



Neath Port Talbot County Borough Council

Local Development Plan

2011 2026

LDP Adoption Statement (January 2016)



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Neath Port Talbot LDP Adoption Statement (January 2016)

1 Introduction

1.0.1 When a Local Planning Authority adopts its Local Development Plan (LDP) it is required to produce and publish an Adoption Statement in accordance with the terms of Regulation 25(2) of the Town & Country Planning (Local Development Plan) (Wales) Regulations 2015, incorporating a Strategic Environmental Assessment (SEA) Statement in accordance with Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004.

1.0.2 Section 2 of this statement addresses the requirements of the Town & Country Planning (Local Development Plan)(Wales) Regulations 2015 and Section 3 relates to the requirements of Environmental Assessment of the Plans and Programmes (Wales) Regulations 2004.

2 Local Development Plan - Adoption Statement

Regulation 25(2) of the Town & Country Planning (Local Development Plan) (Wales) Regulations 2015

2.0.1 The Neath Port Talbot LDP (2011-2026) was adopted on 27th January 2016. The LDP came into force upon its adoption.

2.0.2 The Neath Port Talbot LDP is the primary planning policy document for the County Borough. It sets out the planning policies and land use allocations that will shape the future of the County Borough area and will guide development management decisions. The LDP replaces the Neath Port Talbot Unitary Development Plan (2008).

2.0.3 The Neath Port Talbot LDP is available to view or download from the Council's website at www.npt.gov.uk/ldp and is also available for public inspection free of charge at the following locations during normal opening hours:

- Neath Civic Centre;
- Port Talbot Civic Centre; and
- Public libraries within the County Borough.

2.0.4 In addition to the adopted Plan the following documents have been published and are also available to view at the above locations:

- The Inspectors' Report;
- Adoption Statement;
- Sustainability Appraisal Report; and
- Habitats Regulations Assessment.

2.0.5 A charge will be made for hard copies of any document.

2.0.6 Any person may challenge the validity of the LDP on the grounds that it is not within the powers conferred by Part 6 of the Planning and Compulsory Purchase Act 2004 or that any requirement of that Act or any regulation made under it has not been complied with. Any such challenge should be made by application to the High Court under Section 113 of the 2004 Act within six weeks from 8th February 2016.

3 Environmental Assessment of Plans and Programmes (Wales) Regulations 2004

3.0.1 LDPs are required to be subject to Sustainability Appraisal (SA) under UK planning legislation and to be subject to Strategic Environmental Assessment (SEA) under European and UK legislation. In accordance with Welsh Government guidance, these assessments were combined and have been undertaken as an iterative process throughout all the LDP preparation stages. References to Sustainability Appraisal (SA) should therefore be taken to include Strategic Environmental Assessment (SEA) in all LDP related documents.

3.0.2 When a Plan is adopted, the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 require a statement to be published that provides the following information:

1. How environmental considerations have been integrated into the plan or programme;
2. How the Environmental Report (the SA/SEA Report) has been taken into account;
3. How opinions expressed in relation to the consultation on the plan/programme and Environmental Report have been taken into account;
4. The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and
5. The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

3.0.3 The LDP was also subject to a Habitat Regulations Appraisal (HRA). The HRA assessed the impacts of the LDP in combination with the effects of other plans and projects, on European sites designated for their ecological status. This appraisal also accompanied the Deposit LDP and was reported separately.

3.1 How Environmental considerations have been integrated into the LDP

3.1.1 Planning legislation and guidance requires that environmental considerations be incorporated into policy development at all stages. The LDP consequently includes a wide range of policies addressing environmental issues, and all development proposals in the Plan have taken into account environmental impacts and considerations. Further details and background is contained in the relevant LDP documents⁽¹⁾.

3.1.2 The SA/SEA process provided a separate detailed assessment procedure to further ensure that environmental issues were fully taken account of and integrated into every stage of Plan preparation. The relevant information relating to each stage of Plan preparation and decision making is set out in the relevant SA documents⁽²⁾.

3.1.3 In addition, as indicated above, the LDP was subject to Habitats Regulations Appraisal as a separate assessment under the Conservation of Habitats and Species Regulations 2010 (EC Habitats Directive 92/43/EEC).

