

# **1. PLANNING APPLICATIONS RECOMMENDED FOR APPROVAL**

## **ITEM 1.1**

**APPLICATION NO: P/2001/102**

**DATE: 30/01/01**

**PROPOSAL: PROPOSED NEW HOSPITAL BUILDING AND RESIDENTIAL DEVELOPMENT**

**LOCATION: Land at Groeswen Hospital, Margam Road, Port Talbot SA132LB**

**APPLICANT: Bro Morgannwg NHS Trust**

**TYPE: Outline**

## **BACKGROUND INFORMATION**

Members will note that this application was previously reported to the meeting on 25<sup>th</sup> September 2001 where it was resolved to grant permission for the development subject to conditions and subject to the signing of a Section 106 Agreement . This would require the payment of a commuted sum for the provision and maintenance of off site open space and children's playspace in the Margam and Taibach area. However, following detailed discussions with the Head of Leisure Services, it has been determined that the existing areas of public open space in the area are further from the application site than the distance specified in the National Playing Fields Association standards. Because of this it is considered that open space should be provided within the site in accordance with Policy R19 of the Port Talbot Local Plan.

The previous report is therefore reproduced below with amendments relating to the provision of open space and a new recommendation with regard to the Section 106 Agreement.

### **a. Structure/Local Plan Policies**

R11 of the Port Talbot Local Plan – Criteria for infill housing development

R19 of the Port Talbot Local Plan – Provision of open space/play area – on estates.

**b. Other Policies**

None

**c. Relevant Planning History**

75/521 Ward extension – Approved 20/3/75

96/1579 10m weather mast – Approved 8/11/96

**d. Responses to Consultations**

Number of properties consulted: 32

The application was advertised on site and in the local press.

Number of replies received: 6 letters objecting to the proposal, 1 letter not objecting.

Objections can be summarised as follows:

1. The number of houses should be limited to be in keeping with the area.
2. Access to the site should be from the main Margam Road only. The avenues at the side of the site are congested and not suitable for access.
3. The submitted site plan is out of date.
4. A public meeting should have been called to answer outstanding questions about the proposal.
5. Questions are raised regarding the size and siting of the proposed hospital and the type and proposed tenancy of the residential development.
6. A residential development would bring more children to the area adding to the pressures on local schools.
7. It is understood that the hospital was originally funded by local residents and given to the Hospital Trust. It is questioned whether the Trust has the right to sell the land.
8. There is an abundance of wildlife and trees within the site which should be conserved.
9. The Council should have reinstated a boundary wall that was removed in the past to make an access.
10. The development could lead to an increase in crime in the area.

Statutory Consultees:

The Head of Municipal and Highway Services (Highways): No highway objections subject to conditions.

The Welsh Assembly Transport Directorate: No observations.

The Environment Agency: No objections in principle.

The Coal Authority: No adverse comments

The Head of Environmental Health and Trading Standards: The site is within an Air Quality Management Area and in close proximity to the M4 which may cause noise problems.

Transco: No objections

BT: No objections

Infracore: No objections

Head of Forward Planning and Resources Management – consider that local schools can adequately cope with any additional pupils.

## **APPRAISAL**

Members will recall that this application was previously deferred in order for officers to determine the likely phasing of the construction of the new hospital viz a viz the demolition of the existing.

A letter from the Agents has been received which states that the N.H.S. Trust intends to first build the new hospital, decant the hospital functions from Groeswen and then demolish the existing hospital.

Members also asked for consideration to be given to any appropriate planning condition relating to this point. Members are advised that this is a matter covered by other legislation and that the responsibility for providing health care facilities within the area lies with the Hospital Trust. As such, it would not be appropriate to impose a planning condition in this regard.

The original report is re-iterated below.

This is an outline application for a new hospital building and residential development on land at Groeswen Hospital, Margam Road, Port Talbot. All matters of siting, design, external appearance, means of access and landscaping have been reserved for later detailed approval. The application site comprises the site of the existing hospital, together with the former allotments at the rear of the site between the hospital and the motorway, and is some 2.51 hectares in area.

With regard to the points raised by the objectors, the application is in outline form only at this stage, and consequently there are no details available of the proposed development. If this application is approved the proposed redevelopment will be agreed in principle but further applications will be required giving full details of what is proposed. The question of the number of dwellings and whether the development is in keeping with the area can be addressed at the reserved matters stage.

With regards to the question of additional pressures on local schools, the Head of Forward Planning and Resource Management has been consulted and a reply is expected by the date of committee.

It is considered that the submitted site plan is adequate to identify the land in question. Concerns about the rights of the Hospital Trust to sell the land and any obligation to reinstate boundary walls are not considered to be material planning matters. It is not considered that a residential development or new hospital will necessarily lead to an increase in crime in the area.

