG is to provide detailed guidance on how the Council will implement the Welsh language policies contained within the LDP. In particular, the SPG addresses the following:

- The Welsh language context in Neath Port Talbot;

1 Neath Port Talbot County Borough Council Local Development Plan (2011-2026) Adopted January 2016.

2 Supplementary Planning Guidance: Planning Obligations (October 2016).

1 . Introduction

- The national and local policy context;
- An explanation of the policy thresholds and requirements; and
- Practical Guidance on the preparation, structure and content of Welsh Language Action Plans.

2 Welsh Language in Neath Port Talbot

2.1 Language Sensitive Areas

2.1.1 Neath Port Talbot has a varied linguistic make up, with the majority of communities within the County Borough having a lower amount of Welsh speakers compared to both the Welsh and County Borough average. Whilst language figures in some areas are low, there are areas within the County Borough where the tradition and culture of the Welsh language is strong and where the language is spoken by very high levels of the local population.

2.1.2 Within the communities of Cwmllynfell, Gwaun Cae Gurwen and Lower Brynamman more than half of the population speak Welsh and these are widely regarded as traditional Welsh speaking areas. In addition, the Swansea Valley area is also considered to be a stronghold of the language locally with the Pontardawe area and Crynant in the Dulais Valley containing communities where more than the Welsh average of residents speak the language.

2.1.3 Consequently, the Council identified these communities to be located within a 'Language Sensitive Area' (LSA). The boundary of the LSA was formerly adopted through the LDP process and is illustrated in **Appendix A**, along with a list of constituent communities.

2.2 Current Situation and Trends

2.2.1 In terms of the current trends and condition of the Welsh language, the following table presents Census data (1991, 2001 and 2011) for the wards in the LSA showing how the figures have changed over time⁽³⁾:

Table 2.2.1 Change in Welsh Language Speakers (1991, 2001 and 2011)

| Ward | % Welsh Speakers 1991 | % Welsh Speakers 2001 | % Welsh Speakers 2011 | % Change in Welsh Speakers 1991--2001 | % Change in Welsh Speakers 2001-2011 | % Change in Welsh Speakers 1991-2011 |
|------------------|-----------------------|-----------------------|-----------------------|---------------------------------------|--------------------------------------|--------------------------------------|
| Cwmllynfell | 76.9 | 68.23 | 58.8 | -8.7 | -9.43 | -18.1 |
| Lower Brynamman | 76.6 | 68.12 | 60.8 | -8.48 | -7.32 | -15.8 |
| Gwaun Cae Gurwen | 79.11 | 67.91 | 55.8 | -11.2 | -12.11 | -23.31 |
| Ystalyfera | 66.67 | 54.56 | 46 | -12.11 | -8.56 | -20.67 |
| Trebanos | 47.21 | 42.37 | 33.6 | -4.84 | -8.77 | -13.61 |
| Godre'r Graig | 46.26 | 41.46 | 30.1 | -4.8 | -11.36 | -16.16 |

³ More detailed information on the Welsh language can be found within the LDP Welsh Language Topic Paper (September 2014).

2 . Welsh Language in Neath Port Talbot

| Ward | % Welsh Speakers 1991 | % Welsh Speakers 2001 | % Welsh Speakers 2011 | % Change in Welsh Speakers 1991--2001 | % Change in Welsh Speakers 2001-2011 | % Change in Welsh Speakers 1991-2011 |
|--------------------------|-----------------------|-----------------------|-----------------------|---------------------------------------|--------------------------------------|--------------------------------------|
| Pontardawe | 42.17 | 37.40 | 31 | -4.77 | -6.4 | -11.17 |
| Alltwen | 40.08 | 35.91 | 29.5 | -4.17 | -6.41 | -10.85 |
| Rhos | 31.38 | 28.61 | 24.7 | -2.77 | -3.91 | -6.68 |
| Crynant | 32.8 | 29.7 | 25.1 | -3.1 | -4.6 | -7.7 |
| Neath Port Talbot | 17.9 | 18 | 15.3 | +0.1 | -2.7 | -2.6 |
| Wales | 18.7 | 20.8 | 19 | +2.1 | -1.8 | 0.3 |

Sources: 2001 Census Table UV13; 2011 Census Table KS207WA; 1991 Census data

2.2.2 It is evident that those communities with the highest percentage of Welsh speakers have experienced significant loss in recent years, a trend which has also been replicated at the national level. The Council therefore has a duty to ensure that the integrity of the Welsh language is taken into account in the planning process.

2.3 Welsh Language Impact Assessment (2012)

2.3.1 As part of the evidence base to inform the LDP, the Council commissioned 'Menter Iaith Castell Nedd Port Talbot' to undertake a Welsh Language Impact Assessment of Communities in the Swansea Valley⁽⁴⁾. The study identified whether:

- New development is likely to create impacts on the language;
- Any impacts are likely to be beneficial or harmful; and
- Any harm may be mitigated or whether they could be of such a scale and impact that new development should be controlled in language sensitive areas.

2.3.2 In broad terms, the study concluded that larger scale developments can have a negative impact on the integrity of the language, both within the development and the wider community. The recommendations contained within the report were subsequently used to inform the development of policy.

3 Policy Context

3.1 National Policy Context

Planning Policy Wales (PPW) Edition 9 (2016)

3.1.1 PPW sets out the land use planning policies of the Welsh Government and provides guidance to local authorities when formulating planning policies.

