

PLANNING STATEMENT

Land at Baglan Bay Innovation Centre, Baglan Energy Park

June 2020



Summary

Proposal:

Construction of Technology Centre, parking, landscaping and associated works

Location:

Land at Baglan Bay Innovation Centre, Baglan Energy Park, Central Ave,
Baglan, SA12 7AX

Date:

June 2020

Project Reference:

19.201

Client:

Morgan Sindall on behalf of Neath Port Talbot CBC

Product of:

Asbri Planning Limited
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Introduction

- 1.1 This Planning Statement accompanies a full planning application submitted on behalf of Morgan Sindall who is working on behalf of Neath Port Talbot County Borough Council. The application comprises the proposed Construction of a Technology Centre, parking, landscaping and associated works on Land at Baglan Bay Innovation Centre, Baglan Energy Park, Central Ave, Port Talbot, SA12 7AX.
- 1.2 A key aim of the project is to adopt the innovative design concept of ‘buildings as power stations’ and achieve an energy positive design solution aligned to the budget allocation. The purpose of the proposal is to provide a new facility for start-up businesses to use as office and lab space. The proposal also forms part of the Swansea Bay City Deal.
- 1.3 The planning application comprises the following set of drawings prepared by IBI:

Drawing name	Drawing reference
Site Location Plan	26X003-IBI-ZZ-XX-DR-A-10-0002 P02
Landscape Masterplan	26X003-URB-XX-XX-DR-L-90-0001 P07
Sitewide Landscape Masterplan	26X003-URB-XX-XX-DR-L-90-0002 P07
Soft Landscape Plan 1 of 3	26X003-URB-XX-XX-DR-L-90-0005 P07
Soft Landscape Plan 2 of 3	26X003-URB-XX-XX-DR-L-90-0006 P07
Soft Landscape Plan 3 of 3	26X003-URB-XX-XX-DR-L-90-0007 P067
Master Plant Schedule	26X003-URB-XX-XX-SH-L-90-0008 P04
Tree Retention/ Removal Plan 1 of 3	26X003-URB-XX-XX-DR-L-90-0010 P07
Tree Retention/ Removal Plan 2 of 3	26X003-URB-XX-XX-DR-L-90-0011 P07
Tree Retention/ Removal Plan 3 of 3	26X003-URB-XX-XX-DR-L-90-0012 P07
Tree Pit Detail	26X003-URB-XX-XX-DR-L-90-0015 P02

Tree Pit Plan	26X003-URB-XX_XX-DR-L-90-0016 P04
Hard Landscape Plan 1 of 2	26X003-URB-XX_XX-DR-L-90-0020 P03
Hard Landscape Plan 2 of 2	26X003-URB-XX_XX-DR-L-90-0021 P03
Hard Surface Details	26X003-URB-XX_XX-DR-L-90-0022 P03
Edging Plan	26X003-URB-XX_XX-DR-L-90-0023 P02
Street Furniture Plan	26X003-URB-XX_XX-DR-L-90-0025 P03
Street Furniture Details	26X003-URB-XX_XX-DR-L-90-0026 P03
Fencing Plan	26X003-URB-XX_XX-DR-L-90-0030 P03
Ecology Plan	26X003-URB-XX_XX-DR-L-90-0035 P03
Elevations Sheet 1	26X003-IBI-ZZ-EL-DR-A-25-0505 P02
Elevations Sheet 2	26X003-IBI-ZZ-EL-DR-A-25-0506 P02
Bin Enclosure Plan	26X003-IBI-ZZ-XX-DR-A-25-0503 P02
Plant Enclosure Plan	26X003-IBI-XX-DR-A-25-0511 P02
Existing Innovation Centre Condenser Plan	26X003-IBI-XX-DR-A-25-0512 P02
Site Section	26X003-IBI-ZZ-SE-DR-A-25-0513 P02
Sections Sheet 1	26X003-IBI-ZZ-SE-DR-A-25-0507 P02
Sections Sheet 2	26X003-IBI-ZZ-SE-DR-A-25-0508 P02
Ground Floor Plan	26X003-IBI-ZZ-00-DR-A-25-0500 P02
First Floor Plan	26X003-IBI-ZZ-01-DR-A-25-0501 P02
Second Floor Plan	26X003-IBI-ZZ-02-DR-A-25-0502 P02
Roof Plan	26X003-IBI-ZZ-RF-DR-A-

	25-0504 P02
Engineering Sections	26X000-HYD-XX-XX-DR-C-90-0212
Engineering Plan	26X000-HYD-XX-XX-DR-C-90-0500 P02
Drainage Plan	26X000-HYD-XX-XX-DR-C-90-0600 P03
External Lighting Plan	26X000-HYD-01-00-DR-E-63-0010 P04
Vision Splay Plan	26X003-HYD-XX-XX-DR-C-90-2300

