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Planning Application Submission to NPTCBC
for
Retention of access track, Britton Ferry

PLANNING STATEMENT

August 2021

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1. INTRODUCTION:

1.1 This statement supports the application to Neath Port Talbot County Borough Council (NPTCBC) for retention of an access track on a site west of Metal Box Pond, Penrhityn known referred to as 'the site' from this point forward.

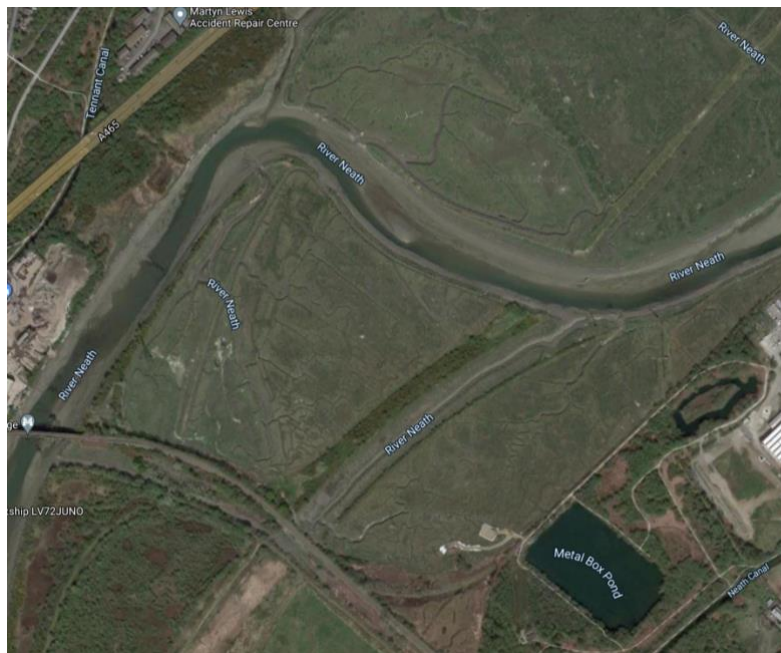
1.2 The site is owned and managed by Mr D G Jones of DG Jones Plant Hire. The saltmarsh site is used for grazing of livestock.

1.3 This Planning supporting statement takes the following form:

- Section 2 outlines the site location and context.
- Section 3 describes the planning history associated with the site.
- Section 4 provides the details and specification of the road and considers the retention.
- Section 5 summarises the local and national planning policy.
- Section 6 reviews the proposals in the context of the sections 2- 4.
- Section 7 presents a conclusion and recommendation.

1.4 Should any further information be required please do not hesitate to contact Anna Cheney in the first instance annacheney@hrt.uk.com.

2. SITE LOCATION AND CONTEXT:



Plan 1 – satellite image of the site

- 2.1 The site lies to the south west of the town of Neath with the River Neath running to the west and north of the site with a tributary running through the centre. The area subject of the access track is Saltmarsh that is inundated by tide and is up to 1m beneath the Estuarine water of the River Neath during high Spring Tides. The site has many salt march creeks (pills) of varying depth and width which connect to the river at high tide. Underlying bedrock is Mudstone, Siltstone and Sandstone (British Geological Survey).
- 2.2 The site previously had a very rough track that provided access however it was not fit for purpose often meaning the farmer was unable to access his livestock swiftly if the needed attention. The land is currently used as grazing land for cattle over the saltings at low tide.
- 2.3 The road has been developed on a temporary basis in order for Western Power to adequately access the site to carry out maintenance to 2 pylons situated within my clients grazing land. The track has been laid and topped with bounded pennant stone providing a surface to accommodate large vehicles. The road is extremely useful to

the farming of the land and the purposes of animal husbandry providing a route that is fit for purpose to ensure animals that may be in distress or danger can be assisted.