3.1.2 This overarching policy document states that the future well-being of the language across the whole of Wales will depend upon a wide range of factors, particularly education, demographic change, community activities and a sound economic base to maintain thriving sustainable communities. The land use planning system should also take account of the Welsh language and in so doing can contribute to its well-being. The Planning (Wales) Act 2015 contains provisions relating to the consideration of the Welsh language in the appraisal of development plans and in dealing with applications for planning permission.

3.1.3 Local Planning Authorities (LPAs) must consider the likely effects of their development plans on the use of the Welsh language in the Sustainability Appraisal of their plans, and should keep their evidence up to date. All LPAs should include in the reasoned justifications to their development plans a statement on how they have taken the needs and interests of the Welsh language into account in plan preparation, and how any policies relating to the Welsh language interact with other plan policies.

3.1.4 Considerations relating to the use of the Welsh language may be taken into account by decision makers so far as they are material to applications for planning permission. If required, language impact assessments may only be carried out in respect of major development not allocated in, or anticipated by, a development plan proposed in areas of particular sensitivity or importance for the language.

3.1.5 It should be the aim of LPAs to provide for the broad distribution and phasing of housing development taking into account the ability of different areas and communities to accommodate the development without eroding the position of the Welsh language. Policies should not however seek to introduce any element of discrimination between individuals on the basis of their linguistic ability, and should not seek to control housing occupancy on linguistic grounds.

Technical Advice Note (TAN) 20: The Welsh Language (2013)

3.1.6 TAN 20 supplements the policies set out in PPW, providing guidance on how the planning system should consider the implications of the Welsh language when LDPs are prepared, including the important roles of the Single Integrated Plan (SIP) and LDP Sustainability Appraisal (SA). The guidance states that the land use planning system should, where feasible and relevant, contribute to the future well-being of the Welsh language by establishing the conditions to allow sustainable communities to thrive.

3.1.7 TAN 20 stipulates that a Welsh Language Impact Assessment should be undertaken at the LDP preparation stage (i.e. when formulating the strategy, policies and site allocations).

3 . Policy Context

3.1.8 Where the Welsh language has been identified as a significant part of the social fabric of some or all of the community, LPAs should ensure plan strategy, policies and land allocations have regard to the needs and interests of the Welsh language. Possible approaches to support the Welsh language include provision of mitigation measures such as appropriate phasing policies, adequate affordable housing, including sites for 100% affordable housing for local needs, and the provision of employment opportunities and social infrastructure to sustain local communities.

3.1.9 Supplementary Planning Guidance (SPG) could specify the mitigation measures to support LDP policies. Where the Welsh language is considered to be a significant part of the social fabric of some or all of the community, appropriate Welsh language indicators should be identified in the LDP and monitored. These could also include indicators in relation to the mitigation measures in the Plan.

3.2 Local Policy Context

3.2.1 The policy framework for the Welsh language in Neath Port Talbot is contained within Policies SP22 and WL1. Policy SP22 is the strategic policy that sets the context for the subsequent detailed policy and meets Objective 25 of the LDP.

Strategic Policy SP22 Welsh Language

Policy SP22

Welsh Language

The Welsh language will be safeguarded and promoted in the following language sensitive areas:

1. Amman Valley.
2. Swansea Valley.
3. Pontardawe.
4. The community of Crynant in the Dulais Valley

LDP Objective: OB 25

Policy WL1 Development in Language Sensitive Areas

3.2.2 This policy seeks to protect the Welsh language by requiring proposals of a certain size, in Language Sensitive Areas to submit a Language Action Plan setting out mitigation measures to address impacts resulting from the development.

Policy WL1

Development in Language Sensitive Areas

The following development proposals within the identified language sensitive areas will be required to submit a Language Action Plan, setting out the measures to be taken to protect, promote and enhance the Welsh Language:

- (a) Residential development of 10 or more dwellings;
- (b) Retail, commercial or industrial development with a total floorspace of 1,000sqm or more.

4 Thresholds and Requirements

4.1 Policy Thresholds

Residential Development

4.1.1 All residential planning applications that are located within LSAs and meet the identified threshold will be required to submit a WLAP and make the necessary financial contributions (further guidance is provided within **Appendix B 'Process: is a WLAP required?'** and **Appendix C 'Welsh Language Action Plans'**).

4.1.2 The threshold of 10+ units will apply to all proposals which result in self-contained units of accommodation, including conversions from non-residential use to residential, or the subdivision of a residential property where the net increase is 10 units or above the existing number of properties.

Retail, Commercial and Industrial Development

4.1.3 For retail, commercial and industrial proposals, developments which result in a net increase in floorspace of 1,000 sqm or more will be required to submit a WLAP and make the necessary financial contributions. The adoption date of the LDP (i.e. 27th January 2016) will be used as the base-date from which to monitor any development and/or operation that is incrementally increasing in size.

4.1.4 The trigger for the submission of WLAPs / financial contributions will be reached when, since the adoption date of the plan, the cumulative additional net floorspace totals 1,000 sqm or more, with the contribution being based on the number of employees the additional floorspace exceeding 1,000 sqm would accommodate.

4.1.5 The requirement for such developments will differ from those for residential development as the aim is to encourage and enable the use of the Welsh language in the workplace and in interactions with customers, the public and other employees in the workplace.