1.4 In addition, the following supporting documents are submitted.

Document	Prepared by
Planning application forms (1APP)	Asbri Planning
Design and Access Statement Rev 2	IBI
Planning Statement	Asbri Planning
PAC Report and Appendices	Asbri Planning
Construction Method Statement/ Project Execution Plan (Includes Pollution Prevention Plan and Piling Method Statement)	Morgan Sindall
Phasing Plan	Morgan Sindall
Site Waste Management Plan	Morgan Sindall
Ground Conditions Desk Study	Hydrock
Geotechnical and Geoenvironmental Report	Terrafirma
Detailed Gas Risk Assessment	Terracfirma
Flood Consequences Assessment	Hydrock
Baseline Noise Survey	Formant
Phase 1 Ecology Report	NPT Ecology
Addendum to Phase 1 Ecology Report	NPT Ecology
Tree Survey	ArbTS
Energy Assessment	Hydrock
Transport Assessment	Hydrock
Travel Plan	Hydrock

1.5 The statement takes the format of an overview of the site and its surroundings at section 2, section 3 will provide a description of the proposal with section 4 giving a summary of each of the application

documents. Section 5 will then identify the relevant planning policy to the proposal and section 6 will provide an appraisal of the scheme against the planning policy. Finally, section 7 will conclude the document.

Site description

General location

- 2.1 The proposed site is land within the wider Baglan Bay Innovation Centre site which is located within Baglan Bay and is a part of the Swansea Bay coastline and a district of Neath Port Talbot county borough. Baglan Bay sits central between Swansea approximately 7.74km to the west and Port Talbot approximately 4km to the south east. The site is centred on grid coordinates E: 274015, N: 192967.

The site

- 2.2 The site is comprised of a section of grassland adjacent to the Baglan Bay Innovation Centre building which sits to the east. To the south of the site is the centre's car park. To the north and west are areas of grassland and vegetation. The M4 is located approximately 175m to the north east of the site.
- 2.3 A review of the TAN:15 development advice maps produced by NRW identifies the site is wholly within flood zone C1 served by significant infrastructure, including flood defences.
- 2.4 A review of the historic wales maps identifies there are no listed buildings within the site boundary or within close proximity to the site.
- 2.5 A review of the Coal Authority maps identifies the site is located within a Coal Mining Reporting Area.

Surroundings

- 2.6 The surrounding area is comprised of a mix of employment uses given that the area is designated within the NPT LDP as existing employment area Baglan Energy Park. The site sits on the southern side of the M4 and the main body of Baglan comprised of residential and complementary uses is located to the north of the M4.

Access

- 2.7 The wider Baglan Bay Innovation Centre site has an existing access to the southern boundary off Central Avenue. The access leads to an area of car parking.

Pre-application Discussions

- 3.1 A pre-application meeting was held with the Local Planning Authority on the 25th February 2020 and was attended by members of the development team. Prior to the pre-application meeting there had been informal dialogue and comments provided which has informed the scheme. The meeting reviewed the scheme from the relevant topic areas and the following comments were made:

Drainage

- It was confirmed at the meeting that a SAB pre-app had been submitted and that dialogue was ongoing and would inform the scheme moving forward.

Highways

- It was clarified that the proposal would need to be justified from a transport and parking perspective.

Ecology

- The Phase 1 Survey is currently being updated to reflect the new red line boundary. Further survey requirements to be confirmed. Relevant mitigation will need to be considered.

Environmental Health

- The location of plant and heat pumps were clarified. The EHO did not raise any particular concerns. It was noted that piling will be required. As such it was suggested that dialogue be held with the neighbours upfront to inform them of the requirements. It was confirmed that a piling method statement will be provided in support of the application.

Planning

- Visuals had been provided ahead of the meeting and the LPA confirmed that they were generally happy with the proposals. It is acknowledged that the building needs to be energy positive. The LPA requested that the colour of the window reveals be reviewed ahead of the submission. No adverse comments provided with regards to the scale and form of the proposed building.

HSE

- The team confirmed that the scheme had been plotted on the HSE WebApp and that the automated advice from the HSE was 'do not advise against granting planning permission'. Further dialogue was held with the HSE directly and the plotting of the scheme was checked. Based on the layout to date and the

confirmation that the scheme would not be occupied by students the advice would stand. However, it was acknowledged that the LPA will need to revisit this as part of the application.

Proposals

- 4.1 The proposed development is for a new Technology Centre which will be located adjacent to the existing Baglan Bay Innovation Centre. The proposed building will provide office/ lab space for start-up businesses.

Layout

- 4.2 The layout includes for the construction of a three-storey energy positive building that is proposed to be located adjacent to the existing innovation centre.

Materials

- 4.3 The proposed building will be a combination of glazing and solar panels in order to reach the required standard to be considered an energy positive building. The area will be softened with a mix of soft landscaping and hard landscaping to include the use of asphalt, grasscrete and block paving.

Access and parking

- 4.4 The proposal seeks to utilise the existing access off Central Avenue and proposes to provide 102 parking spaces which includes 5 disabled bays. In addition, 10% of spaces having access to electric charging points. The proposal includes for cycle storage of 16 stands which is compliant with the standard outlined in the SPG. It is proposed that the car park will be constructed in two phases.