There are a number of trees within the site, and a condition is recommended to ensure that these are retained where possible. With regard to the access, the Head of Municipal and Highway Services has recommended that a condition be imposed ensuring that access is directly from Margam Road only.

With regard to concerns about noise from the M4, the applicants have submitted a noise survey. This indicates that noise should not cause a problem for the development, provided that standard thermal glazing with trickle vents are used to reduce noise levels within buildings and that care is taken in the design of the site to provide noise attenuation through the positioning of buildings and fences. It is considered that this matter can be addressed by a condition and at the reserved matters stage.

Policy R19 of the deposit draft Port Talbot Local Plan indicates that normally applications will be required to contain proposals for open space and children's play space on 10% of the site area or contribute a commuted sum for provision off site. Since there are no suitable open areas within a reasonable walking distance of the site, a condition is proposed to require the provision of open space within the site. Although the area of the site which will be developed for housing has not yet been finally determined, the applicants have estimated it will be less than half of the site (in total probably less than 1 Ha). It has therefore been agreed that an area of 0.08 Ha will be retained as useable open space, and a condition to this effect is contained in the recommendation. A S106 obligation will be required also to ensure that the open space is transferred to the Council together with a commuted sum for maintenance.

The application site is within the built up area of Margam/Port Talbot, and the site is considered to constitute an infill site. The proposed development is therefore considered to be acceptable in principle in accordance with Policy R11 of the Port Talbot Local Plan. It is considered that the site can be developed without having a significantly detrimental effect on any nearby residential properties.

In respect of air quality whilst the site lies within the Taibach/Margam Air Quality Management Area, it is considered the erection of the new hospital building and houses would not materially deteriorate air quality within the area.

**Recommendation: That outline planning permission be granted subject to the following conditions and upon the signing of a Section 106 Agreement covering the following matter:**

**The transfer of an area of public open space of 0.08Ha to the Council together with the payment of a commuted sum for maintenance of the land for a ten year period.**

**CONDITIONS;**

(1) Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application was made for outline planning permission.

(2) Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application was made for outline planning permission.

(3) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

(4) The development hereby permitted shall be begun not later than whichever is the later of the following dates:

- (i) the expiration of five years from the date of the outline permission, or
- (ii) the expiration of two years from the date of this approval or, if there are any further reserved matters requiring approval, the date of the final approval of the last such matters to be approved.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

(5) The plans and particulars submitted in accordance with condition 2 above shall include:

- (a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained, taking into account potential growth, and the crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height, and an assessment of the general state of health and stability of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavations;

(e) details of the specification and position of fencing for the protection of any retained tree, and any tree overhanging the application site, from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act 1990.

(6)The development shall include works for the control of effluent which shall be designed, engineered and maintained in accordance with a scheme which shall be submitted to and approved in writing by the Local planning authority to prevent any contaminated surface water drainage from entering a watercourse. The scheme shall be implemented prior to the first use of the hospital and the occupation of each dwelling in so far as it relates to each.

Reason

In order to ensure the provision of adequate foul drainage.

(7)Adequate provision, in accordance with a scheme to be first submitted to, and approved in writing by, the local planning authority, shall be made for the drainage of the land. Such scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected. The scheme shall be implemented prior to the first use of the hospital or the occupation of each dwelling in so far as it relates to each.

Reason

To ensure satisfactory drainage.

(8)A new access shall be created into the site off Margam Road positioned centrally between the opposing junctions of Maes Melyn Street and Rhanallt Street, with visibility splays of 4.5m x 90m in each direction. These splays shall be made up as extra width footways. All other existing site entrances shall be blocked up and the footway reinstated prior to the occupation of any dwelling or the commencement of use of the hospital.

Reason:

In the interests of highway safety.

(9)The site shall be serviced by a 7.3m wide carriageway with a 2m footway either side for the joint access for the residential and hospital buildings, reducing to a minimum width of 5.5m carriageway with 2m footways either side when split to serve the separate developments.

Reason:

In the interests of Highway Safety.

(10)The detailed design of the development shall include:

- i. Longitudinal and vertical carriageway alignment.
- ii. Surface water drainage proposals, including gulley and manhole positions, pipe sizes and gradients.
- iii. Street lighting proposals.

Reason

In the interests of highway safety.

(11)A traffic calming scheme within the site shall be submitted to and approved in writing by the local planning authority prior to the commencement of work on site. The scheme shall be implemented in full prior to the occupation of the last dwelling or within five years of the development commencing, whichever is the soonest.

Reason:

In the interests of highway safety.

(12)All roads within the site shall have a maximum gradient of 1 in 12 and a minimum gradient of 1 in 150.



Reason:

In the interests of highway safety.

(13) All drives serving a single dwelling shall have a minimum width of 3.2m and a minimum length of 6m. Shared drives shall have a minimum width of 4.5m. All drives shall have a maximum gradient of 1 in 9.