4.1.6 **Appendix B** presents a flow chart and a step-by-step guide of the process that will be followed to determine if a WLAP is required to support a planning application.

4.2 Division and Phasing of Sites

4.2.1 In respect of residential development, where a site has been subdivided into more than one parcel of land and the total number of units on each parcel falls below the threshold for the requirement of a WLAP, should the Council consider the site has been artificially subdivided, the site will be treated as one development and the relevant Welsh language requirements will apply.

4.2.2 For example, if a parcel of land forms part of a larger site but has been subdivided either before or after the grant of planning permission, each property owner will be required to provide a proportion of the contribution which would have been attributed to the larger site.

4 . Thresholds and Requirements

4.2.3 Where the development of a site is phased, planning applications for up to 9 units will not require the submission of a WLAP and subsequent financial contributions. However, once an application is submitted that sees the development of the whole site reach 10+ units, Welsh language requirements will be sought for the development as a whole.

4.2.4 This approach will also apply where planning applications are staggered over a period of time (e.g. where a parcel of land forms part of a larger site but has been subdivided either before or after the grant of planning permission).

4.2.5 To make the best and most efficient use of land, developments are expected to meet the densities specified in Policy BE1 (Design) of the LDP. Should a site, or phase of a site be proposed to be developed at a lower density than specified in Policy BE1, or the Council considers the site is being built at a lower density to avoid Welsh language contributions, applications may be refused on such grounds.

4.2.6 If a development is phased, particularly on larger sites, the Welsh language requirement may also be phased to ensure that the development contributes towards an appropriate level of Welsh language mitigation at each stage of the development. The timescales for implementing the mitigation measures will be clearly set out within the S106 agreement and/or planning conditions.

5 Policy Implementation

5.1 Pre-Application Discussion and Planning Application Process

Pre-Application Discussions

5.1.1 Applicants are encouraged to partake in early discussions with the Planning Department to discuss which policies are relevant to their proposal, the requirement for, and content of, a WLAP and associated contributions, other planning obligations and any site-specific considerations⁽⁵⁾.

5.1.2 Discussions should take place with planning officers who will liaise with internal departments and partner organisations as appropriate. Negotiations will focus on the content of the WLAP and the provision of indicative S106 costs.

Outline Applications

5.1.3 Where an application for outline planning permission is submitted, the developer will be required to provide, as a minimum, a framework of a WLAP which would include for example, a list of groups / organisations who will be consulted.

5.1.4 A condition will be added to the outline permission requiring the submission of a detailed WLAP at the reserved matters stage which may require the developer to enter into a S106 agreement to secure financial contributions.

Full / Reserved Matter Applications

5.1.5 A detailed WLAP will be required as part of a full or reserved matters application. The developer will be expected to enter into a S106 agreement which will set out the requirement for providing appropriate measures to protect, promote and enhance the Welsh language and the conditions by which the provision will be delivered.

5.1.6 Further information on the requirements of a Section106 agreement is provided within Section 5.3.

5.1.7 Any changes to the number of residential units / employees in a subsequent planning application may result in the level of the Welsh language contribution changing. These stipulations will be contained within the S106 agreement.

Renewal of Planning Consent

5.1.8 Applications for the renewal of a planning consent or new applications submitted on sites which previously had planning approval will be assessed using the Welsh language policies contained within the LDP. This may mean that the submission of a WLAP and subsequent Welsh language financial contributions will be required even where there has been no previous contribution towards the Welsh language. This reflects changes in policy context since the original application which attempts to tackle the adverse impact of

⁵ The procedures for undertaking pre-application discussions applied by the Council can be found on the Council's website: <http://www.npt.gov.uk/default.aspx?Page=22>

5 . Policy Implementation

development on the Welsh language within LSAs. If the application seeks the approval of reserved matters, the requirements of the original outline approval would need to be followed.

5.2 Role of Partner Organisations

5.2.1 To enable a developer to undertake a comprehensive WLAP, a range of information will need to be assembled. Whilst guidance is provided in Chapter 6 and **Appendix C** in regard to the content of a WLAP, the role of partner organisations such as Menter Iaith Castell Nedd Port Talbot will be important as these organisations have a wealth of knowledge regarding the use of the Welsh language and culture of the local area.

5.2.2 Prospective developers / applicants may wish to open early discussions with relevant partner organisations to consider the necessary scope and content of a WLAP prior to submission to the Council.

5.2.3 A list of consultees should be included within a WLAP framework which will be required to accompany an outline application. The conclusions from the consultation will need to feature within the detailed WLAP to accompany a full or reserved matters application. This will help inform the mitigation measures required for the development proposal.

5.2.4 Notwithstanding any prior consultation by a developer, the Council will liaise with Menter Iaith and/or any other relevant partner organisation in respect of the submitted WLAP to determine whether:

- The submitted information in respect of local services and facilities is accurate;
- Whether the suggested mitigation measures will address the protection, promotion and enhancement of the Welsh language and if not, what improvements are required; and
- In regard to the financial contributions, what specific measures would this be spent on and an indicative breakdown of how this will be implemented.

5.2.5 Irrespective of any early discussions that a developer may have with a partner organisation, the Local Planning Authority will ultimately decide on the content and acceptability of measures contained within a WLAP.