Boundary Treatment & Landscaping

- 4.5 The proposed layout suggests a mix of fencing to enclose the bin store and soft landscaping within the site and on the boundaries to enhance the new technology centre. The proposals will soften the new building and will include the use of:
- Amenity grass
 - Ornamental shrub planting
 - Wildflower meadow
 - SuDS planting
 - New trees

Supporting documents

- 5.1 The following section intends to provide a brief overview of the supporting documents and reports which have been prepared to accompany the planning application for the proposed development.

Design & Access Statement

- 5.2 A Design and Access Statement has been submitted in support of the application. The statement was prepared by IBI and explains the various facets of design and access in relation to the site alongside outlining planning policy relevant to the proposal. The statement also explains how the proposal complies with the 5 principles of good design identified in TAN12.

Pre-Application Consultation (PAC) Report

- 5.3 Following a change in the Welsh Government Regulations in response to COVID-19 the pre-application consultation was re-run. Following the consultation period, a Pre-application Consultation Report has been produced by Asbri Planning and has been submitted in support of this application. The report summarises the responses received from Community, Specialist and Other consultees alongside responses to their representations. The responses received have allowed potential issues to be resolved at an earlier stage of the design and application process.

Noise Survey

- 5.4 A baseline noise survey has been undertaken by Formant with a report produced which summarises an assessment of the potential noise impacts arising from the proposed development. The proposed development will not generate significant operational noise levels or changes in road traffic on the local road network. Construction noise is not expected to be significant in the context of the site and the local area. The site is located in close proximity to the M4 motorway, which dominates the noise climate. The predicted internal noise levels are below the BS 8233 internal ambient noise level targets, therefore no significant impacts are predicted. The external noise limits are considered achievable with standard plant and attenuation measures, therefore no significant impacts are predicted.

Construction Method Statement/ Project Execution Plan

- 5.5 A construction method statement/ project execution plan has been produced by Morgan Sindall and outlines build proposals for the Swansea Bay Technology Centre project. The strategy takes into account the site's position and sets out how the needs of the local community and surrounding area will be considered during the construction of this key project. The statement also includes the

piling method statement which outlines the environmental considerations, impact on the adjacent property and method of working.

Site Waste Management Plan

- 5.6 The site Waste Management Plan progress for BREEAM has been completed by Morgan Sindall.

Phase 1 Ecology Report

- 5.7 The Countryside and Wildlife Team of Neath Port Talbot CBC have undertaken an ecological survey and assessment of an area of land within the Baglan Energy Park. The site does not lie within, nor is adjacent to any statutory protected sites. An extended phase 1 habitat survey was undertaken for the site by Wendy Larcombe in May 2018. An additional phase 1 survey was carried out in February 2020. Section 4 of the report identifies where further survey and assessment is needed and this is summarised below:

- Mammal survey, especially for otter and bats and a check for badger'
- Amphibian survey;
- Reptile survey;
- Bird survey; and
- Botanical survey

The surveys were undertaken in May 2020 and a further report has been produced.

Addendum to Phase 1 Ecology Report

- 5.8 Following the completion of the surveys a further report has been produced. The report outlines the results of the surveys as well as any mitigation required to address any potential impacts

Tree Survey

- 5.9 An Arboricultural Report has been prepared by ArbTS to give an assessment to the quality of the trees at Baglan Energy Centre, assess the arboricultural impact of the proposed development design and provide details regarding the protection of retained trees during construction work. A small number of trees are identified to be removed to facilitate the construction of the proposed development design (3 individual trees, 5 small tree groups, part of a tree group and tree area and 28 metres of hedgerow). Nearly all these trees identified for removal are low quality trees (C category). These trees should not present a constraint on developing the site. The tree survey identified the need to remove one moderate quality tree (T5 – Scots Pine). The scheme was reviewed but the retention of T5 isn't

possible but it's removal can be readily mitigated for by suitable compensatory tree planting.

Energy and Sustainability Statement

- 5.10 An Energy and Sustainability statement has been prepared by Hydrock this includes following the energy hierarchy, by first looking to reduce the need for energy, then looking to ensure energy is supplied in the most efficient manner possible, and lastly the use of renewable energy sources. The implementation of passive design and energy efficiency measures, alongside the inclusion of a significant amount of PV, allows the building to achieve energy positive operation.

Ground Conditions Desk Study

- 5.11 Hydrock have completed a ground conditions desk study of the site. The report identified and confirmed the ground conditions on-site and made recommendations for further works.

Geotechnical & Geo-environmental Report

- 5.12 Terraforma have completed a geotechnical and geo-environmental investigation at the site. The main objectives of the geo-environmental assessment programme were to:
- Investigate the potential environmental liabilities at the site associated with any soil, groundwater or ground gas contamination;
 - Provide a summary of the environmental conditions at the site, together with any necessary further intrusive works and / or remediation works to render the site fit for its intended use; and
 - Provide a waste classification assessment of each principle soil type encountered in accordance with WM3.
- 5.13 The main objectives of the geotechnical site investigation were to:
- Determine the type, strength and bearing characteristics of the shallow superficial and underlying solid geology
 - Provide engineering foundation and floor slab recommendations for the development
 - Provide an assessment of the risks of concrete in aggressive ground in accordance with BRE-SD1
 - Provided a radon risk assessment
 - Provide CBR recommendations for the proposed car parking area.
 - Provided infiltration rates for storm water drainage and permeable paving options.