Reason:

In the interests of highway safety.

(14) Prior to the occupation of the dwelling, at least two car parking spaces (three if the gross floor area exceeds 120 sq.m.) shall be provided within the curtilage of each dwelling in accordance with a scheme which shall be submitted to and approved in writing by the local planning authority. The approved car parking areas shall thereafter not be used for any other purpose.

Reason

In the interests of highway safety.

(15) A minimum of 2 parking spaces per bed shall be provided for the proposed hospital within the curtilage of the hospital site.

Reason:

In the interests of highway safety.

(16) Adequate precautions shall be taken in the design and layout of the new buildings to protect prospective occupants from external sources of noise and a scheme indicating predicted noise levels and mitigation measures shall be submitted to and approved by the Local Planning Authority as part of the reserved matters under condition 2 and the scheme implemented prior to the occupation of the hospital building or each dwelling.

Reason

In the interest of amenity.

(17) The plans and particulars submitted in accordance with condition 2 above shall include the provision of an area of useable public open space of at least 0.08 Ha in area.

Reason:

In order to ensure the provision of amenity space in the interests of the amenities of residents in the area in accordance with Policy R19 of the draft Port Talbot Local Plan.

(18)The plans and particulars submitted in accordance with condition 2 above shall include the provision of an area of useable public open space of at least 0.08 Ha in area.

Reason

In order to ensure the provision of amenity space in the interests of the amenities of residents in the area in accordance with Policy R19 of the draft Port Talbot Local Plan.

## **ITEM 1. 2**

**APPLICATION NO: P/2001/1079**

**DATE: 14/09/01 10:18:10**

**PROPOSAL:                   RETENTION OF AGRICULTURAL  
BUILDING FOR LIVESTOCK AND STORAGE OF FEED AND  
MATERIALS**

**LOCATION:                    Land at Bryn Llewelyn, Alltwen,  
PONTARDAWE SA8 3BR**

**APPLICANT:                Mr. & Mrs. K. Wood**

**TYPE:                       Full Plans**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Northern Lliw Valley Local Plan.  
C4 – Green Wedges.  
C5 – Development in open countryside.  
EQ1 – Criteria for development in the countryside.  
EQ4 – Green wedges around Rhos.

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

None.

#### **d. Responses to Consultations**

Number of properties consulted: 29.

A notice was displayed at the entrance to the site.

Number of replies received: 2

The objections are based on the following grounds:-

a) Unsightly nature of the site in general.

- b) Loss of amenity area where people were previously free to roam.
- c) The building has already been erected without planning consent and the development is therefore fait accompli.

### **Statutory Consultees:**

Head of Municipal and Highway Services (Highways) – No Highway objections.

Head of Municipal and Highway Services (Drainage) – No objection.

Head of Environmental Health and Trading Standards – No objection.

The Coal Authority – No adverse comments.

Cilybebyll Community Council - No objection subject to landscaping and screening.

### **APPRAISAL**

This is a detailed application submitted retrospectively for the retention of an agricultural building.

The deposited plans indicate a building measuring 13.8m x 6.2m x 3.4m high (maximum) and finished externally, both walls and roof, in green corrugated sheeting. The building is partitioned internally to provide three separate storage areas accessed individually by three external doors finished in forest green coloured timber. The building is located within a small disused quarry area centrally located within the 3.65 hectares ( 9 acres ) of land shown under the ownership of the applicants and on which they undertake the agricultural activities. Access is gained via an existing access track located alongside the quarry which fronts Penyralltwen/Brynllwellyn .

The building is required for livestock shelter and which the applicants state comprises 5 cattle, 2 ponies, 2 goats, 10 chickens and 10 ducks and for storage purposes comprising hay grown on the land and bedding and hard feed which is brought into the site.

In policy terms, it should be noted that the land is located outside the recognised settlement and lies in the open countryside. Additionally, it is within the green wedge identified in Policy EQ4 of the Northern Valley

Local Plan where there is a presumption against development other than that related to agricultural use. Policy EQ1 of the Local Plan also precludes development in the open countryside other than proposals relating to agriculture and forestry together with some other specified proposals.

In this respect, it is considered that whilst the proposal may not be for an agricultural use which provides the occupier with a full time livelihood, the land is nevertheless being used for agricultural purposes and it is reasonable to require a building in connection with that use. The building is not considered to be overlarge and is located within a former quarry and is therefore less visible and with the imposition of a landscaping and screening condition, would not detract from the visual amenity of the area to a degree as to warrant a refusal of consent on visual intrusion and amenity grounds.