5.3 Section 106 Contributions

5.3.1 Mitigation measures to protect, promote and enhance the Welsh language will be identified within the WLAP. The requirement for a WLAP and its suggested package of measures is enforceable by the Council and will be operated through Section 106 legal agreements. The onus will be on the developer to include sufficient information within the WLAP to satisfy the policy requirement. Inaccurate and inadequate data / information or package of activities to protect, promote and enhance the Welsh language may result in delays to the determination of the application.

5.3.2 The Council will negotiate with the developer and other interested parties the precise nature of the planning obligation and the most appropriate means of utilising any financial contribution secured.

5.3.3 The following section sets out the financial contributions that will be required from qualifying development types.

Residential Development

5.3.4 A contribution of **£500 per unit** (to cover 3 years) will be sought on all residential developments of 10 or more units within LSAs. This sum of money will contribute towards creating a framework of activities to mitigate the negative effects of the development on the Welsh language over a 3 year period.

5.3.5 It should be noted that where a residential development in a LSA triggers a requirement for contributions towards education provision, these will be assessed in accordance with the Council's adopted Planning Obligations SPG⁽⁶⁾.

5.3.6 A suggested list of activities to mitigate the linguistic impacts of a proposal can be found within **Appendix D**. This list is not exhaustive and should therefore be used as a guide rather than a fully, comprehensive list of requirements.

5.3.7 The money generated from the proposal will be used to fund a package of schemes tailored to the needs of that community. However, these are suggestions only, the list is intended to provide some general advice and is not seen as exhaustive. It is the role of the WLAP to set the context and explain what measures will be undertaken to help protect, promote and enhance the Welsh language taking into consideration the proposed development, local community and the conclusions from engaging / consulting with local Councillors and organisations.

5.3.8 In addition to specific mitigation programmes, every WLAP will need to include the following set measures (which will be included within the £500 cost per dwelling):

- The signage and all aspects of the scheme's marketing should be bilingual - it should be noted that the Council is responsible for the naming of all roads and for the naming / numbering of all residential properties within the County Borough. Developers are encouraged to suggest street names in Welsh in accordance with the Council's Welsh Language Policy. All proposals are subject to approval by the Council; and
- A 'Welcome Pack' should be created placing the language in its context and setting out the local Welsh language provision.

5 . Policy Implementation

Retail, Commercial and Industrial Development

5.3.9 In order to determine what the Welsh language financial contribution will be for qualifying retail, commercial or industrial proposals, the applicant / developer will be required to provide information on the number of employees (including front-line staff) directly employed by the development.

5.3.10 The following costs will be sought on all new retail, commercial or industrial developments which result in a net increase in floorspace of 1,000 sqm or more.

5.3.11 A contribution of £1,000 per person (to cover 3 years) will be required for front line staff to follow courses to learn or improve their Welsh in order to ensure that a Welsh language service is provided and £100 per person (to cover 3 years) for all staff to receive courses in awareness of the language, culture and heritage in order that they are aware of the needs of Welsh speakers and to encourage the use of Welsh in the workplace.

5.3.12 In addition to specific mitigation programmes, every WLAP will need to include the following set measures (which will be included within the costs listed above):

- Bilingual signs should be provided;
- When new staff are appointed, the operator should consider the language skills of the applicants in order to provide a Welsh language service, especially in relation to front-line staff; and
- Structures should be in place to offer support to prepare for example, signs and announcements.

5.3.13 Where a developer proposes a speculative development, an appropriately worded condition will require the submission of a WLAP to ensure that appropriate mitigation can be sought.

Viability

5.3.14 When accounting for the range of planning obligations that may be levied on any given proposal, the Council acknowledges that there may be circumstances where a developer considers that the provision of measures to protect, promote and enhance the Welsh language is not viable.

5.3.15 In such instances, the Council will consider, subject to a detailed financial appraisal, reduced contributions, phased payments, or the removal of the requirement. At an early stage in pre-application discussions, developers are encouraged to make themselves familiar with all the planning obligations, including the submission of a WLAP and related financial contributions, and to identify any viability issues in the preparation of their application.

5.3.16 Where the contributions are not met, a clear and justifiable reason for the departure will be required.

Pooling of Contributions

5.3.17 Regulation 123 of the Community Infrastructure Levy (CIL) Regulations limits the number of planning obligations, relating to infrastructure projects that can be pooled (maximum of five). The Council's approach to dealing with this pooling restriction will be through specifying 'infrastructure pots' (projects) with each project able to take up to five pooled contributions.

5.3.18 Such an approach will help ensure that the need for infrastructure improvements can be effectively and equitably addressed with all parties making an appropriate contribution, and in the case of smaller scale developments, enables monies to be combined to provide small scale improvements to Welsh language facilities in the locality. In some cases, the S106 contributions will be used for non infrastructure projects, resulting in no restriction on the number of contributions which may be pooled.

5.4 Monitoring and Review

5.4.1 The implementation of the LDP policies and the submission of WLAPs will be monitored and reported in the LDP Annual Monitoring Report.

5.4.2 The Council and partner organisations (e.g. Menter Iaith Castell-nedd Port Talbot) will work in collaboration to ensure that the projects that are funded are strategically accurate and concentrate on the linguistic needs of the relevant areas.

5.4.3 To gauge the effectiveness of the funded schemes and projects, the number of new Welsh activities and new services provided will be kept under review and documented with recommendations within an annual report produced by the partner organisation. The findings will be used to refine and improve the framework for addressing linguistic impacts from developments through the planning system.