- Provide recommendations with regard to any other geotechnical aspects pertaining to the development

5.14 In order to achieve the above objectives, Terra Firma (Wales) Limited carried out an assessment programme including a site walkover, a review of existing data, followed by a field investigation to collect geotechnical and environmental data from selected locations.

Detailed Gas Risk Assessment

5.14 Following comments from the Council's Contaminated Land Officer further ground gas assessment was undertaken. Following completion of this assessment Terrafirma have recommended that a ground gas protection system be installed and its installation verified by a specialist consultant.

Transport Assessment

5.15 A Transport Assessment has been prepared by Hydrock and is submitted in support of the application. The report assesses the proposal for a transport perspective and considers the level of parking required to serve the building and also provides a justification for the number of spaces. The assessment analyses the number of trips the building will generate and considers capacity of the wider highway network.

Travel Plan

5.16 A Travel Plan has been prepared and is submitted in support of the application. The Plan outlines measures to promote more sustainable travel choices such as walking, cycling and public transport and to reduce the reliance on the private car which will result in a reduction of vehicles trips to and from the site.

Planning Policy Context

Introduction

- 6.1 The planning policy framework for the determination of this application is provided by the content and scope of national planning guidance, together with the Neath Port Talbot Local Development Plan (LDP) adopted January 2016.

Planning Policy Wales

- 6.2 PPW Edition 10 was adopted by the Welsh Government in December 2018 and is the principal document for planning considerations in Wales. PPW provides land use planning policy and should be taken into account when preparing planning applications. PPW Edition 10 sets out the land use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW provide the national planning policy framework for Wales.
- 6.3 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. PPW and the National Development Framework (NDF) set out how the planning system at a national, regional and local level can assist in delivering these requirements through Strategic Development Plans (SDPs) and Local Development Plans (LDPs).
- 6.4 Sustainable development is defined as:
- “Sustainable development” means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals. Acting in accordance with the sustainable development principle means that a body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. ”***
- 6.5 Up-to-date development plans are the basis of the planning system and set the context for rational and consistent decision making. Plans at all levels of the development plan hierarchy must be prepared in accordance with national planning policies. Planning applications must be determined in accordance with the adopted plan, unless material considerations indicate otherwise.

6.6 **Under Section 2 – People and Places – Achieving Well Being Through Placemaking**, 5 Key Planning Principles are highlighted, under the general heading of ***Achieving the Right Development in the Right Place*** which are:

- 1. Growing our economy in a sustainable manner***
- 2. Making best use of resources***
- 3. Facilitating Accessible and Healthy Environments***
- 4. Creating and Sustaining Communities***
- 5. Maximising environmental protection and limiting environmental impact.***

6.7 **Section 3 – Strategic and Spatial Choices** states that effective strategic placemaking requires early collective consideration of placemaking issues at the outset, in the formulation of a development plan, or when developing specific proposals.

6.8 Paragraph 3.3 emphasises that good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places.

6.9 Section 3.8 relates to how good design can help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process. Integrating green infrastructure is not limited to focusing on landscape and ecology, rather, consideration should be given to all features of the natural environment and how these function together to contribute toward the quality of places.

6.10 Community safety is a key social consideration with the aim to produce safe environments that do not compromise on design quality in accordance with the cohesive communities well-being goal.

6.11 Avoiding car based developments is key to achieving good design as it contributes to minimising the need to travel with reliance on the car. Achieving these objectives can be made easily accessible by sustainable transport modes.

6.12 Section 3.13 relates to existing infrastructure stating:

“Existing infrastructure must be utilised and maximised, wherever possible. Where new infrastructure is necessary to mitigate transport impacts of a development and to maximise accessibility by sustainable non-car modes, it should be integrated within the development layout and beyond the

boundary, as appropriate. This could include works to connect cycle routes within a site to a wider strategic cycling network or provision of bus priority measures on highway corridors serving a new development."

- 6.13 **Section 4 – Active and Social Places** defines those places which promote our social, economic, environmental and cultural well-being by providing well-connected cohesive communities. Places which are active and social contribute to the seven goals of the Well-being of Future Generations Act. The key issues in this theme include:
- *assisting in the delivery of cohesive communities which will meet the needs and are accessible to all members of society, including older people;*
 - *tackling inequalities between communities, delivering services and jobs closer to where people live and acknowledging the importance of inclusive communities and the wider environment for good health and well-being;*
 - *improve sustainable access to services, cultural opportunities and recreation facilities to support people to adopt healthy, culturally fulfilled lifestyles*
- 6.14 **Section 5 – Productive and Enterprising Places** - Productive and Enterprising Places are those which promote our economic, social, environmental and cultural well-being by providing well-connected employment and sustainable economic development. These places are designed and sited to promote healthy lifestyles and tackle climate change. This is done by making them: easy to walk and cycle to and around; accessible by public transport; minimising the use of non-renewable resources; and using renewable and low carbon energy sources.
- 6.15 For planning purposes the Welsh Government defines economic development as the development of land and buildings for activities that generate sustainable long term prosperity, jobs and incomes. The planning system should ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses.
- 6.16 Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services.
- 6.17 Wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration. Sites identified for employment use in a development plan should be protected from inappropriate development.

