



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## **NEATH PORT TALBOT COUNCIL**

### **CABINET**

13<sup>th</sup> November 2024

### **Report of the Head of Planning and Public Protection Ceri Morris**

#### **Matter for Decision**

**Wards Affected: All**

#### **Neath Port Talbot Replacement Local Development Plan (RLDP) 2023-2038**

**Consideration of: the Preferred Strategy (December 2024); the Interim Integrated Sustainability Appraisal Report (ISA) (December 2024); Habitats Regulations Assessment (HRA) Screening Report (December 2024); and Candidate Sites Register (CSR) and Assessments (December 2024), all for the purpose of statutory public consultation.**

#### **Purpose of the Report**

To consider and agree the RLDP Preferred Strategy (2023-2038) (December 2024) together with the Interim Integrated Sustainability Appraisal Report (ISA) (December 2024), Habitats Regulations Assessment (HRA) Screening Report (December 2024) and Candidate Sites Register (CSR) and Assessments (December 2024), for the purpose of statutory public consultation.

#### **Executive Summary**

The RLDP Preferred Strategy outlines the strategic framework for land use and development within Neath Port Talbot over the next 15 years (2023-2038). The Preferred Strategy establishes a number of key issues which it aims to address through setting out a vision and objectives, growth and spatial strategies, strategic policies and key sites.

The evidence collected from numerous background documents and studies has informed the content of the Preferred Strategy – three of which are being consulted on alongside the Preferred Strategy document, namely:

- ***Interim Integrated Sustainability Appraisal*** – which ensures considerations are integrated into the plan-making process guiding adjustments to enhance the environmental, social, economic and cultural benefits of the final plan / policy.
- ***Habitats Regulations Appraisal Screening Report*** – which ensures that environmental protections are integrated into plan-making decisions, safeguarding biodiversity whilst still allowing for necessary development.
- ***Candidate Sites Register/Assessment*** – which presents a database of land proposed for future development or protection that has been put forward by landowners or developers for consideration in the RLDP. The assessments show how decisions have been made on choosing the most suitable key sites to deliver the RLDP strategy.

This report therefore seeks Member approval of all four documents for the purposes of public / stakeholder consultation.