5 . Policy Implementation

Supplementary Planning Guidance: Development and the Welsh Language (Consultation Draft - March 2017)

6 Practical Guidance

6.0.1 This section seeks to provide applicants / developers with more detailed guidance as to what requirements need to be met when preparing and submitting WLAPs to accompany qualifying developments.

6.0.2 It is important to emphasise that **the provisions of Policy WL1 do not require the submission of a Welsh Language Impact Assessment**. Given that the negative impacts of large scale developments were established at the Plan level, the provisions of the policy relate only to mitigation measures and not the principle of development.

6.1 Welsh Language Action Plans

6.1.1 In addressing the negative impacts of qualifying developments, the structure and content of a submitted WLAP should broadly focus on:

- *The measures proposed to protect, promote and enhance the language* - e.g. through supporting the use of the language in the local community; and helping residents of new housing and people who work in new retail, commercial and industrial developments to learn and use the language to offer a Welsh medium service to the public and to create opportunities in the workplace to use the language; and
- *Where the required contributions are not met, a clear and justifiable reason for the departure.*

6.1.2 Each development proposal will be different and therefore judged on its own merits. The scope and range of measures to be included within the WLAP will depend upon the scale, character and location of the development and the type of Welsh language services and facilities that currently serve the community.

6.1.3 Conclusions derived from the consultation exercise undertaken with local Councillors, community / town councils, Menter Iaith and other local organisations will help inform the package of measures tailored to the development to protect, promote and enhance the Welsh language within the area.

6.1.4 **Appendix C** sets out the Council's expectations in respect of the basic level of information that is required from a WLAP and **Appendix D** lists examples of activities that may be used to mitigate the linguistic impacts of any qualifying development. It should be emphasised however that this list is not exhaustive and should therefore only be used as a guide rather than a comprehensive list of requirements.

6.1.5 It should be noted that whilst pre and post school learning opportunities can be considered in the WLAP together with after school activities for school age children, and activities for younger children and adults alike, the impact of any development on school places will require direct consultation with the Council's Education Department who will advise, in accordance with the Council's Planning Obligations SPG, of any specific requirements.

Appendix A: Language Sensitive Areas

Map A.0.1 Welsh Language Sensitive Areas



Appendix A: . Language Sensitive Areas

Table A.0.1 Wards in Language Sensitive Areas

| Amman Valley | Dulais Valley | Pontardawe | Swansea Valley |
|------------------|---------------|------------|----------------|
| Gwaun Cae Gurwen | Crynant | Alltwen | Cwmllynfell |
| Lower Brynamman | | Pontardawe | Godre'r Graig |
| | | Rhos | Ystalyfera |
| | | Trebanos | |

Appendix B: Process - Is a Welsh Language Action Plan required?