- 6.18 PPW:10 recognises that business clustering can be beneficial when developing land use planning. This occurs when businesses from the same or similar industry, or with a common interest, choose to locate in close proximity for mutual benefit. Often, clustering concerns high technology, innovative or research and development based companies. Businesses can benefit from shared facilities, infrastructure, local pools of skilled and qualified labour, common supply chains and links to higher education.
- 6.19 Planning authorities should ensure development plan policies are supportive of renewable and low carbon energy development in all parts of Wales.
- 6.20 In determining applications for the range of renewable and low carbon energy technologies, planning authorities should take into account:
- the contribution a proposal will make to meeting identified Welsh, UK and European targets;
 - the contribution to cutting greenhouse gas emissions; and
 - the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development.
- 6.21 Planning authorities should give significant weight to the Welsh Government's targets to increase renewable and low carbon energy generation, as part of our overall approach to tackling climate change and increasing energy security.
- 6.22 In circumstances where protected landscape, biodiversity and historical designations and buildings are considered in the decision making process, only the direct irreversible impacts on statutorily protected sites and buildings and their settings (where appropriate) should be considered. In all cases, considerable weight should be attached to the need to produce more energy from renewable and low carbon sources, in order for Wales to meet its carbon and renewable targets.
- 6.23 **Section 6 – Distinctive and Natural Places** requires that development plan strategies, policies and development proposals should be formulated to look to the long term protection and enhancement of the special characteristics and intrinsic qualities of places, be these of natural, historic or built environments, ensuring their longevity in the face of change. This means both protecting and enhancing landscapes, habitats, biodiversity, geodiversity and the

historic environment in their own right as well as other components of the natural world, such as water resources or air quality.

- 6.24 All landscapes in Wales are valued for their intrinsic contribution to a sense of place. Where adverse effects on landscape character cannot be avoided, it will be necessary to refuse planning permission.
- 6.25 Section 6.6.26 identifies that TAN 15: Development and Flood Risk should be referred to for further policy advice on development and flood risk. It will be important to note that developments located within flood risk areas remain at risk from flooding even if mitigation measures are applied.

Technical Advice Notes

- 6.26 The following TANs are considered relevant to this planning application:

Technical Advice Note (TAN): 5 Nature Conversation and Planning

- 6.27 TAN 5 provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation.

Technical Advice Note (TAN) 12: Design (2016)

- 6.28 TAN 12 provides guidance on how good design should be achieved through the planning process. The document recognises that design is a process of analysis of the surrounding area recognising and resolving any issues that may be present.

Technical Advice Note (TAN) 15: Development and Flood Risk

- 6.29 TAN 15 provides technical guidance which supplements the policy set out in Planning Policy Wales in relation to development and flooding. The overarching aim of the precautionary framework is, in order of preference, to:-
- Direct new development away from those areas which are at high risk of flooding.
 - Where development has to be considered in high risk areas (zone C) only those developments which can be justified on the basis of the tests outlined in section 6 and section 7 are located within such areas.
- 6.30 Within zone C1 development can take place subject to application of justification test, including acceptability of consequences.

Technical Advice Note (TAN) 18: Transport (2007)

- 6.31 TAN 18 explains how to integrate land use and transport planning

with particular emphasis on how transport impacts should be assessed and mitigated through well designed developments.

Neath Port Talbot Local Development Plan

- 6.32 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning application decision should be made in accordance with the authority's adopted development plan, unless material considerations indicate otherwise. In this instance, the statutory development plan for this application site is provided in the Neath Port Talbot Local Development Plan (2010-2021).
- 6.33 The LDP proposals map identifies the site is located within an Existing Employment Area Baglan Energy Park and within a Mineral Safeguarding Area.
- 6.34 The following LDP policies are considered relevant in the context of the proposed development:

Policy reference	Relating to
<i>Overarching Policies</i>	
SP1	Climate Change
SP2	Health
SP3	Sustainable Communities
SC1	Settlement Limits
SP4	Infrastructure
<i>The Economy</i>	
SP11	Employment Growth
EC2/6	Existing Employment Areas
EC3	Employment Area Uses
<i>Environment and Resources</i>	
SP15	Biodiversity and Geodiversity
EN6	Important Biodiversity and Geodiversity Sites
EN7	Important Natural Features
SP16	Environmental Protection
EN8	Pollution and Land Stability
SP17	Minerals
M1	Development in Mineral Safeguarding Areas
M2	Surface Coal Operations
SP18	Renewable and Low Carbon Energy
RE2	Renewable and Low Carbon Energy in New Development
SP19	Waste Management
W3	Waste Management in New Development
<i>Transport and Access</i>	
SP20	Transport Network

TR2	Design and Access of New Development
<i>Culture and Heritage</i>	
SP21	Built Environment and Historic Heritage
BE1	Design

6.35 Policy EC3 relates to employment area uses and states:

"Within allocated and existing employment areas, unless otherwise specified and where appropriate, uses will be restricted as follows:

- *Uses within classes B1, B2 and B8;*
- *Ancillary facilities or services which support and complement the wider role and function of the primary employment use;*
- *Commercial services unrelated to class B.*

Developments will be required to demonstrate that proposals do not cause any adverse impacts on the overall function of the employment area and neighbouring commercial and residential properties, the proposal can be sustainably justified in this location and is appropriate in scale and form to the role and function of the employment area."

