

PLANNING (SITE VISITS) SUB COMMITTEE

12TH JUNE 2012

ENVIRONMENT SERVICES

REPORT OF THE HEAD OF PLANNING – G. WHITE

PART 1 – Doc.Code: PSVS-120612-REP-EN-GW

SECTION A – MATTERS FOR DECISION

1. PLANNING APPLICATION RECOMMENDED FOR APPROVAL

ITEM 1	
<u>APPLICATION NO:</u> P/2011/1127	<u>DATE:</u> 17/01/2012
PROPOSAL: Part retention of, and external alterations to, an unauthorised structure and use as an agricultural building.	
LOCATION: Blaencwmbach Farm, Fairyland Road Neath	
APPLICANT: Mr David Morgan	
TYPE: Full Plans	
WARD: Neath	

Planning History

P2007/1713 – Replacement dwelling: Refused 25/03/2009

P2009/0603 – Retention of building to be used as holiday accommodation: Refused 01/09/2009 – Appeal dismissed 08/03/2010

P2010/0401 – Retention of dwelling for agricultural worker: Refused 12/10/2010 – Appeal dismissed 22/03/2011

E2011/0127 – Enforcement Notice requiring demolition of the building dated 01/04/2011 – Appeal upheld subject to minor amendments and extending the time for compliance to 6 months 06/10/2011

Publicity and Responses if applicable:

Number of properties consulted: 0

Site notice erected: No response

Description of Site and its Surroundings and relevant planning history.

The site is located within a group of traditional stone farm buildings on an active farm at Blaencwmbach. The group is set in a landscape of open pasture interspersed with forestry plantations high on the plateau above the Vale of Neath. The stone buildings and enclosures are mostly without roofs and appear generally in poor condition. The site itself is that of the former farmhouse together with a portion of land including an area of farmyard, although it was established at the second appeal that the footprint of the building is considerably larger than the former farmhouse. The applicant has farmed the land at Blaencwmbach and at nearby Ty Cwm, to the south, and east, since 1994 but has owned it for a shorter period. Before that he also farmed Sunnybank Farm, Aberdulais where he continues to live although he no longer has any agricultural interest there.

It seems that the Blaencwmbach farmhouse was last occupied as a dwelling in 1991 but in 1994 it fell into disrepair. The applicants intention was to refurbish the farmhouse and, having received approval to do so under the Building Regulations set out to do so. After commencing work on the refurbishment, it appears that the remains of the farmhouse collapsed and the owner commenced redevelopment of the site without first obtaining planning permission. The redevelopment came to the attention of the planning department when the two storey structure was at eaves level. The developer was advised to cease work immediately but he ignored this advice and continued work on the site. Following this a series of planning applications and associated appeals have been determined. The building as intended as a dwelling has been completed externally with the exception of a porch, but internally the upstairs floor and internal walls were not installed.

The first application sought permission for the retention and completion of the structure as a dwellinghouse in 2007 (P2007/1713). This

application was refused as it was considered that the development was unjustified and detrimental to visual amenity and highway and pedestrian safety.

A further application was submitted in 2009 (P2009/0603) for the use of the structure as holiday accommodation, this was also refused and a subsequent appeal dismissed in March 2010. The appeal was dismissed on the grounds that its retention would be significantly harmful to the rural character and appearance of the countryside. There was not enough supporting evidence that the general need for holiday accommodation could not be met within or adjacent to settlement boundaries where the visual impact would be reduced and the need for travel by car would be reduced. Furthermore whilst the proposal was considered to be a small scale employment generating enterprise, as the site is not adjacent to a rural settlement it has not been shown to be necessary for agricultural or forestry purposes associated with farm diversification. However, the Inspector did not accept that the proposal would be detrimental to highway safety.

In addition to the dismissal of the appeal to use the structure as holiday accommodation the Inspector pointed out during the 2010 appeal that there was no suggestion then that the dwelling was needed for an agricultural worker. Nevertheless another application was submitted for its use as an agricultural worker's dwelling which was refused planning permission (P2010/0401).

The application for the agricultural worker's dwelling was subject to appeal. The Inspector concluded in his decision letter that the application was made without the robust justification required to support a further dwelling on the farm in terms of agricultural need and that the substantial structure would be significantly harmful to the rural character of the area.