Figure B.0.1 Policy WL1 Residential Development

Policy WL1 Residential Development

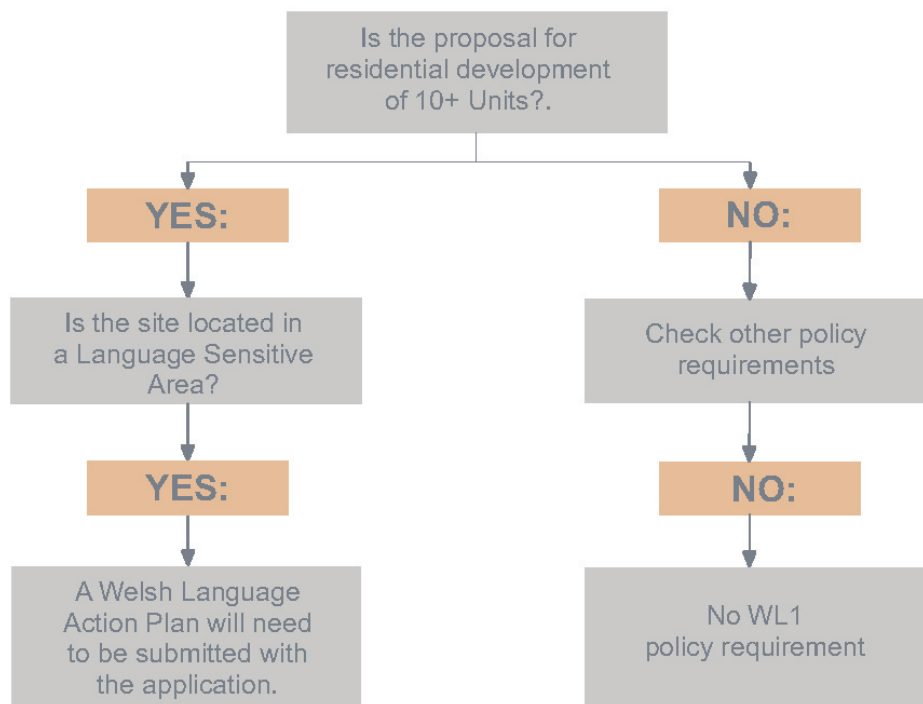
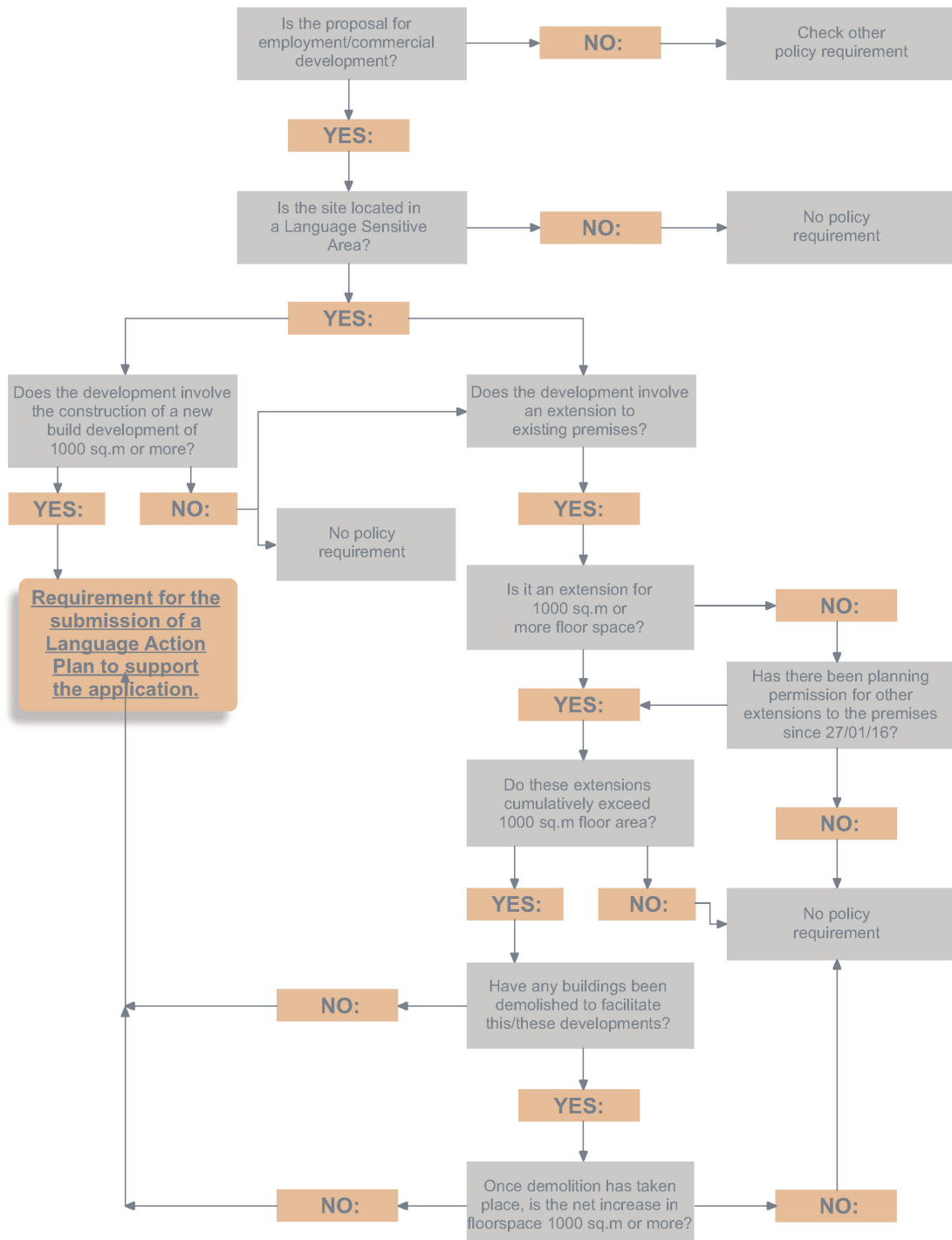


Figure B.0.2 Policy WL1 Retail/Commercial/Employment Development

Policy WL1 Retail/Commercial/Employment Development



Appendix C: Welsh Language Action Plans

C.0.1 Welsh Language Action Plans (WLAPs), as required by Policy WL1 for qualifying developments, will be expected to outline the measures proposed to protect, promote and enhance the language and where the required contributions are not met, a clear and justifiable reason for the departure.

C.0.2 Where required contributions are met in full, the WLAP would only need to explain the measures proposed and how they would be delivered / implemented.

C.0.3 Given that each proposal will be different, the scope and range of measures to be included within the WLAP will depend upon the scale, character and location of the development and the type of Welsh language services and facilities that currently serve the community.

C.0.4 Developers/applicants may wish to open early discussions with relevant partner organisations (e.g. Menter Iaith Castell Nedd Port Talbot⁽⁷⁾) to consider the necessary scope and content of the WLAP prior to submission to the Council.

C.0.5 In all cases, a WLAP will be expected to include the following basic level of information:

Cover

- Specific reference should be made to the application reference number, location and details of the development site together with the date of publication and details of who has submitted it.

Section 1 - Introduction

(Policy Context)

- Context for the submission (i.e. reference to Neath Port Talbot LDP Policies SP22 and WL1) explaining why the submission has been made (i.e. to mitigate the impact of the development on the Welsh language).

Section 2 - Background

(Details of the type, scale and location of development)

- This should provide details of the proposed development and its location.

In respect of residential development:

Appendix C: . Welsh Language Action Plans

- How many people will be introduced into the community as a result of the development (i.e. number of units x current average household size⁽⁸⁾).
- Number of dwellings (e.g. does the development cater for starter homes, flats, family homes, older person's homes etc.)?
- The mix of dwellings should be examined to determine the impact in terms of additional people of different age groups and children of pre-school and school age.
- How does the development affect existing services and facilities in the local community?
- Does the development propose any new facilities?
- How does the development affect the local community?