6.36 Policy M1 relating to Development in Mineral Safeguarding Areas states:

"Development proposals within mineral safeguarding areas will only be permitted where it can be demonstrated that:

- 1. The mineral concerned is no longer of any value or potential value;*
- or*
- 2. The mineral can be extracted satisfactorily prior to the development taking place; or*
- 3. In the case of temporary development, it can be implemented and the site restored within the timescale that the mineral is likely to be needed; or*
- 4. There is an overriding need for the development; or*
- 5. The scale and location of the development would have no significant impact on the possible working of the resource"*

Supplementary Planning Guidance

6.37 The following supplementary planning guidance's are also of relevance to the proposed development:

- Parking Standards (October 2016);
- Pollution SPG (October 2016)
- Design (July 2017);
- Renewable and Low Carbon Energy in New Development (July 2017); and,

- Biodiversity and Geodiversity (May 2018)

Appraisal

Overview

- 7.1 This section aims to identify the main issues relevant to the determination of the application and assess the scheme against the relevant planning policy framework. These matters are considered to be as follows:

- The principle of development at this location;
- The impact of the development in terms of minerals;
- The impact of the development on the character and appearance of the surrounding area;
- The impact of the development on the amenity of neighbours
- The impact of the development in terms of access, parking and the wider highway network;
- The impact of the development on biodiversity;
- The impact of the development on flood risk
- The impact of the development in terms of drainage;
- Any other material considerations

The principle of development at this location

- 7.2 The site is located within existing employment area Baglan Energy Park within which uses will be restricted in accordance with Policy EC3. Policy EC3 states:

“Within allocated and existing employment areas, unless otherwise specified and where appropriate, uses will be restricted as follows:

- *Uses within classes B1, B2 and B8;*
- *Ancillary facilities or services which support and complement the wider role and function of the primary employment use; and*
- *Commercial services unrelated to class B....”*

- 7.3 The proposed development is use class B1 and will not cause any adverse impacts on the overall function of the employment area. The proposal is located within the existing Baglan Bay Innovation Centre wider grounds and is an expansion to the existing site use. The proposal is therefore considered to be beneficial to the existing employment use and will provide circa 250 full time equivalent jobs.
- 7.4 The proposal is therefore considered to be compliant with PPW10, Technical Advice Notes and policies SP3 (Sustainable Communities), SC1 (Settlement Limits) and EC3 (Employment Area Uses) of the Council’s Local Development Plan. As such the principle of development is acceptable subject to detailed design considerations.

The impact of the development in terms of minerals

- 7.5 As previously identified the site is located within a safeguarded mineral area alongside being within the settlement protection zone. Policy M1 relates to development in mineral safeguarding area and states that development proposals will only be permitted where it demonstrates that it can meet one of the five given criteria. Criteria 5 states that *“the scale and location of the development would have no significant impact on the possible working of the resource”*. The site is located within the settlement protection zone and as such is located within an area considered to be unacceptable for surface coal operations in principle as is within 500 metres of a settlement. The proposal is therefore considered to be compliant with policy M1 (Mineral Safeguarding) of the Local Development Plan.

The impact of the development on the character and appearance of the surrounding area

- 7.6 The site is located within existing employment area Baglan Energy Park as such the context of the character and appearance of the surrounding area is related to employment uses. The site is well contained with landscaping and trees providing screening to all boundaries due to land topography, trees/landscaping and the distance of surrounding built development. The M4 forms a strong boundary to the north east separating the predominant area of residential use from the employment area. The proposed building will be wholly located within the existing Baglan Bay Innovation Centre site and will be located adjacent to the existing building of offices. The building's location within close proximity to the existing building will cluster the built development within the employment area. Overall the proposal is considered to be acceptable in the site location as is an employment use within a designated employment area.
- 7.7 The proposal has been designed in a contemporary style similar to the existing building within the wider site. The proposal is comprised of a low carbon development with the aim of also being energy positive providing energy to the nearby existing buildings. Overall the proposal is considered to be wholly in keeping with the character and appearance of the surrounding area which relates to the existing employment area Baglan Energy Park.
- 7.8 The proposal is therefore considered to be compliant with PPW10, Technical Advice Notes and policies SP3 (Sustainable Communities), SC1 (Settlement Limits), EC3 (Employment Area Uses) and BE1 (Design) of the Council's Local Development Plan.

The impact on the amenity of neighbours

- 7.9 The impact the proposal will have on the amenity of surrounding neighbours is considered to be negligible given the proposal comprises an employment use within an area of existing employment. During construction the proposal will have a temporary impact towards the privacy and amenity of the neighbouring building which will be mitigated. The Construction Method Statement and Piling Method Statement outline how any potential noise, vibration and disturbance will be kept to a minimum throughout the construction phase. As such the overall impact on the amenity of surrounding neighbours will be temporary during the construction phase but mitigated through best practice. The proposal is therefore considered to be compliant with PPW10, Technical Advice Notes and policies SP3 (Sustainable Communities), SC1 (Settlement Limits), EC3 (Employment Area Uses) and BE1 (Design) of the Council's Local Development Plan.