Following the appeal decision an enforcement notice was served on the 1st April 2011 against which the applicant appealed. The Inspector subsequently upheld the enforcement notice, although the time was extended for compliance from 3 months to 6 months. Furthermore he concluded that its retention for use partially for agricultural storage and partially as a bunkhouse would not overcome the objections. Therefore the Notice requires the demolition of the building on or by the 6th of April 2012. However, the building has not yet been demolished.

Brief description of proposal (Eg. size, siting, finishes)

Notwithstanding all of the above history this application seeks full planning permission for the part retention and part alteration of the unlawful building to be used for agricultural purposes.

The submitted plans indicate that the alterations proposed to the structure mean that the building will utilise the same footprint, 7m x 19.2 but the ridge height has been reduced from 7.6m to 6.5m and the eaves lowered from 5m to 2.5m. The structure will incorporate a green box profile roof, with only a single door opening on the north west elevation whilst the south east elevation will incorporate two windows. An existing patio door on the south west elevation would be replaced by a gate and a gate 3.2 m. wide to eaves height opened up on the north east elevation. All the other windows within the existing unauthorised structure will be blocked up. Nevertheless the render finish will be retained and subsequently its residential character.

Policy Context

Policy GC1 New buildings/structures and changes of use

Policy ENV17 Design

Policy ENV1 Development in the Countryside

Planning Policy Wales Technical Advice Note 6 – Planning for Sustainable Rural communities

Proposals within the countryside will not be permitted unless they meet certain criteria. Part a) of Policy ENV1 will permit development if it is for agricultural or forestry purposes, and it has been demonstrated that the development is necessary to meet the needs of the farming or forestry practices and it justifies a countryside location. Furthermore the application has to meet the criteria outlined in Planning Policy Wales Technical Advice Note 6.

In reference to the above, the applicant provided details of his farming enterprise within the accompanying Design and Access Statement which confirmed that the proposed structure would cater for;

- 1000 ewes

- 500 ewe lambs
- 75 suckler cows
- 50 followers and 40 stores
- 2 sows
- 3 ponies

An assessment of the enterprise was carried out to see if the proposal meets the test for Agricultural Need, the findings are as summarised as follows:

The land on which the building sits and the immediate adjacent land makes little or no contribution towards the trade and business that is the farming enterprise. The yard at Ty Cwm and the dwelling adjacent to that is the principle centre for the enterprise and there is no compelling evidence to explain why any additional livestock or storage buildings would not be better placed adjacent to that yard, particularly for a use that may ultimately require an on site presence.

It is proposed to dedicate the ground floor of the building to accommodate lambing, calving and storage. The lambing is currently carried out in more suitable buildings less than a mile away and not only would the transfer of these activities to the subject site area create an artificial need, it would be and is better located at Ty Cwm. If the existing buildings at Ty Cwm need to be extended in order to fully accommodate the elements of the enterprise, an application can be made accordingly.

In view of the above the proposal fails to meet the test for agricultural need and is therefore contrary to Policy ENV1 of the Neath Port Talbot Unitary Development Plan and Planning Policy Wales - Tan 6.

The agent working on behalf of the applicant studied the agricultural assessment and fielded a number of questions which were all focused on meeting the tests for agricultural need. The agent's statements can be seen in bold below with the councils response after it:

- ***The application was accepted on the basis that the existing building is unauthorised and therefore the site is 'Greenfield'. It is as identified above. The building has no planning permission***

either for its use or the structure. The underlying use of the land is indeed agriculture, the assessment however examines whether the site actively contributes towards the use of the larger holding for agriculture as an enterprise carried out for a trade or business.

- ***I fail to understand why the Consultant states that the site and the immediately adjoining land makes little or no contribution to the farming enterprise. This land forms the farm yard to Blaencwmbach Farm and has done so for well over a hundred years. The adjoining, albeit, run down, buildings provide the only shelter for some 28 ha of the holding and provides facilities for lambing, calving and storage. The yard also provides storage and parking of farm vehicles. Ty Cwm is about a mile away and it is not practical or desirable to herd or transport ewes and cattle that are about to give birth that distance, particularly during emergencies. The facilities at Ty Cwm can handle stock kept at that location and if an additional building is required, it makes sense, from a farm management perspective, to locate it where the need is.*** There is insufficient evidence to show why the principal source of any need from the holding cannot be based at Ty Cwm, where it has been accommodated satisfactorily to date. To insist on carrying out functions at Blaencwmbach where there are insufficient resources to address them seems illogical and artificial given that there are existing resources in terms of agricultural buildings and an agricultural dwellinghouse to serve this enterprise at Ty Cwm.
- ***It is necessary to separate certain cattle from each other, eg heifers and bulls and cows that are bred with certain bulls.*** This point is agreed but can be done with a single yard and holding, as on many other farms.
- ***The enterprise, being split into two separate areas is ideal for this. During breeding times, presence is required for long periods of the day and night and not only would the proposed building serve to house these animals but It would also provide shelter for personnel.*** The proposal is for an agricultural building only and it would appear that the agent highlights here that to allow it might lead to a subsequent application for a dwelling to address the resulting management need. The issue of an agricultural dwelling at this location has previously been assessed by the Planning Authority and at appeal where it was dismissed as unnecessary.