In respect of retail, commercial or industrial development:

Extensions

- Net additional floorspace.
- Numbers (and %) of staff presently employed at the premises, including how many are front line staff. How will these figures be affected as a result of the proposed development?
- Will staff be relocated from other premises?
- Details of the % of staff (at the premises) who speak Welsh or are attending Welsh language classes.
- Does the company offer opportunities for staff to speak Welsh in the workplace?
- Does the company offer opportunities for staff to learn Welsh in the workplace?
- Do front-line staff have Welsh language skills to enable them to offer a service to Welsh speaking visitors/customers?
- Is the company able to respond in Welsh to correspondence received in Welsh?
- Is the company able to respond in Welsh to telephone calls received in Welsh?
- How does the applicant propose to provide a Welsh language service?

New Build

- Amount of floorspace.
- How many people will be employed as a result of the development?
- Will a front line service be provided to the public?

Section 3 - Ward / Local Information

[This section should (i) provide an understanding of the linguistic character and trends of the community; and (ii) the availability and capacity of Welsh language provision in the area].

- A description of the community where the development is proposed.
- Draw on Census data (2011) to explain the current position with regard to the Welsh language in the ward.
- Comparison with earlier Census data can be provided to show how the use of the Welsh language has changed over a period of time. Can show how these figures compare to the Neath Port Talbot and Welsh averages.
- Data could include population, number of households, percentages/numbers of people who have different Welsh language skills/age profile of Welsh speakers. Any data provided will need to be fully sourced in order to enable verification. An explanation should be provided of what these profiles mean in respect of the language in the local community.
- Details of the existing amenities and facilities available in the local community and surrounding area (e.g. retail, community buildings/facilities, schools, sports and recreation/leisure, medical services).
- Details of current figures in respect of local school capacities (available from the Council's Education Department).
- Capacity in pre-school play groups and reception classes to accommodate additional Welsh and non Welsh speakers.

Section 4 - Consultation and Engagement

[This section should (i) list the local groups/organisations that have been consulted; and (ii) provide details of the feedback received].

- Details on any local community groups and organisations operating in the local area and whether these operate in the medium of Welsh.

Appendix C: . Welsh Language Action Plans

- List of local groups/organisations that have been consulted (e.g. Menter Iaith or other Welsh language organisations, Local Councillor, Community or Town Council).
- Details of the feedback received (this will help inform the specific package of measures required).

Section 5 - Mitigation (i.e. measures to protect, promote and enhance the Welsh language)

[Based on the analysis/assessment of the local community and from consultation responses from local groups and organisations, this section should outline the financial contributions that will be used to fund specific measures that have been identified to address the Welsh language needs of the development].

- Identify and justify the specific mitigation measures being proposed.
- What does the mitigation seek to achieve?
- How will the mitigation be delivered?
- What is the timescale for delivery? Will there be phasing?

For residential development:

- A financial contribution of **£500 per unit** will be sought. This figure will provide a package of mitigation measures over a 3 year period.

In respect of retail, commercial or industrial development:

- A financial contribution of £1,000 per person (to cover 3 years) will be required for front-line staff to follow courses to learn or improve their Welsh in order to ensure that a Welsh language service is provided; and
- £100 per person (to cover 3 years) for all staff to receive courses in awareness of the language, culture and heritage in order that they are aware of the needs of Welsh speakers.

Appendix D provides a list of possible schemes where S106 contributions could be spent. The suggestions are not exhaustive and should therefore be used as a guide rather than a fully comprehensive list of requirements.

- Where the contributions are not met, a clear and justifiable reason for the departure will be required.

Section 6 - Conclusions

- Draw together the matters that have been discussed in the previous sections and offer appropriate conclusions.

Appendix D: Potential Mitigation Measures

Activities to mitigate the linguistic impacts of a development within a Welsh Language Sensitive Area

This list is not exhaustive and should therefore be used as a guide rather than a fully, comprehensive list of requirements. It is the role of the WLAP to set the context and explain what measures will be undertaken to help protect, promote and enhance the Welsh language taking into consideration the proposed development and the local community.

Residential Development of 10 or more units

Set Measures:

- The signage and all aspects of the scheme's marketing should be bilingual; and
- A 'Welcome Pack' should be created placing the language in its context and setting out the local Welsh language provision.

[A] Pre-School Children

Support or create opportunities to ensure that parents can connect with Welsh positively through activities such as:

- Cylch Ti a fi (Mother and Toddler);
- Jamborees;
- Sessions for prospective parents;
- Sport Saturdays;
- Sessions to encourage use of the language by Welsh speakers;
- Mother and baby sessions;
- Welsh in the home sessions;
- Sessions in family groups.

[B] Primary Age Children

Support or create opportunities to ensure that children are able to use the language in informal settings such as:

- Homework clubs;
- Swimming lessons;

Appendix D: . Potential Mitigation Measures

- Soccer and rugby training;
- Local radio workshops;
- Special interest clubs such as minecraft, arduino;
- Jamborees;
- Lego clubs;
- Children's discos.

These opportunities would serve second-language children as well as those in Welsh language schools.

[C] Secondary School Age Children

Support or create opportunities to ensure that young people can socialise in or learn Welsh informally, through activities such as:

- Revision clubs;
- Youth Clubs;
- Guitar, piano, drums classes;
- Gigs.