3.2 How the Environmental Report (the SA/SEA Report) has been taken into account

3.2.1 The SA Report (Environmental Report) and the LDP were developed in parallel, with each stage of the SA informing and influencing the progression of the LDP.

Scoping Stage

3.2.2 The SA Scoping Report established environmental issues and objectives which then had an important initial influence on the development of the LDP objectives and Preferred Strategy.

Pre-Deposit Stage

3.2.3 Initially, the compatibility of the proposed vision and objectives of the LDP were assessed against the sustainability objectives identified at the SA Scoping Stage. This then fed into the initial assessment of the seven strategic growth options and four strategic spatial alternatives under consideration. These assessments then informed the decisions about the most appropriate and preferred strategy. A similar assessment was undertaken of the strategic policies.

3.2.4 Recommendations were made in relation to specific draft policies and allocations and about how the LDP could maximise its performance against the range of sustainability issues. This included recommendations about the need for additional specific policies to

1 Climate Change & Flooding Topic Paper (September 2014)(Ref: SD380); Environment Topic Paper (September 2014)(Ref: SD47); Candidate Site Assessment Report (August 2014)(Ref: EB07); Strategic Flood Consequences Assessment (September 2014)(Refs: EB01 & EB02); Provision of Landscape Advice (TACP 2011)(Refs: EB18 & EB19).

2 Stage 1: Sustainability Appraisal – Scoping Report (Revised) (February 2011)(Ref: LDP33); Stage 2: Sustainability Appraisal – LDP Pre-Deposit Plan Interim Report (September 2011)(Ref: LDP34); Sustainability Appraisal of the Deposit LDP – Main Report (August 2013)(Ref: SD05); Sustainability Appraisal of the Deposit LDP – Appendices (August 2013)(Ref: SD06); Sustainability Appraisal of the Deposit LDP – Addendum (September 2014)(Ref: SD07); Sustainability Appraisal of Proposed Focussed Changes (September 2014)(Ref: SD21); Sustainability Appraisal of the Proposed Matters Arising Changes (August 2015)(Ref: ED040).

address identified sustainability and environmental issues which were subsequently taken into account in the development of the detailed policies and allocations contained in the Deposit LDP⁽³⁾.

Deposit Stage

3.2.5 All the elements of the Deposit Plan were assessed in parallel with the plan development process, including all elements that had changed following the Pre-Deposit assessments and consultation process. This included the LDP vision, objectives, strategic alternatives, policies and allocations. The final selection of development allocation sites, the range of environmental protection policies and the finalised wording of all the Plan policies were fundamentally influenced by and resulted from the integrated iterative SA process. See The Sustainability Appraisal of the Deposit LDP – Main Report (August 2013)⁽⁴⁾.

Focussed Changes

3.2.6 A number of changes to the Deposit LDP were identified as a result of the Deposit LDP consultation. These changes were put forward as 'Focussed Changes' and were assessed through the SA process. Four substantive changes were consequently subjected to full detailed assessment which concluded that none of the proposed changes resulted in significant changes to the overall SA assessments, which consequently remained unchanged⁽⁵⁾.

Matters Arising Changes

3.2.7 A number of further changes were proposed in response to matters raised through the Examination process by the Inspectors and participants at the Hearing Sessions. These were termed Matters Arising Changes (MACs) and were subject to public consultation.

3.2.8 The proposed MACs were assessed through the SA process which concluded that the changes would not result in any significant amendments to the overall conclusions of the SA⁽⁶⁾. The SA of the MACs informed the final deliberations of the Inspectors.

3.3 How opinions expressed in relation to the consultations on the plan/programme and Environmental Report have been taken into account

3.3.1 Formal consultations have been undertaken in relation to the SA in accordance with the Environmental Assessment of Plans and Programmes (Wales) Regulations, in parallel with the LDP consultation process. The regulations stipulate the environmental consultation bodies that must be consulted: The Countryside Council for Wales, the

3 Full details are set out in Stage 2: Sustainability Appraisal – LDP Pre-Deposit Plan Interim Report (September 2011). Document Ref: LDP34.

4 Document Ref: SD05.

5 Full details of the SA of the Focussed Changes are set out in 'Sustainability Appraisal of Proposed Focussed Changes (September 2014)' - Document Ref: SD21.