Turning to the grounds of objection from local residents and in response thereto the following comments are offered:-

- a) The question of the condition of the land in general is not a matter to be addressed under planning legislation and in relation to the development applied for (erection of building ) it is considered that with appropriate landscaping and screening it will not adversely affect visual amenity and will not be clearly viewed over a large area.
- b) The land is in private ownership and is being used in connection with agricultural activities and is not a public amenity area which can be retained as such. It should be noted that Registered Public Footpath 23 crosses the land and this has not been affected by the development and is still free and available for use by the public.
- c) The fact that the building has already been erected is not in itself a reason for refusing consent. Each application falls to be determined on its individual merits.

In conclusion, it is considered due to the location of the building and with suitable landscaping that the structure will not harm the character and amenity of the area and is not visually obstructive. The development does not contravene Development Plan Policies and is therefore acceptable.

**RECOMMENDATION:            Approval with Conditions**

**CONDITIONS:**

(1)The use of the building hereby approved shall be restricted to storage purposes and activities associated with the agricultural use of the area shown edged blue on the approved plan and for no other purpose.

Reason

For the avoidance of doubt as to the scope of this consent in the interest of amenity.

(2)Within one month of the date of this consent, a landscaping scheme shall be submitted to and approved in writing by the local planning authority. This scheme shall provide for the screening of the development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out within 9 months of the date of this consent and any trees or plants which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the Local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity of the area.

### **ITEM 1.3**

**APPLICATION NO: P/2001/1115**

**DATE: 21/09/01 10:31:04**

**PROPOSAL:** CONVERSION OF BARN TO SINGLE  
**DWELLING**

**LOCATION:** GELLI MARCH FARM, Cadoxton, Neath

**APPLICANT:** K TANNER

**TYPE:** Change of Use

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

West Glamorgan Structure Plan (Review No. 2)

Policy C5 (iv) Use of redundant buildings within the countryside etc.

Borough of Neath Local Plan

Policy E55 (2) Adaptation of buildings within the countryside

Policy E59 Development within the open countryside and the coalescence of settlements

Policy E61 Special Landscape Areas

#### **b. Other Policies**

Planning Guidance (Wales) Planning Policy (First Revision) Re-use and adaptation of Rural Buildings

Technical Advice Note (Wales) 6 Re-use/Adaptation of Rural Buildings. Agriculture and Rural Development.

Adopted Council Guidelines Conversion of Existing Rural Buildings

#### **c. Relevant Planning History**

98/196 Barn Conversion and Garage – Approved 11/06/98

00/564 Barn Conversion and amendments including double garage –  
Approved 22/06/00

**d. Responses to Consultations**

Number of properties consulted: 0

A site notice was posted.

Number of replies received: 0

Statutory Consultees:

Blaenhonddan Community Council: No objections

Environment Agency: No objections

Head of Municipal and Highway Services (Highways): No objections  
subject to a condition.

Head of Municipal and Highway Services (Drainage): No objections

Welsh Water: No reply

Glamorgan-Gwent Archaeological Trust: No objections

The Coal Authority: No objections

**APPRAISAL**

The proposal is located within an existing working farm complex, at Gelli March Farm, Cilfrew to the north of Neath Golf Club. To the north of the proposal, is a similar barn conversion approved in 1998 and has been occupied. To the east of the proposal are several agricultural buildings. To the south of the proposal, is the existing farmhouse. Access is via the existing farm roadway.

The ground floor of the existing barn, is utilised as a stock shed and store room. The first floor comprises hay lofts and storage. Exterior materials comprise wholly of stone with grey roofing slates.

The proposal is to provide a living room and kitchen on the ground floor with the existing store room remaining. Half of the first floor will provide



a bedroom and en-suite bathroom. Existing window openings are utilised with obscure glass in those facing the existing farmhouse to the rear. A new dormer extension, is also provided to the rear. A small velux window is included in the roof of the front elevation. Grey simulated slates are proposed for the roof .

Planning policies allow the conversion of existing redundant rural buildings, in order to retain their character and appearance. A primary concern, is a requirement that the building is capable of conversion without significant alteration to the qualities that command its retention. In relation to nearby residential premises, the usual criteria apply. Whilst it shall not normally be necessary to consider whether a building is no longer needed for its present agricultural purpose, the applicant had confirmed that the building is no longer needed for agricultural purposes and due to its location is not suitable for industrial or commercial uses.

The issues, therefore, with this proposal are, visual/rural amenity, residential amenity and whether the conversion can be undertaken without harm to its original appearance. It should be noted that if substantial rebuilding works were involved, then the proposal would be dealt with as an application for a new dwelling, in the open countryside.

The proposal has been sensitively designed, is well grouped with similar structures and will continue to contribute significantly to the appearance and character of the area. The visual/rural amenity is, therefore, unaffected by any appreciable amount.

The only possible conflict between habitable rooms is between the kitchen and living room windows on the ground floor of the proposal and those in the farmhouse. These will have obscure glass. Residential amenity will, therefore, be protected.