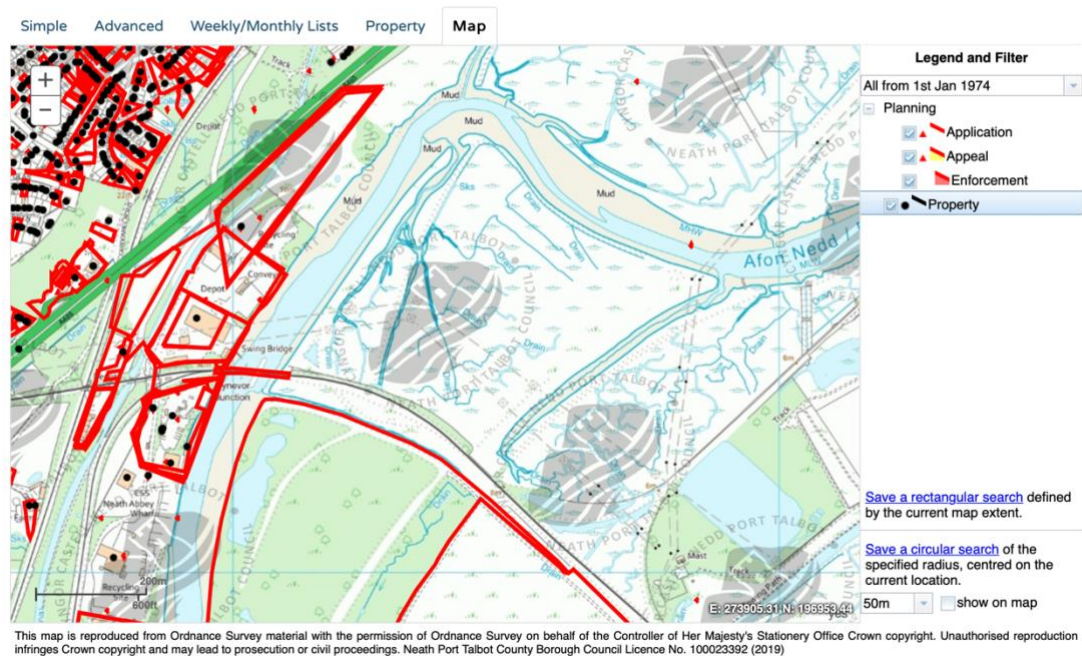
3.0 PLANNING HISTORY

- 3.1 Planning History for the site has been reviewed using the NPTCBC online planning register mapping facility. Due to the saltmarsh site and associated ground conditions of the site it is unsurprising there are no entries on the system dating from 1974 to present (August 2021).
- 3.2 The Plan below shows the results of the NPTCBC planning history search (online).

Map Search

[Help with this page](#)

Use the map tools to help you zoom in or out, or click and drag to pan around the map, to locate the desired case or property. Clicking on a case or property on the map will display a pop-up with brief details.