6 Full details are set out in Sustainability Appraisal of Proposed Schedule of Matters Arising Changes (August 2015) - Document Ref: ED040

Environment Agency and Cadw. The first two bodies were merged into Natural Resources Wales in 2013, part way through the Plan preparation period. In addition, consultation was undertaken with a wide range of stakeholders and the general public.

3.3.2 Consultation with the statutory bodies, stakeholders and wider public was undertaken at the following key stages in the Plan preparation and SA process:

LDP Pre-Deposit Participation and SA Scoping Report

3.3.3 Prior to the formal Pre-Deposit LDP (Preferred Strategy) consultation stage, consultation exercises were undertaken in relation to the early stages of LDP preparation⁽⁷⁾. These comprised the following stages:

- Candidate Sites (2009/2010);
- Issues & Alternatives Participation (completed February / March 2009); and
- Pre-Deposit Participation (completed May 2011).

3.3.4 Full details of these stages and the ways in which comments received were taken into account are given in the LDP Consultation Report⁽⁸⁾.

3.3.5 In parallel with these stages, the SA Scoping Report was prepared in consultation with the SA Forum, (which was comprised of representatives from a range of organisations including environmental, business, disabled and community safety interests). The Scoping Report was the subject of an extensive consultation with the statutory environmental consultation bodies and the general public in July 2010. The comments received and the Council's responses were summarised⁽⁹⁾ and a revised version of the Scoping Report was published following this consultation in February 2011.

LDP Pre-Deposit Public Consultation and SA Interim Report

3.3.6 The LDP Pre-Deposit Plan (or 'Preferred Strategy') was the first key formal stage of the Plan preparation process⁽¹⁰⁾ and the formal consultation took place from Monday 5th September to Monday 17th October 2011. A further series of stakeholder engagement events was subsequently held in September/October 2012⁽¹¹⁾. Full details of the ways in which comments received were taken into account following these consultations are also given in the LDP Consultation Report⁽¹²⁾.

7 Regulation 14, Town & Country Planning (Local Development Plan) (Wales) Regulations 2015.

8 LDP Consultation Report - Volume 2: Pre-Deposit Consultation (Regulation 14 & 15) (September 2014) - Document Ref: SD11.

9 SA Scoping Report - Summary of Comments and Responses.

10 Regulation 15, Town & Country Planning (Local Development Plan) (Wales) Regulations 2015.

11 Deposit Participation (Emerging Proposals) (September / October 2012).

12 LDP Consultation Report - Volume 2: Pre-Deposit Consultation (Regulation 14 & 15) (September 2014) - Document Ref: SD11.

3.3.7 The SA Interim Report⁽¹³⁾ was published alongside the Pre-Deposit Plan, with comments invited during the same consultation period. The comments received as a result of this consultation and the Council's responses are contained in the Economic and Community Regeneration Cabinet Board Report⁽¹⁴⁾ available on the LDP website. Amendments made as a result of the consultation were incorporated in the SA Report⁽¹⁵⁾ issued at the Deposit Plan stage.

LDP Deposit Public Consultation and SA Report

3.3.8 The full draft LDP was formally placed 'on deposit'⁽¹⁶⁾ in August 2013. The formal consultation period ran from Wednesday 28th August to Tuesday 15th October 2013 and full details of the comments received and the Council's responses are again summarised in the LDP Consultation Report⁽¹⁷⁾. This consultation resulted in the proposal of a number of 'Focussed Changes' by the Council (see below).

3.3.9 At the same time as the LDP was placed on deposit, the SA Report⁽¹⁸⁾ was published for consultation and sent directly to the environmental consultation bodies. The comments received as a result of this consultation and the Council's responses are set out in the SA Addendum report⁽¹⁹⁾.

LDP Focussed Changes Consultation and SA of the Proposed Focussed Changes

3.3.10 Following on from the Deposit Plan consultation, the Council proposed a number of 'Focussed Changes' to the Plan, taking into account the comments received. Details are contained in the Schedule of Proposed Focussed Changes⁽²⁰⁾. A consultation was undertaken on the proposed Focussed Changes between 29th August 2014 and 13th October 2014. The proposed Focussed Changes and the comments received following the consultation were submitted to the Welsh Government (as part of the submission documents) in September 2014.