Concerning the works involved, a structural survey has been submitted. The Principal Officer Building Control considered that the survey is a reasonable reflection of the condition of the property and that the conversion to a dwelling can be successfully achieved with the aesthetic appearance maintained. He points out that the northern roof elevation has a significant number of lead clips retaining slates and it is a possibility that during construction work the roof covering will need removal and refixing. Furthermore, there is significant bowing to the northern elevation which may need attention and the stone arch may merit rebuilding. Such works are considered as minor and are acceptable.

In conclusion, the existing barn is capable of conversion to a dwelling with only minor alterations and satisfies national, structure and local planning policies.

**RECOMMENDATION:      Approval with 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) Notwithstanding the submitted plans and application forms, all external works to the existing building shall be finished in natural stone or slate to match that of the existing.

Reason

In the interests of visual amenity.

(3)Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extension or external alteration to any building forming part of the development hereby permitted (including the erection of a detached garage or outbuildings) without the prior grant of planning permission in that behalf.

Reason

In order to safeguard the visual and residential amenity of the area.

(4)Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or dormer windows (other than those expressly authorised by this permission) shall be constructed.

Reason

In order to safeguard the visual and residential amenity of the area.

(5)The windows to the proposed Living Room and Kitchen in the south elevation room shall be glazed with obscured glass and any replacement window or glazing shall be of a similar glazing and type.

Reason

In the interest of the amenities of the adjoining property.

(6) Prior to the first use of the barn conversion hereby granted, a minimum of one passing bay shall be constructed along the access track in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety.

(7)Adequate provision, in accordance with a scheme to be first submitted to, and approved in writing by, the local planning authority, shall be made for the drainage of the land. Such scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected. The scheme shall be implemented prior to the occupation of each [the] dwelling/s.

Reason

To ensure satisfactory drainage.

## **ITEM 1.4**

**APPLICATION NO:** P/2001/1180

**DATE:** 08/10/01 15:50:51

**PROPOSAL:** CONVERSION OF GARAGE TO STUDY

**LOCATION:** 16 Derwen Deg, Bryncoch, Neath SA107FP

**APPLICANT:** Mr Mrs I M Jones

**TYPE:** Full Plans

### **BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

Borough of Neath Local Plan  
Policy H8- Housing Design

**b. Other Policies**

None.

**c. Relevant Planning History**

None.

**d. Responses to Consultations**

Number of properties consulted: 5

Number of replies received: 0

Statutory Consultees:

Head of Municipal and Highway Services (Highways) - No objection,  
subject to conditions.

Blaenhonddan Community Council- No Objection.

### **APPRAISAL**

This is an application for the proposed conversion of an integral garage at 16 Derwen Deg, into living accommodation.

The property is located within the Waunceirch development, and at outline stage the permitted development rights were removed for garage conversions.

The existing garage door is to be replaced with a window to match the existing dwelling, whilst the remainder of the opening is to be facing brick to match.

The Head of Municipal & Highway Services has requested that the applicant provide 3 off street car parking spaces, prior to the conversion taking space.

The applicant has submitted a plan, outlining the required spaces, located on the front garden area. These spaces are to be hard surfaced in block paviors.

It is considered that the proposed garage conversion is acceptable in both design and visual terms, and should not have a significantly adverse effect on the amenities of the adjoining properties.

**RECOMMENDATION:      Approval with 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)The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

In the interests of visual amenity.

(3) Prior to any work commencing on the conversion hereby approved, the 3 off street car parking spaces, as shown on the approved plan, shall be constructed and hardsurfaced. These spaces shall be retained and maintained as such thereafter for no other use.

Reason

In the interests of highway safety.

(4) Prior to the first use of the parking area the existing vehicle footway crossing is to be widened to provide a vehicle crossing of 8m width to match the new parking provision.

Reason

In the interest of highway and pedestrian safety.

**ITEM 1.5**

**APPLICATION NO: P/2001/1235**

**DATE: 27/11/01**

**PROPOSAL:                   INSTALLATION OF CCTV CAMERA  
AND COLUMN.**

**LOCATION:                    OPPOSITE VIVIAN PARK HOTEL, NR  
BRITISH TELECOM TELEPHONE BOX, VICTORIA ROAD,  
PORT TALBOT**

**APPLICANT:                NEATH PORT TALBOT COUNTY  
BOROUGH COUNCIL**

**TYPE:                       Full Plans**

**BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

None.

**b. Other Policies**

None.

**c. Relevant Planning History**

None.

**d. Responses to Consultations**

Number of properties consulted: 11

In addition a site notice was posted.

Number of replies received: 0

Statutory Consultees:

Head of Municipal and Highway Services – No objection.