The impact of the development in terms of access, parking and the wider highway network

- 7.10 The proposal will make use of the wider sites access to the southern boundary accessed via Central Avenue. This access is considered to be acceptable for the proposed use as currently supports the existing buildings adjacent to the site which are for employment use. The parking and access requirements have been fully assessed in the Transport Assessment. The proposal includes the provision of approximately 102 no. parking spaces which includes five disabled parking spaces. The adopted SPG Parking Standards has the following requirement for B1 uses within zone 2 & 3 offices over 1000m² require 1 space per 30m². The proposal would therefore require 125 no. parking spaces. The proposals indicate that the new car park serving the building would provide less spaces than required in the SPG. Although this is the case the site has been subject to a capacity survey and it is considered that the existing building has approximately 38 spaces available and is operating well within capacity. As such the proposal when coupled with the existing parking is considered to have sufficient parking to serve the development. The proposals also provide for electric charging points which will be for 10% of the new parking provided. It is proposed that the new car park will be constructed in two phases. In addition, the site is sustainably located and has access to public transport and also provides cycle facilities on-site to encourage modal shift and active travel. The proposal is also supported by a Travel Plan which outline measures to support the site and to encourage the modal shift of occupiers.
- 7.11 The proposal's trip generation has also been considered and based on recent survey data and the expected number of trips which would

be generated by the new building it is considered that existing junctions will operate within capacity. As such the development is not considered to have an adverse impact on the wider highway network.

- 7.12 Given that the site is located within an existing employment area the surrounding infrastructure has been developed to accommodate employment developments. The highway infrastructure including the wider highway network, the existing site access, parking, access to public transport and active travel is considered to be adequate to accommodate the proposal. As such the proposal is considered to be in accordance with PPW10, TAN18, the Active Travel Act and Policy SP20 (Transport Network) and Policy TR2 (Design and Access of New Development) of the Council's Local Development Plan.

The impact of the development on biodiversity

- 7.13 An ecological survey and assessment of the site has been undertaken by NPT Countryside and Wildlife Team. The survey identified the following habitats to be present at the site:

- Wet woodland/willow carr;
- Standing and running water;
- Tall herb, scrub and semi-improved neutral grassland mosaic;
- Semi-improved neutral grassland; and
- Scrub

- 7.14 The majority of the site including land where the building is proposed is comprised of semi-improved grassland. The report provides a comprehensive summary of the observations made in relation to protected species. Section 4 sets out preliminary results of the constraints to the development and initial recommendations of how these can be addressed within the development. Opportunities for mitigation and enhancement are also identified wherever possible. To inform the development and any subsequent planning application further assessment and survey work is required, including:

- Mammal survey, especially for otter and bats and a check for badger
- Amphibian survey
- Reptile survey
- Bird survey
- Botanical survey

- 7.15 These surveys were completed in May 2020. The survey work has highlighted the need for appropriate mitigation, compensation and enhancement to be provided. These requirements have been incorporated into the proposals. In addition to on-site works the

survey also identified the need to provide mitigation for the loss of grassland on verges that are located in relatively close proximity to the site. It is noted that these verges are within the ownership of the applicant. The use of a construction method statement and site waste management plan which have been submitted in support of the application will also help to ensure that best practice is adopted to minimise environmental impacts.

- 7.16 Overall the proposals which include appropriate mitigation measures and biodiversity enhancements are considered to provide positive benefits in terms of biodiversity. The proposal is therefore compliant with PPW10, Technical Advice Note 5 (Nature Conservation and Planning) and Policies SP15 (Biodiversity and Geodiversity), EN6 (Important Biodiversity and Geodiversity Sites), EN7 (Important Natural Features) and SP16 (Environmental Protection) of the Council's Local Development Plan.

The impact of the development on flood risk

- 7.17 In considering the principle of development a material consideration is the sites location within zone C1. Within zone C1 development can take place subject to application of justification test, including acceptability of consequences. The proposed use is considered to be a less vulnerable development as is employment B1. The justification tests set out in TAN:15 are as follows:

- i. *"Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement 1; or,*
 - ii. *Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;*
- and,*
- iii. *It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and,*
 - iv. *The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable."*

- 7.18 The site is an employment use proposed within existing employment area Baglan Energy Park within which uses are restricted to employment use. This location is therefore necessary to assist in the local authority's strategy for regeneration and to sustain an existing land use. The proposal will contribute to key employment objectives providing circa 250 full time equivalent jobs. The proposal concurs with the aims of PPW10 particularly the aims set out in section 5 relating to productive and enterprising places. The section highlights

that wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration. The proposal will also be supportive towards business clustering locating businesses, often, high technology, innovative or research and development-based companies within close proximity to each other for mutual benefit. Whilst the proposal is not located on previously developed land it is within an area designated for employment use and will be in keeping with this. The potential consequences of a flooding event for the particular type of development have been fully considered in the FCA and as previously noted the proposal comprises a less vulnerable development. As such the proposal is considered to comply with the justification tests and acceptability criteria. The proposal is therefore considered to be compliant with PPW10, Technical Advice Notes and policies SP3 (Sustainable Communities), SC1 (Settlement Limits) and EC3 (Employment Area Uses) of the Council's Local Development Plan. As such the principle of development is acceptable subject to detailed design considerations.