3.3.11 A further SA of the proposed Focussed Changes was undertaken prior to the formal submission of the LDP, and this document⁽²¹⁾ was submitted to the Welsh Government alongside the other documents.

Matters Arising Changes and SA of the Matters Arising Changes

3.3.12 The Matters Arising Changes (MACs) were the subject of a public consultation between 30th June and 10th August 2015. Comments received as a result of this consultation were considered by the Inspectors as part of their deliberations on the Plan.

13 Stage 2: Sustainability Appraisal - LDP Pre-Deposit Plan Interim Report (September 2011) - Document Ref: LDP34.

14 ECRB Report (Dec 11): Schedule of Comments & Responses.

15 Sustainability Appraisal of the Deposit LDP (August 2013) - Document Ref: SD05.

16 Regulation 17, Town & Country Planning (Local Development Plan) (Wales) Regulations 2015.

17 LDP Consultation Report - Volume 3: Deposit Consultation (Regulation 17) (September 2014) - Document Ref: SD12.

18 Sustainability Appraisal of the Deposit LDP (August 2013) - Document Ref: SD05.

19 Sustainability Appraisal of the Deposit LDP - Addendum (September 2014) - Document Ref: SD07.

20 Schedule of Proposed Focussed Changes – An Addendum to the Deposit LDP (September 2014) - Document Ref: SD20.

21 Sustainability Appraisal of Proposed Focussed Changes (September 2014) - Document Ref: SD21.

3.3.13 The MACs were also assessed through the SA process⁽²²⁾, which also informed the Inspectors' decision making process.

3.4 How the results of any transboundary consultations have been taken into account

3.4.1 The SA process did not indicate that the LDP is likely to have any significant effects on the environment of any other EU Member State. Consequently, no transboundary consultation was entered into under Regulation 14 of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004.

3.5 The reasons for choosing the plan or programme as adopted in the light of the other reasonable alternatives dealt with

3.5.1 A range of options were considered as part of the LDP preparation process, in particular a number of growth level options, alternative spatial strategies and more detailed choices about specific development sites and policies. These were tested against the SA objectives.

3.5.2 At the Pre-Deposit / Preferred Strategy stage, a 'moderate' growth level was chosen as the preferred option, but this was amended as a result of responses received to the Preferred Strategy consultation and following further work, research and information from the 2011 census. The new growth option chosen was a 'medium/high' level of growth. Full details of the processes and reasons behind these choices are given in the LDP and relevant background papers and the SA Pre-Deposit Interim Report⁽²³⁾ and SA Deposit Report⁽²⁴⁾. The preferred spatial option chosen was to focus development on the M4 coastal corridor while making increased levels of intervention to reinvigorate the Valleys area. Full details of the processes and reasons behind these choices are also available in the above documents.

3.6 The measures that are to be taken to monitor the significant effects of the plan or programme

3.6.1 The LDP Regulations⁽²⁵⁾ requires that implementation of the Plan must be monitored through the publication of an Annual Monitoring Report (AMR) which must be submitted to the Welsh Government. Regulation 17 of the SEA Regulations requires that the significant environmental effects of the Plan must be monitored in order to identify any unforeseen adverse effects and take appropriate remedial action. These monitoring requirements will be complied with through the LDP Monitoring Framework, set out in Section 6 of the adopted LDP. The specific indicators of the Monitoring Framework that will be specifically relevant to the monitoring of the environmental effects of the Plan are given in the SA Deposit Report⁽²⁶⁾.

22 Sustainability Appraisal of Proposed Matters Arising Changes (August 2015) - Document Ref: ED040.

23 Stage 2: Sustainability Appraisal: LDP Pre-Deposit Plan Interim Report (September 2011) - Document Ref: LDP34.

24 Sustainability Appraisal of the Deposit LDP (August 2013) - Document Ref: SD05.

25 Regulation 37, The Town & Country (Local Development Plan) (Wales) Regulations 2015.

26 Sustainability Appraisal of the Deposit LDP (August 2013) - Document Ref: SD05.

4 Further Information

4.0.1 If you have any queries or would like further information then please contact the Planning Policy Team on **(01639) 686821** or e-mail **ldp@npt.gov.uk**



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