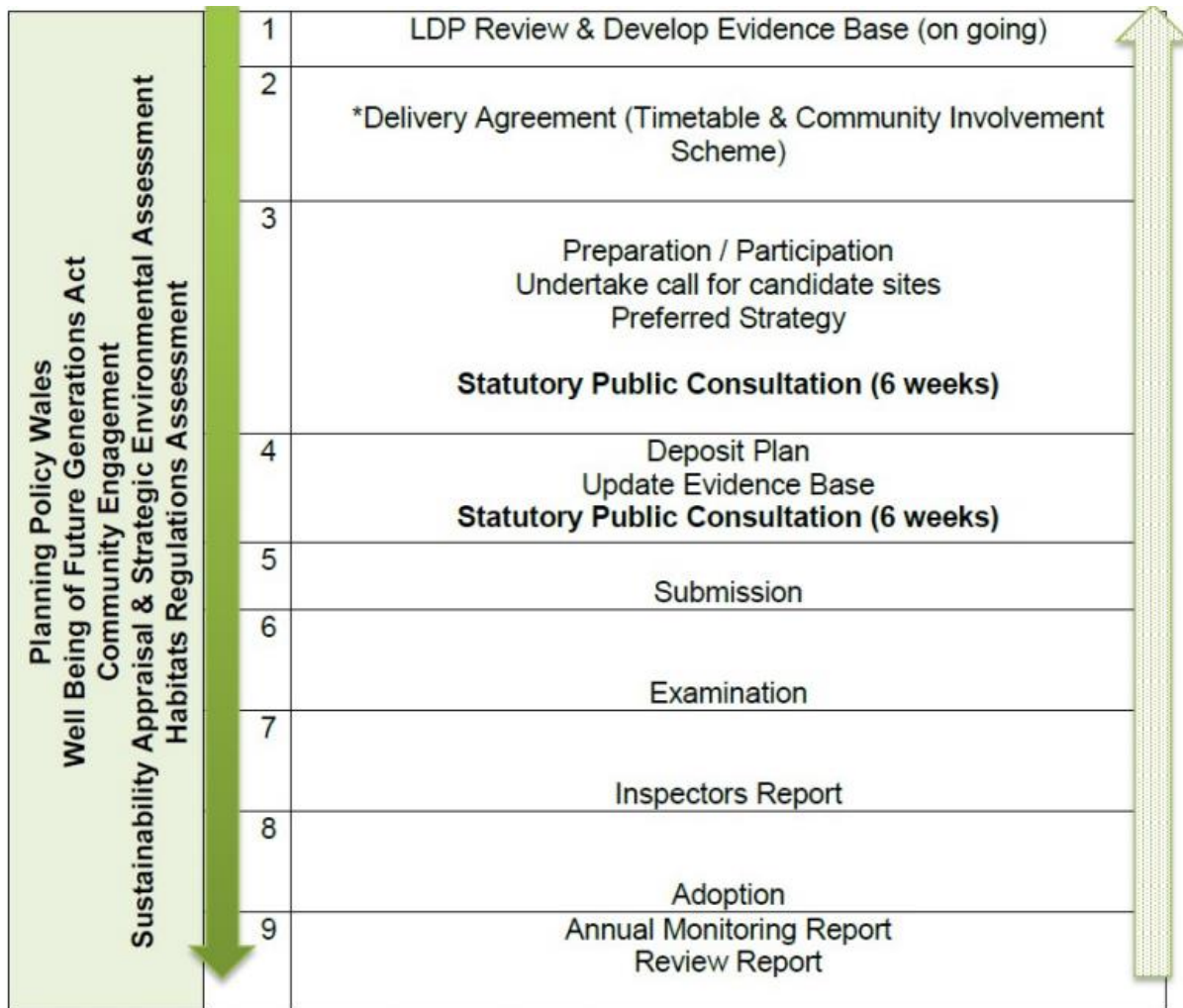
## **Background**

The Planning and Compulsory Purchase Act 2004 provides Local Planning Authorities (LPAs) with a statutory duty to “...prepare a plan for their area to be known as a *Local Development Plan (LDP)*”. Legislation has established a plan-led planning system and requires all LPAs to prepare a replacement LDP for their area. These provide a full suite of planning policies and proposals for the achievement of sustainable development within the LPA area. Once adopted, planning applications must be determined in accordance with the policies of the LDP.

LDPs are prepared in accordance with The Town and County Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015. The regulations are supplemented by more detailed guidance in Welsh Government’s Development Plans Manual Edition 3 (March 2020).

The main stages of LDP preparation are shown in Figure 1 below. LDPs are subject to an independent Examination in Public conducted by a Planning Inspector who will test the LDP for soundness including its fit with Future Wales: The National Plan 2040 and Planning Policy Wales.

**Figure 1: LDP Preparation Process**



(Source: Development Plans Manual, Welsh Government)

**Preferred Strategy for the Replacement LDP (2023–2038)**

The ‘Preferred Strategy’ is the first statutory consultation stage in the LDP preparation process. The draft Preferred Strategy for the Replacement LDP is presented in full in Appendix 2 of this report.

The Preferred Strategy outlines the strategic framework for land use and development within Neath Port Talbot over the next 15 years (2023-2038). The Strategy sets out a number of key issues which it aims to address through establishing a vision and objectives, growth and spatial strategies, strategic policies and key sites. Importantly, it provides the framework for the future preparation of more detailed policies and proposals and land use allocations that will be included in the Deposit RLDP (consultation anticipated in Autumn/Winter 2025).

The Preferred Strategy seeks to address the national, regional and local context

and identifies the locally specific economic, environmental, social and cultural key issues and challenges within Neath Port Talbot. To respond to these key issues and challenges, a vision and set of objectives have been developed (Chapter 4).

Chapter 6 provides realistic options for the scale of future growth in population, housing and jobs and establishes the spatial distribution of growth across Neath Port Talbot to meet the evidenced needs of the communities and direct development to the most sustainable locations and address the key issues.

Members should note that the Preferred Strategy, titled '*Aiding economic recovery and valuing our unique opportunities in Neath Port Talbot*' presents a preferred level of growth (Option 3) and the preferred spatial distribution of that growth (Option F). The chosen growth option has considered the impacts of the economic transition underway in Neath Port Talbot and plans for an optimistic level of new investment opportunities, recognising the potential of the Celtic Freeport designation and Neath Port Talbot's position within the National Growth Area defined in the Future Wales: The National Plan 2040. This overarching Preferred Strategy will be supplemented by two strategy areas: the 'Valleys Opportunity Area' encompassing the spatial areas of the Afan Valley, Neath Valley, Dulais Valley, Swansea Valley, Amman Valley and Pontardawe; and the 'Coastal Corridor and National Growth Area' comprising of Neath and Port Talbot spatial areas.

Over the plan period, the Strategy is to make provision for 4,176 homes (including a 20% flexibility allowance) (278 per annum) to meet a need of 3,480 homes, supporting the delivery of 3,555 jobs (237 per annum) and making provision for 57 hectares of employment land.