## **APPRAISAL**

This application seeks planning permission for the installation of a CCTV camera and pole on the pavement outside the telephone box, opposite the Vivian Park Hotel, Victoria Road Aberafan, Port Talbot.

The proposed column would be approximately 8m high with the camera attached to the top. The base of the column would be in the form of a cabinet 400mm by 400mm square. The colour of the pole and camera is grey.

Outside the premises, there is a pavement on which it is proposed to erect the column. Whilst there is adequate width to the pavement, it depends on the siting of the column, as to how much footway will be retained. It is considered appropriate that a condition be imposed to ensure that the column is sited to maintain an adequate width of pavement.

It is considered that the proposal will be viewed against existing street furniture and will not be visually intrusive in the location and is considered acceptable.

**RECOMMENDATION:      Approval with 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) A minimum width of 1200mm shall be maintained to the footway.

Reason

In the interests of highway safety.



## **ITEM 1. 6**

**APPLICATION NO: P/2001/1243**

**DATE: 19/10/01**

**PROPOSAL: PROPOSED EXTENSION OF  
EXTRACTION (COALING AREA) AND THE TEMPORARY  
ENLARGEMENT OF PROPOSED SURCHARGING MOUND -  
VARIATION OF CONDITIONS 3 & 12 OF PLANNING  
APPLICATION P/98/0541**

**LOCATION: MARGAM MINE OCCS, CEFN CRIBWR,  
NR PYLE CF320BP**  
**APPLICANT: CELTIC ENERGY LTD**  
**TYPE: Full Plans**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

West Glamorgan Structure Plan  
M2 – Mineral development criteria.

#### **b. Other Policies**

Mineral Planning Policy – Wales.

#### **c. Relevant Planning History**

2/4/4951 – New Mine – Approved 1985.  
2/4/89/7389 – Extension to Opencast – Approved 1991.  
P98/0541 – Opencast Extension and mine surface for underground  
development and reclamation of Aberbaiden Tips. Approved 2<sup>nd</sup>  
March 2001.

#### **d. Responses to Consultations**

Number of properties consulted: 0

Site notices were posted and the proposal advertised in the local press.

Number of replies received: 0

Statutory Consultees:

Glamorgan Gwent Archaeological Trust – No adverse comments.

Environment Agency – no objections to the proposal.

Countryside Council for Wales have no comments to make.

Head of Engineering and Programme Management (Highways) – No objections.

Head of Environmental Health and Trading Standards – No adverse comments.

Head of Engineering and Programme Management (Drainage) – No objections.

Western Power Distributions – note that the diversion of a 132kv line will be required for the coaling area to be extended.

National Assembly Regional Planning Adviser – Agriculture – has no comment to make on the principle of the development other than certain agricultural movements should be taken into account.

Bridgend County Borough Council has no objection to the proposed changes subject to the following:

- a) That Celtic Energy should carry out a detailed noise survey predicting the levels of noise likely to be experienced at the boundary of any nearby residential premises as a result of the proposed changes, in order to ensure that these do not exceed the limits previously imposed by condition.
- b) That Celtic Energy submit a scheme for the monitoring and control of dust which may arise directly or indirectly as a result of the revised mining operations including the movements of vehicles and plant, in order to demonstrate compliance with previously imposed conditions.
- c) That Celtic Energy should carry out an assessment of likely ground vibrations resulting from any blasting required in the extension area to ensure that the existing limits imposed by Condition 8

attached to the Neath Port Talbot planning consent are not exceeded.

- d) That consideration be given to any need to amend the details of the Section 106 Agreement to account for programme changes inherent in this proposal.

Railtrack – No objections subject to conditions.

## **APPRAISAL**

### **Background and Proposals**

Permission was granted for the extension of opencast operations and the development of a deep mine at the site on 2<sup>nd</sup> March 2001. The permission was subject to 72 conditions and also to a Section 106 Agreement relating to a restoration bond, road improvements, the relinquishment of an extant permission for Margam Super Pit and extended aftercare for woodland and wetlands. A similar application was also approved by Bridgend County Borough Council.

In total the approved site covers an area of some 196 hectares of which 86 hectares lies within this Authority's area. Opencast operations were to be carried out over a 4 year period with the subsequent development of a deep mine for some 20-25 years thereafter.

The current mining operations, particularly in the southern part of the site, have revealed different geological conditions than those anticipated at the pre-operational stage. Due to the presence of silts and clays the developers were required to steepen the angle of the southern wall of the opencast void to aid its stability. This has allowed access to additional coal within the existing excavation area. Site investigations have also revealed that the thickest seam on site (the nine feet seam) has been thrust faulted into two leaves (not one as originally anticipated) within the south western area. This seam therefore, contains a lower percentage of old workings and as such more coal reserves are available. The additional reserves of coal now make this part of the site a more viable area for working.