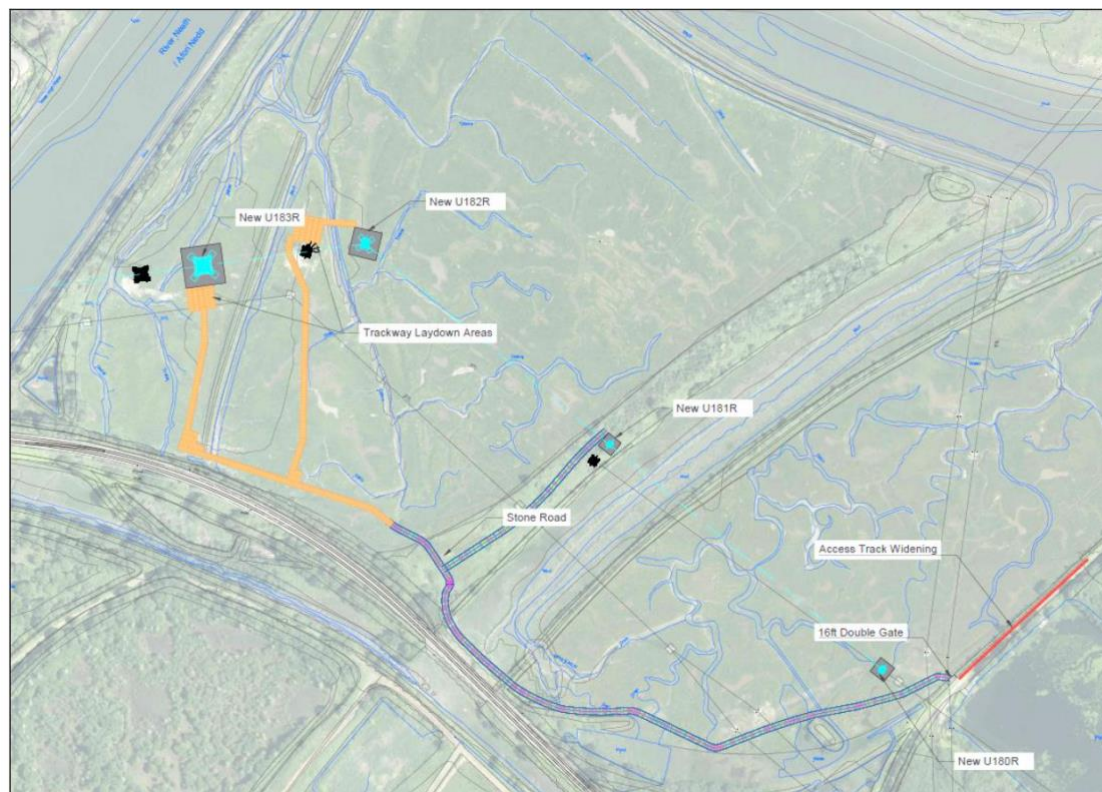
Plan 2 – NPTCBC planning history search

4.0

DESCRIPTION OF ACCESS TRACK FOR RETENTION:

4.1

As briefly stated in section 2, within the site are 2 electricity pylon towers owned by Western Power Distribution (WPD) referred to as U180R and U181R. These towers have recently undergone a programme of works connected with 132kv U Route Diversion together with towers U182R and U183R (see plan below showing how the site and towers in question link with those to the west and not part of this application). The pylon towers required replacement due to their wet location and having suffered advancing metal fatigue and rust. In order to enable the works, and specifically due to the soft ground conditions of the Saltings, WPD laid a track in order for heavy machinery to access the towers at this location. This work was carried out under the Electricity Act 1989: Overhead Lines (Exemption) (England and Wales) Regulations 2009, with NPTCBC confirming their acceptance in 20th October 2020.



Plan 3 – Overall trackways shown between towers U180R – U183R (note it is the blue section of track that is the subject of this application and not yellow or red.)

4.2

The track is currently in-situ. Information taken from the Ecology report of 2020 by I G Ecological Consulting confirms the following specification of the access track (see extract below). For further information please see the full ecology report that is

attached to this submission. A plan (Rev D) showing a section and aerial view of the track in situ is also provided as part of this application.

4.3 *Where possible existing tracks at the margins of the salt marsh will be used, areas where there are peaks and troughs and adverse cambers will have clean sandstone applied and flat firmer areas of vegetation will have mats applied. This stone has been chosen as the BGS (British Geological Survey) maps show that the underlying bedrock is Mudstone, Siltstone and Sandstone. Sedimentary Bedrock formed approximately 308 to 310 million years ago in the Carboniferous Period. The second reason is one of geochemistry: when limestones are weathered, a thin alkaline soil is usually left above, whereas weathering of sandstones results in acid soils and peat often forms on them. Because of the differences, the landscape and habitats that develop on sandstone bedrock may be quite different from that formed on limestone. Concrete hard-standings will be needed at the entrance of the site and this will serve ecological and logistic functions.(I G Ecological Consulting)*

4.4 It is now the farmers wish to retain this track in to perpetuity in order to facilitate farming practices and aid animal husbandry in this area by means of access for everyday farming vehicles and agricultural machinery. The retention of the track will also serve the purpose of protecting the land in future for any further scheduled maintenance or emergency works that may be required by WPD on the electricity network in this location.