The Preferred Strategy is underpinned by 18 Strategic Policies to implement the strategy and address the Plan's identified objectives and also includes Key Sites, (Chapter 9).

The proposed Strategy will provide an appropriate balance of development to deliver the plan's objectives and to address the key issues that have been identified. The scale, location and strategic approach to development will, at a local level help to deliver the overall vision for Neath Port Talbot and at a national level will contribute to supporting and delivering the ambitions set out within Future Wales: The National Plan 2040.

The economy of Neath Port Talbot is undergoing a major contextual change, and the identified Strategy will support future economic development and provide a planning framework that balances homes and jobs and will foster new investment opportunities to aid the economic recovery and support the long-term potential of Neath Port Talbot.

## **Interim Integrated Sustainability Appraisal (ISA)**

Stantec UK was commissioned to undertake an ISA of the emerging RLDP. This interim report is the first stage of an ISA process to identify, assess and address in an integrated manner any likely significant effects on the environment (including European Sites), sustainability, health and equalities of undertaking the RLDP. The report outlines the proposed approach to undertaking the ISA process, incorporating a suite of statutory and non-statutory assessment processes:

- ***Sustainability Appraisal (SA)*** – as required under the Planning and Compulsory Purchase Act 2004 ('the 2004 Act') and Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015 ('the 2015 Regulations').
- ***Strategic Environmental Assessment (SEA)*** – as required by the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 ('the SEA Regulations').
- ***Well-being Goals and Objectives*** – supporting the implementation of well-being goals and objectives (and the discharge of associated duties) as required under the Well-being of Future Generations (Wales) Act (WBFGA) 2015. The preparation of the RLDP needs to consider social, economic, environmental and cultural well-being.
- ***Equalities Impact Assessment (EqIA)*** – as required by the Equality Act 2010, covering the Public Sector Equality Duty and the Socio-Economic Duty.
- ***Health Impact Assessment (HIA)*** – non-statutory but needed to support robust SEA, EqIA and well-being assessment processes.
- ***Welsh Language Impact Assessment (WLIA)*** – as required under the 2004 Act, the Welsh Language Standards (No. 1) Regulations 2015 and Planning Policy Wales (PPW) 12<sup>th</sup> Edition.

The purpose of the 'Interim Report' is to provide the findings of the ISA, incorporating SEA, of the substantive proposals set out in the Preferred Strategy and associated background documents and identify likely significant effects and recommend mitigation and enhancement measures to enhance its effectiveness.

### ***Summary of ISA Findings***

The ISA has found the RLDP Vision and Objectives to provide a good coverage and compatibility across the sustainability topics and key sustainability objectives

and generally compatible with achieving beneficial sustainability outcomes. Considered as a whole, the suite of proposed Objectives has good coverage of most of the SA Objectives within the RLDP Sustainability Appraisal framework.

An assessment of the Strategic Policies concluded that at this stage, none of the proposed policies are predicted to have a negative adverse effect on any of the SA Objectives (13 in total), with many policies providing a positive contribution.

An interim ISA Non-Technical Summary is presented in Appendix 4.

### **Habitats Regulations Assessment (HRA) Screening Report**

Stantec UK was also commissioned to undertake a HRA of the emerging RLDP. The purpose of the HRA Screening Report is to test whether the emerging RLDP is likely to have significant effects on the integrity of sites protected under European and national legislation, either alone, or in combination with other plans or projects.

It is a critical tool for identifying any risks to protected habitats and species early in the development planning process, ensuring that environmental considerations are fully integrated into the RLDP.

### ***Summary of HRA Findings***

The HRA considers the impacts of the RLDP strategy and policies both individually and in combination with other plans and projects, detailing mitigation measures where necessary. The HRA process, guided by national regulations, involves screening European sites within a 15km radius of the County Borough and assessing potential impact pathways. Four European sites were screened in for further assessment, and several strategic policies were identified for Appropriate Assessment (AA). The assessment found that adverse effects on site integrity could not be excluded for certain impact pathways at this stage, necessitating further evaluation and policy refinement at the Deposit Plan stage.

### **Candidate Sites Register/Assessment (CSR)**

The CSR is a database of land proposed for future development that has been put forward by landowners or developers for consideration in the RLDP. The assessments show how decisions have been made on selecting the most suitable key sites to deliver the RLDP strategy. The CSR comprises of the following:

- **2022 Candidate Site Register** – a total of 229 sites were submitted following a call for candidate sites held between 1<sup>st</sup> March – 31<sup>st</sup> May 2022.
- **2023 Candidate Site Register** – a total of 74 sites were submitted following

a second call for candidate sites held between 6<sup>th</sup> Nov – 18<sup>th</sup> Dec 2023.