The instability of the superficiales on site have also led to some concerns particularly in respect of excavations in the immediate vicinity of the 132kv power line pylon. Discussions between the developer and Western Power Distribution have produced an alternative strategy whereby the

power line would be diverted further to the south of the excavation area. This would allow additional coal to be excavated.

To enable these additional coal reserves in the south west corner to be accessed, the existing limit of excavation would need to be extended to include an additional strip of land 250m long by 75m wide all of which lies within this Authority's area.

Condition No. 3 attached to the planning consent states:

“Permission is granted for the winning and working of coal by opencast methods within the boundary indicated in red on approved Plan Ref. No. 3 and except with prior approval of the local planning authority such development shall be carried out strictly in accordance with the approved plans and documents and entirely contained within the boundary indicated in red.”

The application therefore seeks to vary condition 3 to extend the extraction (coaling) area of the site by 1.7 hectares and to the dimensions mentioned above. Condition 12 of the consent states that

“Unless otherwise agreed in writing by the local planning authority, the working of the site shall be carried out in accordance with the working programme and phasing plans number 16, 17, 18, 19 and 20 as submitted in the Environmental Statement accompanying the application.”

The revised extraction and coaling area would have a bearing on the phasing on the site and the applicant seeks to change the working programme and phasing under the condition.

By extending the extraction area, in addition to the realignment of the 132kv overhead line, it will also be necessary to relocate a subsoil mound and topsoil mound which will be placed immediately adjacent to the new excavation area near the western boundary and to include amendments to the temporary surcharge mound that would lie to the east of the main void as it advances to the west.

The extension to the working area would change the overall mining programme at the site. An additional 500,000 tonnes of coal would be released by the proposal and this would result in mining operations being extended by some 18 months to spring 2006. The extended excavation area would also result in an additional 1 million cubic metres of

overburden being produced and this would need to be stored on a temporary surcharge mound.

The original scheme included a temporary surcharge mound within the site containing some 3 million cubic metres of material built to a height of 30 metres and covering an area of 14.5 hectares. The revised scheme, with the additional material, would require the temporary storage mound to be extended to cover an area of 20.9 hectares but this additional area would allow the height of the mound to be reduced to 25 metres.

The surcharge mound would be situated centrally within the site straddling the county boundary between Neath Port Talbot and Bridgend.

Also since the original site design was submitted in 1998, operating conditions to date have proven that narrower working phases are more efficient with the result that there are now five phases replacing the four originally planned. Consequently the submitted plan with the application seeks to amend the phasing of the site under Condition 12. The submitted plans also show a section of the proposed site working which shows the resultant profile of excavation should consent be granted and the limits to the depth of working. There is no intention to work at any greater depth than originally proposed.

### **Comments**

The proposals do not include any additional operational land and are contained within the existing site boundary of the site.

However the proposed extension to the coaling area and the additional surcharge of the temporary storage mound need to be assessed against relevant criteria of Policy M2. These include visual impacts, noise, dust, blasting and nature conservation.

#### a) **Visual Impact**

When the original application was considered, the Environmental Statement indicated that the most significant visual impacts would be views from parts of Crown Road, Station Road, Kenfig Hill and Cefn Road, Cefn Cribwr. The additional area of excavation will extend the coaling area by some 75 metres to the south into existing disturbed land which is occupied by soil/topsoil mounds and a remaining part of the closed section of Crown Road and some improved grassland. The area has no significant landscape value however the relocation and/or

replacement of the existing hedgerow associated with the road will be beneficial. This amounts to some 90 metres in length and can be accommodated on the site.

The visual impact on the surrounding communities that lie in the Bridgend area were not considered as unduly detrimental within the original application in 1998 and it is considered that the extension area will not add to the overall visual impact of the site.

Changes in the area of the temporary surcharge mound are not considered to be significant as this structure will lie within the backfill area of the operating area. The reduction in the level of the mound by 5 metres would be beneficial and it will also be hydroseeded at the appropriate time to reduce the visual impact to the surrounding communities.

### **Noise**

The extension to the coaling area will bring operations some 75 metres closer to the nearest residents in the Bridgend area. Existing and previous operations such as soil stripping and general site preparation works did not generate complaints at that time. Given that operations within the excavation area will be predominantly below the surrounding ground level, the relatively small extension to the south is not considered to have the potential to provide additional noise levels significantly over and above those predicted within the Environmental Statement. Bridgend County Borough Council consider that an additional survey for predicting the levels of noise likely to be experienced at the nearest residential properties is required to ensure that these operations do not exceed the limits previously imposed by condition. Conditions on the existing consent can address these requirements.