4.5 Specification of the track is as follows:

- The road width varies according to the ground conditions below, however there is generally a 4m top layer running surface of Blue Pennant Sandstone.
- Beneath the top layer lies Tensar Tx160, then
- A layer of Tensar Tx170,
- Finally a base layer that extends to 5m in width of Terram 1000. The combined depth of the above layers equates to 0.5m.

4.6 Terram 1000 is a geotextile, geosynthetic membrane. TERRAM Standard Geotextiles are extensively used in stabilisation and drainage applications to provide separation and filtration functions, preventing the intermixing of granular layers and the ingress of fines. Their use ensures an improved performance and design life of granular

layers. The layer maintains separation and filtration function under high load even in soft and variable strength ground unlike woven textiles.

- 4.7 The Tensar layers provide a mesh grid that aid load bearing and the control of differential settlement and surface rutting and also reduce carbon footprint and improve sustainability. An image of soft ground with and without Tensar layer is shown below.



With Tensar Layer / Without Tensar layer

- 4.8 Pennat stone has been used for the top layer of the road that is compacted to ensure the gravel will stay in situ at high tide when the area is inundated. Blue Pennant stone has a high resistance to weathering and is extremely hard wearing and durable.

5.0 PLANNING POLICY

5.1 Planning Policy Wales (11th Edition, February 2021)

Planning Policy Wales (PPW) forms the overarching national planning policy document within Wales, providing guidance to Local Planning Authorities (LPAs) for the preparation of development plans and the determination of planning applications through their development management functions.

Key Planning Principles

5.2 Paragraph 2.13 states that “The plan-led system underpins the delivery of sustainable places. To ensure all development plans and decisions taken by the planning system work together to deliver sustainable places. The 5 Key Principles represent a guiding vision for all development plans, including the NDF”. The key principles are as follows:

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.

5.3 Paragraph 2.17 states “In responding to the key principles for the planning system, the creation of sustainable places and in recognition of the need to contribute to the well-being of future generations in Wales through placemaking, development plans and development proposals must seek to deliver development that address the national sustainable placemaking outcomes”.

Technical Advice Notes

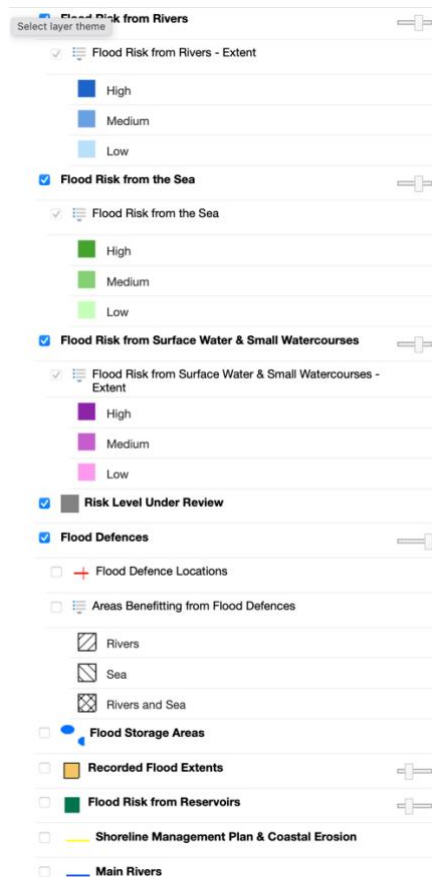
5.4 Technical Advice Notes (TANs) supplement the policy principles of PPW and add further detail on issues which might affect development potential of the site. TANs which are considered relevant to the proposal and should therefore be given weight are:

- Technical Advice Note (TAN) 15: development and flood risk (July 2004) and
- Technical Advice Note 5: Nature Conservation and Planning (2009).