- **2023 Urban Capacity Register** – a total of 167 sites were submitted following a call for sites, these included smaller urban sites and larger greenfield sites.

Members should note that each Candidate Site has been assessed using an agreed and consistent methodology. The key principle of the assessment process is to gather suitable evidence from site promoters to robustly demonstrate the suitability, deliverability and financial viability of sites for inclusion in the RLDP.

In accordance with national guidance (Para 3.65 Development Plans Manual Edition 3, 2020), the assessment has followed a two-staged process: Stage 1 – Initial Site Assessment and Stage 2 – Detailed Site Assessment. The assessment has incorporated ISA by using a refined set of sustainability indicators and a transparent scoring system.

The Stage 1 Initial Site Assessment and a summary of the Stage 2 Detailed Site Assessment results are presented in Appendix 6 of this report – the full Stage 2 Detailed Site Assessment will be published alongside the Deposit Plan consultation (Autumn / Winter 2025).

## **Consultation**

Subject to Member approval, the RLDP Preferred Strategy including all supporting documentation referenced in this report alongside other background papers and studies, will be published for public / stakeholder consultation in December 2024 – it is intended that the consultation period will run for an 8-week period from 12<sup>th</sup> December'24 to 6<sup>th</sup> February'25.

All representations received at this stage, including any new candidate site submissions, will be considered alongside the ongoing gathering of evidence. This important stage will therefore further inform the preparation of the 'Deposit RLDP' which will set out detailed policies and site allocations – Member approval will again be sought prior to conducting a further period of statutory consultation on the Deposit Plan.

## **Financial Impacts**

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

More broadly, the cost of preparing the Preferred Strategy and supporting studies

has been met from the LDP budget and carried out by the LDP team with expert advice and evidence procured from consultants and through collaboration with neighbouring authorities. The resources required to prepare the RLDP are set out in Section 6.4 of the Delivery Agreement.

## **Integrated Impact Assessment**

A full IIA has been undertaken for the RLDP Preferred Strategy which has cross referenced to sections within the Interim Integrated Sustainability Appraisal (Appendix 3). A summary of the findings can be found below.

The RLDP will perform positively against the Health, Well-being, Equality and Social Inclusion objectives with significant long-term positive effects, through:

- supporting sustainable development that embeds placemaking principles;
- supporting sustainable transport options;
- encouraging healthier and more active lifestyles;
- supporting future economic development;
- providing a planning framework that balances homes and jobs;
- fostering new investment opportunities;
- providing associated community infrastructure to meet the needs of communities, etc.

There will be a positive effect on biodiversity and eco-system resilience. The RLDP will safeguard and conserve identified protected species and designated habitats present in accordance with statutory requirements. It will require new development across the county borough to achieve a net biodiversity benefit and enhanced ecosystems resilience.

The RLDP will support, enhance and enrich the distinctiveness of NPT's communities, including use of the Welsh language, through positive placemaking actions at a local level.

There will be a positive benefit in relation to the Wellbeing of Future Generations as the strategic objectives have been developed in line with the five ways of working.

## **Socio-Economic Duty**

The RLDP Preferred Strategy will have a positive impact upon the socio-economic duty. The economy of NPT is undergoing a major contextual change following the recent Tata announcement. The RLDP would support future economic development, provide a planning framework that balances homes and jobs, foster new investment opportunities to aid the economic recovery and support the long-term potential of NPT.



The RLDP encourages and enables the establishment and growth of new clean green technologies and industries to promote and maintain a leading role for NPT in the national and international renewables and industrial economies. This helps to encourage local people to gain employment in these new areas.

The RLDP would have a positive benefit by improving people's opportunities and experiences, reducing and wherever possible eliminating inequalities faced by many, thereby improving people's health and wellbeing, their life chances and the communities in which they live and work.

### **Valleys Communities Impacts**

The RLDP will have a positive impact on our valley communities through the creation of a 'Valleys Opportunity Strategy Area' (encompassing the spatial areas of Afan Valley, Neath Valley, Dulais Valley, Swansea Valley, Amman Valley and Pontardawe), where key tourism, employment and heritage opportunities will be promoted to act as a catalyst for long term improvements. Pontardawe and its surrounds and Glynneath are identified as Valley's hubs – Pontardawe due to its ability to deliver affordable homes given its focal location, and Glynneath due to the multi-million-pound improvement works along the A465(T).