[D] Adults

Support or create opportunities to ensure that adults can socialise in or learn or use Welsh informally through activities such as:

- Zumba lessons;
- Car repairs;
- Reading clubs;
- Bingo;
- Gigs;
- Organised walks;
- Coffee mornings.

Retail / Commercial / Industrial Developments which result in a net increase in floorspace of 1,000 sqm or more

Set Measures:

- Bilingual signs should be provided;
- When new staff are being appointed, the operator should consider the language skills of the applicants in order to provide a Welsh language service, especially in relation to front-line staff; and
- Structures should be in place to offer support to prepare signs, announcements etc.

[E] Front-line Staff / Employees

- Front line staff to follow courses to learn or improve their Welsh in order to ensure that a Welsh language service is provided;
- All staff to receive courses in awareness of the language, culture and heritage in order that they are aware of the needs of the Welsh speakers.

Appendix E: Contact Details

Development Management

[Main point of contact for all planning applications and for pre-application advice]

Steve Ball [Development Manager - Planning]

Tel: 01639 686727 / Email: s.ball@npt.gov.uk

Nicola Lake [Team Leader – East]

Tel: 01639 686737 / Email: n.lake@npt.gov.uk

Chris Davies [Team Leader – West]

Tel: 01639 686726 / Email: c.j.davies@npt.gov.uk

Simon Walford [Section 106 / SPG Officer]

Tel 01639 686445 / Email s.walford@npt.gov.uk

Planning Policy

[For queries relating to the LDP and Planning Policy]

Ceri Morris [Planning Policy Manager]

Tel: 01639 686320 / Email: c.morris1@npt.gov.uk

Lana Beynon [Planning Policy Team Leader]

Tel: 01639 686314 / Email: l.beynon@npt.gov.uk

Anne-Marie Hurley [Planning Officer]

Tel: 01639 686319 / Email: a.hurley@npt.gov.uk

Local Contact

Menter Iaith Castell-nedd Port Talbot: menter@micnpt.org

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Economic and Community Regeneration Board

20 January 2017

Report of the Head of Property & Regeneration - S.Brennan

Matter for Information

Wards Affected: All

PROPERTY PERFORMANCE REPORT, 2016

Purpose of Report

- 1 For Members to note the Council's Property Performance Report for 2016.

Executive Summary

- 2 To present to Members the Property Performance Report 2016. This being the final performance report under the current Property Asset Management Plan 2011-2016, which is currently being re-written. The new 2016-2021 plan to be reported separately to the next Board.

Background

- 3 The Council's Property Asset Management Plan 2011-2016 (currently being re-written for the new plan period 2016-2021), sets out the Council's proposals for the effective use of its property assets to support the delivery of quality public services and major regeneration initiatives.
- 4 As a five-year plan, the Property Asset Management Plan is of course a strategic document. The Annual Property Performance Reports are however, more dynamic in that it will be produced annually and will provide a more detailed analysis of the performance of the Council's property portfolio whilst setting out the emerging challenges and issues that will affect our use of

property, together with an Action Plan to include FFP targets that will address these issues.

Financial Implications

- 5 The asset management process and the monitoring of property performance are key elements in the drive to reduce expenditure and contribute to the Council's Forward Financial Plan, whilst reducing the maintenance backlog. These actions will assist with the aim of making the portfolio financially sustainable.

Equality Impact Assessment

- 6 This report does not require an Equality Impact Assessment.

Workforce Impact

- 7 There are no significant impacts on the Property and Regeneration Sections resources.

Legal Impact

- 8 There are no legal impacts associated with this report.

Risk Management

- 9 There are no risk management issues associated with this report.

Consultation

- 10 There has been no requirement under the Constitution for external consultation on this item.

Sustainability Appraisal

- 11 The Property Performance Report provides data and a reporting system to assist with the Council management of its property assets. Effective stewardship of its property assets enables the Council to direct its resources to the delivery and support of frontline services.
- 12 Its impact is therefore wide-ranging but specifically it impacts on sustainability by helping to reduce the Council's use of energy and

CO₂ emissions by disposing of surplus and inefficient buildings and with regard to equality by promoting accessibility within Council premises.

Recommendation

13 That the report be noted.

Background Papers

14 www.npt.gov.uk/PropertyPerformanceReport

Officer Contact

15 David Phillips, Strategic Property and Valuation Manager
Tel: 01639 686980
E-mail d.phillips@npt.gov.uk

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2016/2017 FORWARD WORK PLAN (DRAFT)

ECONOMIC AND COMMUNITY REGENERATION CABINET BOARD

| Meeting Date and Time | Agenda Items | Type (Decision, Monitoring or Information) | Rotation (Topical, Annual, Biannual, Quarterly, Monthly) | Contact |
|----------------------------------|--|---|---|-------------------|
| 3rd March 2016 | Quarterly Performance Monitoring (Q3) | Monitor | Quarterly | A.Headon |
| | Celtic Leisure Quarterly Report 16/17 | Monitor | Quarterly | C.Millis |
| | <i>Business Plans</i> | <i>Decision</i> | <i>Annual</i> | <i>ALL</i> |
| | Renewable and Low Carbon Energy (SPG) | Decision | | L.Beynon |
| | Design (SPG) | Decision | | L.Beynon |
| | Fabian Way (SPG) | Decision | Topical | L.Beynon |
| | Corporate Property Asset Management Plan | Info | Annual | S.Brennan |

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