- ***Finally the agent comments on the observations made by the assessment in terms of the design of the structure. The agent has offered to amend the design of the structure to secure an approval.*** Any amendments to the design to make the application acceptable visually would have to be extensive. That being said, the principle of having an agricultural building at this location is still not justified and therefore producing a suitable design is irrelevant.

Visual Amenity

In terms of visual amenity the surrounding structures within the immediate area have been constructed using natural stone. The proposed changes include replacing the tiled roof with green cladding whilst keeping the same render to the outside. Therefore aside from the infilling of certain openings on the side elevations and a replacement roof with a reduced eaves level, the structure remains largely the same. It is considered that the structure albeit with its reduced eaves level still incorporates excessive massing (ridge height only lowered by 1.1m), this together with its render finish is at odds with its rural countryside setting. Approving this application will therefore result in the retention of an alien structure to the detriment of the visual amenity and character of this rural area as a whole. This is a view shared by the Inspector in the previous appeal for the agricultural dwelling whereby he concluded that the substantial structure would be significantly harmful to the rural character of the area and in conflict with those policies designed to protect the countryside. Therefore in conclusion the proposed alterations to the unlawful building are not significant enough to warrant agreement in terms of its impact upon visual amenity. It is therefore maintained that the retention of this unauthorised structure will continue to have an unacceptable adverse affect on visual amenity.

Residential Amenity (Eg. Overlooking, Overbearance, Overshadowing)

There is no adverse affect on residential amenity by virtue of the proposals isolated countryside location.

Highway Safety (Eg. Parking and Access)

<p>The Head of Engineering and Transport (Highways) offers no objections. The department had previously recommended refusal on highway grounds when this structure was being considered as a dwellinghouse and holiday accommodation. However, this was not accepted at the appeal in 2010. The use as an agricultural building however will have a much smaller number of vehicular movements than those associated with the other uses. For this reason, there is no adverse affect on highway and pedestrian safety.</p>
<p>Others (including objections)</p> <p>None</p>
<p>Conclusion:</p> <p>The retention and alteration of this unauthorised structure as an agricultural building would result in the retention of an unjustified form of development in the open countryside, which fails to satisfy the tests of agricultural need outlined in Planning Policy Wales Technical Advice Note 6 and as required under Policy ENV1. This unjustified form of development which together with its scale, design and massing has a detrimental impact upon the character and appearance of the surrounding countryside contrary to the overarching need to protect the countryside for its own sake. The proposal is therefore also contrary to Policies ENV1 and ENV17 of the Neath Port Talbot Unitary Development Plan.</p>
<p>Recommendation: Refusal</p>

REASONS FOR REFUSAL;

- (1) The retention and alteration of this unauthorised structure as an agricultural building would result in the retention of an unjustified form of development in the open countryside, which fails to satisfy the tests of agricultural need outlined in Planning Policy Wales Technical Advice Note 6 and the criteria outlined in Policy ENV1 of the Neath Port Talbot Unitary Development Plan.
- (2) This unjustified form of development which together with its scale, design and massing will have a detrimental impact upon the character and appearance of the surrounding countryside contrary to the overarching need to protect the countryside for its own sake. The proposal is therefore

contrary to Policy ENV1 and Policy ENV17 of the Neath Port Talbot Unitary Development Plan.