The RLDP objectives, strategy and strategic policies seek to encourage initiatives to support the valley communities.

### **Workforce Impacts**

The preparation of the RLDP will be accommodated mainly by utilising the existing staff structure within the Planning Policy team. This however will need to be kept under review, to ensure delivery in accordance with the Delivery Agreement.

### **Legal Impacts**

The Authority has a statutory duty to prepare a Replacement LDP. This report therefore addresses the legal requirement for the Council to deliver a review of the LDP in accordance with the Delivery Agreement.

### **Risk Management Impacts**

The Council will be in breach of its legal requirement to deliver a timely review of the LDP should there be a failure to implement the proposed recommendations. Consultation on the Preferred Strategy is a formal, statutory stage of plan preparation stipulated by the Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015. This stage is essential for building

consensus around the growth and spatial strategies prior to the publication of a Deposit Plan.

The emerging RLDP is currently progressing in accordance with the timetable set out in the Delivery Agreement. Failure to proceed to consultation at this juncture will inevitably result in slippage against this agreed timetable and further delays to the adoption of the RLDP overall – such circumstances would lead to an extended period where the Council would not have a local planning policy framework in place beyond the ‘drop-dead’ date of the current LDP (i.e. end of December 2026).

## **Recommendations**

That having considered the report and having due regard to the Integrated Impact Assessment, it is resolved to commend the following to Council for approval:

1. The Replacement Local Development Plan Preferred Strategy (2023-2038) (December 2024) as presented in **Appendix 2** be agreed for the basis of public consultation.
2. The Interim Integrated Sustainability Appraisal Report (December 2024) as presented in **Appendix 3** be agreed for the basis of public consultation.
3. The Habitats Regulations Assessment Screening Report (December 2024) as presented in Appendix 5 be agreed for the basis of public consultation.
4. The Candidate Sites Register / Assessment (December 2024) as presented in **Appendix 6** be agreed for the basis of public consultation.

## **Reasons for Proposed Decision**

The recommendations are needed to ensure compliance with Section 63 of the Planning and Compulsory Purchase Act 2004; The Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015; the Wellbeing of Future Generations (Wales) Act (2015); the Equality Act (2010); the Welsh Language Standards (No.1) Regulations 2015; Planning Policy Wales 12 (2024) and the Development Plans Manual Edition 3 (2020).

## **Implementation of Decision**

The decision will be implemented after consideration at Council.

## Appendices

Appendix 1 – Full Integrated Impact Assessment.

(Please note the following appendices are to be accessed via the link please click on the title of the appendix to access the link)

[Appendix 2](#) – RLDP Preferred Strategy (2023-2038).

[Appendix 3](#) – Interim Integrated Sustainability Appraisal Report.

[Appendix 4](#) – Interim Integrated Sustainability Appraisal Non-Technical Summary.

[Appendix 5](#) – Habitats Regulations Assessment Screening Report.

[Appendix 6](#) – Candidate Sites Register / Assessments.

## List of Background Papers

### ***Legislation and Regulations (not definitive list)***

Planning and Compulsory Purchase Act 2004

Well-being of Future Generations (Wales) Act 2015

Environment (Wales) Act 2016

Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015

Environmental Assessment of Plans and Programmes (Wales) Regulations 2004

Conservation (Natural Habitats &c) Regulations 1994

Equality Act (2010)

Welsh Language Standards (No.1) Regulations 2015

### ***Planning Policy / Guidance***

Future Wales: The National Plan 2040

Neath Port Talbot Local Development Plan (2011-2026)

Planning Policy Wales Edition 12 (2024)

Technical Advice Notes (TANs)

Minerals Technical Advice Notes (MTANs)

Development Plans Manual – Edition 3 (2020)

### ***RLDP Evidence Base***

Topic Papers 2024 (Population and Housing; Employment; Welsh Language; Settlement; Education; Transport)

Joint Economic and Housing Growth Assessment (NPT/Swansea)

Key Issues, Vision and Objectives Paper

Growth and Spatial Options Background Paper

Green Infrastructure Assessment

Employment Land Review

Draft Local Housing Market Assessment

Gypsy and Traveller Accommodation Assessment (2022)  
Renewable and Low Carbon Energy Assessment  
High Level Viability Assessment  
Infrastructure Delivery Plan  
Regional Statement of Common Ground (Regional Apportionment / Self-  
Assessment Test of Soundness / Regional Fit)  
Urban Capacity Study  
Settlement Assessment  
Strategic Flood Consequences Assessment (SFCA) Stage 1  
Special Landscape Areas Methodology  
Best and Most Versatile Land Paper

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