- 5.5 **TAN 15** advises caution in respect of new development in areas of high flood risk by setting out a precautionary framework to guide planning decisions in so far as the should direct new development away from those areas which are 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 contained in the TAN are located within such areas.
- 5.6 TAN 15 paragraph 11.21 Proposals for public open space, outdoor recreational uses and agricultural developments, are likely to be acceptable in all areas where there is a risk of flooding. However, ancillary buildings or structures required for these uses, which are subject to prior approval, may not be acceptable in accordance with section 7. Note there are no buildings as part of the application, only an access track and is therefore considered acceptable.

Plan 4 – Floodrisk in the area (NRW) (Key overleaf)





5.7 The above listed National policy of PPW and the more detailed TAN topics are promoted through the provision of the Local Development Plan (LDP) and other guidance such as Supplementary Planning Guidance (SPG) produced by the Local Planning Authority (LPA).

5.8 TAN 5 notes advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. Paragraph 1.4.1 states :

Nature conservation as referred to in statute¹ means the conservation of flora, fauna, geological and physiographical (also called geomorphological) features. Nature conservation, as referred to throughout this TAN, includes the conservation of biodiversity and geodiversity including the natural systems and processes that continue to change the land form, rivers and coasts of Wales.

5.9 The local planning policy context is discussed in this section. First the adopted plan is considered and important information is then provided with regard to the forthcoming LDP review.

5.10 NPTCBC LDP 2011 – 2026 is the current adopted LDP for the area. The following extract shows the relevant section of the proposals map. The site is not allocated for any particular use however there are the following designations:

- Settlement protection zone (M2/1)
- Safeguarded minerals (M1)



Plan 5 : Extract from the NPTCBC LDP 2011-2026 Proposals Map

5.11 General policies of the plan that will require careful consideration are listed below.

- Policy EN6 Important Biodiversity and Geodiversity Sites
- Policy EN7 Important Natural Features
- Policy EN8 Pollution and Land Stability
- Policy M1 Development in Mineral Safeguarding Areas

- Policy M2 Surface Coal Operations

5.12

In response to Policy EN 6 and EN7 an Ecology report is submitted as part of the application. The conclusions of the report are noted below for ease of reference:

'The combination of desk and field surveys undertaken at the site identified a limited range of habitat types including saltmarsh, species poor boundary scrub (atop the bund to the south) with small areas of broadleaf trees alongside the railway track and native hedgerows to the north. The largest habitat areas on site consisted of improved grassland. The saltmarsh grassland was considered to be of ecological importance in a local context and as such are likely to be utilised by a variety of species potentially including invertebrates and birds as well as foraging and commuting bats. Little or no ecological value was attached to the scrub area. The trees alongside the railway could provide "green bridges" for flying species to traverse the railway safely.

There are no plans to alter or "manage" the scrub, main saltmarsh nor the hedgerow or the trees along the railway track.

Area loss can cause populations of organisms to decline due to a decrease in habitat size. The narrow area to be area to be "tracked" consists of grazed Saltmarsh. If the track site is cleared without mitigation the impact is expected to be negligible as a track already exists on site...but needs augmenting in places for health and safety reasons. Saltmarsh is already a resilient habitat due to its exposure to all elements. '
(I G Ecological Consulting)

6.0 CONCLUSION

- 6.1 There are no allocations of the LDP preventing the access road retention on this agricultural land.
- 6.2 It is understood that the development is within a floodzone however this is an area that regularly is inundated at high tide. The development is for an access track to facilitate agriculture and ease of access to maintain the electricity network over time and not for any form of sensitive development nor any buildings.
- 6.3 Due to the benefits that the access road can provide to the farming of this land, animal husbandry and the sustainability benefits of retention rather than reinstatement of the track upon the next programme of works for replacement of the towers (likely within 10 years) and the negligible effects on the ecology and biodiversity of the site and wider area then it is considered that the proposal for retention should be supported by the Council and the application approved.

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