<u>ITEM 2</u>	
<u>APPLICATION NO:</u> P/2011/1131	<u>DATE:</u> 18/04/2012
PROPOSAL: Conversion and part demolition of Club (Use Class D2) to 12 No. 1 Bedroom flats and external alterations comprising of insertion and alteration of fenestration and provision of associated car parking	
LOCATION:	72-74 Windsor Road, Neath SA11 1NR
APPLICANT:	Mr David Davies
TYPE:	Full Plans
WARD:	Neath East

Planning History

75/0312 – Extension to beer cellar: Approved Cond – 25/11/1975
77/0484 – New Billiards room above existing Concert Hall and new Committee room above existing cellar: App cond – 28/02/1978
79/092 – Single side internal illuminated fascia box sign: Approved Cond 27/03/1979
79/0769 – Internally illuminated projecting sign; Approved Cond 29/01/1980
81/069 – New Skittle Alley: Approved 24/03/1981
87/0104 – Section 53 Convert part of a bottle store into a small lounge with servery. Planning permission not required 25/02/87
87/0764 – Installation of a small receiving satellite dish aerial: Approved 01/2/88
92/0398 – Renewal of shop front to betting shop: Approved 16/07/92
97/1173 – Convert betting shop into lounge extension for use by Mackworth Social Club: Approved Cond 27/11/1997

Publicity and Responses if applicable:

Head of Engineering and Transport (Highways): Objections
 Biodiversity: No objections

Site Notice erected

Press Notice

68 Neighbouring properties consulted

3 letters received

Petition received

Description of Site and its Surroundings

The application site is located at 72 Windsor Road, Neath. The last use of the building was a club. The property is located within the Neath Town Centre near to established commercial and residential areas. The site is abutted on two sides by the highways serving Osborne Street and Windsor Road whilst on the other sides are the properties 33 Osborne Street and 74 Windsor Road.

Brief description of proposal (Eg. size, siting, finishes)

The application seeks full planning permission for the change of use of the property from a club (Use Class D2) to 12 Number self contained flats (C3). The application is in effect for 11 flats to be added to an existing flat that is present on the top floor which was last used by the former landlord. In order to facilitate the development the applicant proposes to demolish the existing skittle alley at the rear of the premises in order to make room for six off street parking spaces and a bin store. Access to this is from Osbourne Street. These submitted plans indicate that there will be no increase in ridge height; modifications to the external appearance of the building are concerned with the creation of new window openings and access doors. The plans show six windows on the ground floor and four widows on the first floor of the front elevation. Six windows on the ground floor of the rear with enlargement of three existing windows on the first floor. Finally with regard to the side elevation, it will incorporate four windows on ground and two on the first floor. The proposed materials include PCVU for the windows and render to the walls.

Material Considerations

The materials issues related to this planning application are the principle of the development at this site, together with the impact of the proposal upon visual and residential amenity, and also on highway and pedestrian

safety having regard to prevailing planning policies.

Policy Context

Neath Port Talbot Unitary Development Plan:

Policy GC1 New buildings/structures and changes of use

Policy ENV17 Design

Policy H6 Conversions to and subdivision of dwellings and other premises

Policy TRL3 Non – Retail uses within shopping centres

Policy T1 Location, layout and accessibility of new proposals

Policy H6 favourably considers proposals to convert premises to provide flats subject to certain criteria:

The proposal is considered to improve the character of the area as well as increasing the vitality of the Town Centre as it will provide a use to building that has been vacant for a considerable amount of time and is falling into a state of disrepair. The design of the proposal has also been mindful to ensure the amenities of adjacent dwellings are not adversely affected, an issue that will be discussed at length in the residential amenity section. The effects on parking and programmed infrastructure are also considered acceptable – see highway section later on in the appraisal.

Visual Amenity

With regard to visual amenity the external alterations are considered to be an improvement on the existing premises which has fallen into a state of disrepair. The location of the property within the town centre adjacent to and opposite to commercial properties means there is no distinct uniform style in terms of fenestration on existing buildings. Furthermore the side elevation that faces onto the residential area that is Osbourne Street is also devoid of any distinct uniform design pattern as terraced properties as well as flats are present with their own unique external finishes. The front elevation stands to benefit from the insertion of 10 windows which will have the affect of breaking up this bland elevation, providing much needed articulation and character on this property. Much the same has

happened on the rear with this elevation benefiting from four number windows on the new elevation following the demolition of the bowling alley. The side elevation facing Osbourne Street proposes to change the fenestration by inserting individual residential windows in keeping with those on the front and rear in place of the existing club style windows which presently dominate this elevation. Therefore the proposed external alterations are not considered to adversely affect the character and appearance of the streetscenes on Osbourne Street and Windsor Road over and above what currently exists. There is no adverse affect on visual amenity.