The impact of the development in terms of drainage

- 7.19 The proposal has been developed to deal adequately with surface and foul drainage. As such the proposals will meet required standards and best practice and will be subject to SAB approval where required. As such the proposal will be acceptable in terms of drainage.

Other materials considerations

Energy

- 7.20 Policy RE2 requires an energy assessment to determine the feasibility of incorporating renewable and low carbon energy in developments with a total floorspace of 1000sqm or more. An energy assessment for Low and Zero Carbon Energy technologies has been completed by Hydrock. This includes following the energy hierarchy, by first looking to reduce the need for energy, then looking to ensure energy is supplied in the most efficient manner possible, and lastly the use of renewable energy sources. The proposed building is required to comply with Building Regulations Part L2A Wales criteria. Further to this, the SBTC shall go above and beyond Part L2A, by operating as 'energy positive'. In practical terms this means that the building shall export more energy to the National Grid when compared to the amount it consumes, over the course of a year. A Dynamic Simulation Model (DSM) calculation has been performed for to assess 'energy positive' performance.
- 7.21 The Neath Port Talbot cabinet member for regeneration and sustainable development issued a statement relating to tackling climate change. The statement recognises that Neath Port Talbot

Council takes its own role in this very seriously and welcomes the announcement made by the Welsh Government in April declaring a climate emergency across Wales, highlighting the magnitude and significance of the latest evidence base and issuing a call for rapid and decisive action. Furthermore, NPT has put climate change at the forefront of our thinking on economic development and regeneration. Neath Port Talbot has taken the lead on the Homes as Power Stations project as part of the Swansea Bay City Deal which aims to deliver smart, low carbon energy-efficient homes across the region. The proposal will be beneficial towards tackling climate change given the positive energy nature.

- 7.22 The report concludes that the implementation of passive design and energy efficiency measures, alongside the inclusion of a significant amount of PV, allows the building to achieve energy positive operation. As such the proposal is considered to be in accordance with PPW:10, Technical Advice Notes alongside LDP policies including RE2.

Arboriculture

- 7.23 As identified within the Arboricultural Report a small number of trees are identified to be removed to facilitate the construction of the proposed development design (2 individual trees, 5 small tree groups, part of a tree group and tree area and 28 metres of hedgerow). Nearly all these trees identified for removal are low quality trees (C category). These trees should not present a constraint on developing the site. The removal of the one moderate quality tree (T5 – Scots Pine) can be readily mitigated for by suitable compensatory tree planting. The scheme has been reviewed and it isn't possible to retain Tree T5. The report concludes that adhering to the tree protection details as found within the report the proposed development can be constructed without any significant long-term adverse impact onto the retained trees or the amenity of the area.

Ground Conditions

- 7.24 The proposals are supported by a number of geotechnical studies which confirm the ground conditions on-site. In addition, further gas monitoring has been undertaken. It is considered with appropriate mitigation that the proposals are considered to be acceptable in terms of contamination and ground conditions.

Conclusion

- 8.1 This Planning Statement accompanies a planning application submitted on behalf of Morgan Sindall who is working on behalf of Neath Port Talbot County Borough Council. The application comprises the Construction of a Technology Centre, parking, landscaping and associated works on Land at Baglan Bay Innovation Centre, Baglan Energy Park, Central Ave, Port Talbot, SA12 7AX.
- 8.2 The application site is located within the existing employment area of Baglan Energy Park within which uses will be restricted in accordance with Policy EC3 (Employment Area Uses) of the Local Development Plan. The proposed development is use class B1 and will not cause any adverse impacts on the overall function of the employment area as such is compliant with policy EC3. The site is located within flood zone C1 within which development can take place subject to application of justification test, including acceptability of consequences. The above section demonstrates compliance with the justification tests and the FCA provides a review of compatibility with acceptability criteria. As such the principle of development is considered to be acceptable.
- 8.3 Overall the proposal is considered to be wholly in keeping with the character and appearance of the surrounding area which relates to the existing employment area Baglan Energy Park. The building's location within close proximity to the existing building will cluster the built development within the employment area.
- 8.4 Given that the site is located within an existing employment area the surrounding infrastructure has been development to accommodate employment developments. The level of parking proposed is considered to be acceptable to the proposal.
- 8.5 In relation to biodiversity with the appropriate surveys, mitigation measures and biodiversity enhancements proposed the impact of the proposal on site biodiversity is considered to be positive. Furthermore, the implementation of passive design and energy efficiency measures, alongside the inclusion of a significant amount of PV, allows the building to achieve energy positive operation.
- 8.6 It is therefore considered that the proposal is compliant with policies each of the relevant policies highlight and as such accords with relevant national and local planning policy and guidance. It is therefore requested that Neath Port Talbot County Borough Council's Local Planning Authority grant planning permission accordingly.