Residential Amenity (Eg. Overlooking, Overbearance, Overshadowing)

In terms of residential amenity there is no conflict between distances allowable between habitable room windows and the overlooking of private space. The windows to be incorporated in front and side elevations face out onto the respective highways of Windsor Road and Osbourne Street. It is acknowledged that there are proposed to be habitable room windows on the first floor rear elevation which face onto the side of the neighbouring property, Number 33 Osbourne Street. However, this property does not incorporate any windows within this elevation and there is not considered to be any significant overlooking of this property's private amenity space to warrant a recommendation of refusal. This conclusion was reached by virtue of the restricted vantage point afforded by the positioning of the windows in the proposed scheme in relation to the neighbours garden and the distance, in excess of 15m away from said amenity area.

There is not considered to be any adverse affects in terms of overshadowing and overbearance. The submitted plans indicate no increase in ridge level or additional extensions. Furthermore the overall massing of the premises will be reduced with the demolition of the bowling alley.

The introduction of the car park to the rear of the property will not adversely affect the amenity of the neighbouring residential property. The car park is restricted to six number spaces only and to the use of residents. There is no provision for visitor parking. In terms of noise generated by vehicular movements, the area is already in use as a vehicle

storage area and both Windsor Road and Osbourne Street are busy roads that generate a lot of traffic, so it is not considered to adversely affect amenity over and above that which currently exists.

In terms of the residential amenity of the future occupiers of the development. The level of residential amenity afforded to them is considered to be adequate. Therefore, there is no adverse affect on residential amenity.

Highway Safety (Eg. Parking and Access)

In terms of highway safety, the Head of Engineering and Transport (Highways Section) has objected to the development on the grounds that the proposal offers insufficient off street parking within the confines of the site for residents and visitors. They also believe the scheme will exacerbate the existing indiscriminate on street parking problems on Windsor Road to the detriment of highway safety.

Under the CSS Parking Standards the requirement for parking is 1 space per unit with a visitor parking requirement of 1 space per 5 units.

It should be noted that the current use of the property is that of a club complete with concert hall and function room. These facilities if utilised have the potential to lead to a significant demand for parking facilities. The current use and its demands upon parking cannot be ignored when considering the parking requirements associated with the use which is sought under this application. The adopted parking guidelines (as well as the CSS) for this authority require the provision of 1 car parking space for every 5 square metres of every public area within Licensed Clubs. This equates to 139 parking spaces for the current use, it must be noted that this figure does not take into account the parking requirements of any staff, or the staff flat.

The proposal has provided six off street parking spaces, which is six more than the premises, can currently provide but six short of what the Highways department is asking. However it is clearly evident that the development for which planning permission is sought requires 127 less parking spaces than what is required for the existing use of the property. A refusal on highway grounds is therefore unjustified given the current use of the building and that the proposed use represents a significant

improvement over the present situation. Furthermore the application site is situated in a sustainable Town Centre location within walking distance of public car parks as well as the bus and train stations, making the proposal attractive to non car owners.

In the accompanying Design and Access Statement the applicant has described how if needed the Public House car park serving Number 93 Windsor Road could be utilised to serve the proposal. This is positioned on the opposite side of the carriageway to the development site and has the potential to change ownership independently at any time and therefore cannot be taken into account. The applicant has also indicated his intention to obtain parking permits on Windsor Road. This is not to be considered in the determination of this application as you can not apply for a residential parking permit until you have a residential property. Any permits obtained by the applicant would be subject to the applicant being successful in acquiring his planning permission.

Biodiversity

The biodiversity section offered no adverse comments. They did suggest that if any bats were found during demolition works that work should stop immediately and the Countryside Council for Wales contacted to obtain a WG license. This is a requirement of other legislation and as such an advisory note will be attached to any approval.

Others (including objections)

One letter was received in relation to this proposal. It was concerned with a narrow stretch of land to the rear of the property between the application site and the neighbouring property Number 33 Osbourne street. The applicant had included this part of land within the red line site area. The letter brought to the Councils attention that the ownership was in question. Subsequently the land was advertised in the press with a view for any owner or tenant of the aforementioned land to make representations about this application. This had the affect of delaying the processing of the application as the application in its initial form was invalid. Once the application was made valid re-consultations were sent out. In reference to the press representations, no one has yet come

forward to identify the land in question.

A petition was received (56 signatures) which opposed the application on the grounds of the additional pressure and impact on car parking within Osbourne Street and Windsor Road. The consultation process was also questioned, stating that no neighbouring properties were consulted. The Council met all statutory consultee requirements when the application was initially registered. However when the application became invalid by virtue of the land ownership dispute more properties than statutorily required were contacted at the request of the Local Ward Member when the application went out to re-consultation.

An email was received from the applicant that sought to outline previous similar developments in the area which had received planning permission. The planning department acknowledges these statements but each application is treated on its own individual merits. The same logic and determination process applies with this submission also.

Finally comments were received from the South Wales Police Force which offered recommendations for keeping the site secure and safe. This information will be forwarded on to the applicant should the proposal prove successful.

2 late letters of objection have also been received and are summarised as follows:

- **Concerns are raised with regard to parking facilities. Whilst there are parking restrictions in the form of Traffic Regulation Orders on Osborne Street and Rees Place this does not mean that they are complied with at all times.**
- **Visitors to the proposed development may be prepared to take the risk in acquiring a ticket.**

In response to the above it should be noted that this is a matter for the police to control. The issue of parking associated with the both the lawful use and the proposed use is addressed in detail within the officers report.

- **The applicant has suggested that parking can be provided for in the public house opposite Number 72 Windsor Road.**

This was considered unacceptable and has been addressed in the highways section of the appraisal.

- **Both letters challenge the assertion that there will be less usage of the roads by the residents of the proposed development than that of the original use.**

This has been addressed in the report.

- **There is confusion with regard to the number of proposed private spaces provided under this application as some plans show six and others show eight.**

The initial submission showed 8 spaces, this plan was subsequently amended to show six spaces following feedback from the highways department that only six spaces could be used without impacting on highway and pedestrian safety. The plan showing eight spaces has been superseded.

- **Insufficient information is contained within either the DAS or the application to determine the application.**

There is no reason to withhold the determination of this application as the Local Planning Authority is in receipt of all necessary details.

- **The owner is in fact responsible for the current dilapidated state of the building.**

The planning department acknowledges this opinion.

- **There is confusion regarding the access to the development.**

Vehicular access to the car park associated with this development will be off Osbourne Street, which is itself a public highway while pedestrian access to the development will be directly off Windsor Road.

- **The proposal is contrary to Unitary Development Plan Policy.**

The issue of policy has been addressed in the appraisal.

- **Concerns are raised with regard to highway and pedestrian safety on Rees Place.**

Issues of highway and pedestrian safety have been addressed in the appraisal.

Conclusion:

It is considered that the proposed development would not have a detrimental impact upon residential amenity or upon the character or appearance of the surrounding area.

Whilst concerns have been expressed with regard to the increased demand for parking, the adopted parking guidelines indicate that the development will be an improvement over the lawful use requiring 127 less parking spaces.

In view of the above it is considered that the development would be in accordance with Policies GC1, H6, T1, TRL3 and ENV17 of the Neath Port Talbot Unitary Development Plan.

Recommendation: Approval subject to conditions

CONDITIONS;

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) Foul water and surface water discharges shall be drained separately from the site.

Reason

To protect the integrity of the public sewerage system

(3) No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

Reason

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

(4) Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

Reason

To prevent hydraulic overload of the public sewerage system and pollution of the environment.

(5) Notwithstanding the submitted plan labelled A06, the development shall not benefit from a double vehicle access gate serving the rear car park.

Reason

In the interest of highway safety

(6) Prior to the first beneficial use of any flats within the development hereby approved the parking layout shall be completed and marked out on site in accordance with drawing number A01 and these spaces shall be retained for parking purposes for the sole use of the occupiers of the associated flats thereafter.

Reason

In the interest of highway safety

(7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any order revoking and re-enacting that Order), no fences, gates, walls or any other means of enclosure shall be erected within the site or along its boundaries.

Reason

In the interests of highway and pedestrian safety

REASON FOR GRANTING PLANNING PERMISSION

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

It is considered that the proposed development would not have a detrimental impact upon residential amenity or upon the character or appearance of the surrounding area.

Whilst concerns have been expressed with regard to the increased demand for parking, the parking adopted guidelines indicate that the development will result in the need for 127 less parking spaces than the current use of the premises is required to provide.

In view of the above it is considered that the development would be in accordance with Policies GC1, H6, T1, TRL3 and ENV17 of the Neath Port Talbot Unitary Development Plan.

(1) If bats are discovered during the demolition works, work should stop immediately. CCW should be contacted as a WAG license may be required to continue. Bats are European protected species and afforded protection under the Conservation of Habitats and Species Regulation 2010 and by the Wildlife and Countryside Act 1981 (as amended).