### **Dust**

It is recorded that on a few occasions during severe dry easterly winds, dust complaints have been received from resident of Crown Road, Kenfig Hill. The prevailing winds in the locality are essentially south westerly which would generally take any dust emissions away from residential properties and across the remaining part of the site. The complaints recorded, as mentioned above, have in general been associated with the coal stocking area further to the south and east of the excavation area.

Notwithstanding these concerns, the additional extraction area and temporary surcharge mound should not add significantly to any dust

emissions at the site. In addition, the control of dust is subject to a scheme of controls that will be considered in the near future. Bridgend County Borough Council's request for a scheme for dust suppression can be incorporated into this assessment.

The proposed amendments are therefore not considered to be detrimental in their potential for the generation of fugitive dust.

### **Blasting**

Blasting is already being undertaken at the site with little or no complaint. Monitoring of blasts is currently being undertaken and are well within approved limits. The overlying deposits found in the extension area for coaling will be excavated predominantly without blasting because of their texture and hardness and additional controls are not considered necessary. A specific monitoring scheme for blasting for the whole of the site is anticipated in the near future.

### **Water**

The Environment Agency have no objection to the proposals and there are no perceived changes to the impacts originally assessed as groundwater and surface water issues. Mechanisms are already in place to prevent the pollution of watercourses from the development.

### **Conclusions**

The extended extraction area will provide some 500,000 tonnes of additional coal to the existing project. This can only be achieved by extending the coaling period by 18 months or so. The current permissions allows for the winning and working of coal by opencast methods on the site up until 5<sup>th</sup> March 2006. This is broadly within the timescale required to extract the additional coal reserve and is not in significant discordance with the approved time limits. There is no reason to amend this timescale at this stage.

Overall and with regard to the foregoing comments, the additional coaling area and amended temporary surcharge mound is considered an acceptable extension to the existing permitted mining activities and will not have a detrimental or significant effect on the amenities of the area or the programming of other work. With the provision of amendments to the Section 106 Agreement and the relevant conditions, approval is recommended.

If this proposal is approved the Section 106 Agreement secured under the original consent would have to be re-executed/amended to include certain changes to the proposed mining schedule which governs the level of financial security held at any given time.

**RECOMMENDATION:-**

That upon the signing of a Section 106 Agreement covering the following points, consent be granted subject to the conditions below.

- 1) Provision of financial security in relation to restoration.
- 2) Road improvements to a section of Heol y Glo and its junction with the A48.
- 3) Relinquishment of the extant planning permission for the Margam Super Pit.
- 4) Extension of the aftercare period to 10 years for woodland and wetland areas of restoration.

**CONDITIONS;**

(1)Condition 3 of Planning Permission P98/0541 shall be varied to the following.

Permission is granted for the winning and working of coal by opencast methods within the boundary indicated in red on approved Plan Ref. No. 3 and except with the prior approval of the local planning authority such development shall be carried out in accordance with approved plans and documents and to the following plans.

- a)Drawing No. M3 - (Oct'01) - Proposal to vary limit of excavation.
- b)Plan No. M2 (Oct'01) - Proposed revision of limit of excavation.
- c)Drawing No. S1 (Oct'02) - Section through Phase 5.

Reason

In the interest of clarity.

(2)Condition No. 12 be varied to read



Unless otherwise agreed in writing with the Local Planning Authority the working of the site shall be carried out in accordance with the working programme and phasing plans.

a) Drawing No. M3 (Oct 01) Proposal to vary limit of excavation.

b) Plan No. M2 (Oct 01) Proposal revision of limit of excavation.

c) Drawing No. 51 (Oct 01) Section through phase 5.

Reason

In the interest of clarity.

(3) Unless otherwise agreed with the local planning authority blasting operations at the site shall not occur within 200 metres of the site boundary fence of the adjacent mineral railway line.

Reason

To protect the integrity and condition of the railtrack.

(4) Prior to the movement and storage of all topsoil and subsoil an initial survey to establish soil type and quantities and the area for storage shall be submitted to the local planning authority two months in advance of such operations occurring.

Reason

To ensure that soil resources are not mixed or contaminated and that appropriate space is allocated for their conservation.

(5) Prior to the further stripping of topsoils and subsoils within the enclosures identified in green on enclosed plan reference T/S, a scheme for the measurements and provision for the protection, relocation and construction of hedgerows affected by the extended extraction area shall be submitted to and approved by the Local Planning Authority and the scheme implemented in accordance with the approved details..

Reason

In the interest of nature conservation and landscape.

(6) Condition Nos. 2, 4-11, 13, 16-18, 20-31, 34-43 and 45-72 of the planning consent Ref. No. P98/0541 shall remain in force together with the following consents to discharge conditions 14, 15, 19, 32, 33 and 44 of

the consent approved under Ref. Nos. P/01/88867, P/01/574, P/01/569, P/01/1069, P/01/1063 and P/01/822 respectively.

**Reason**

In the interest of clarity.

## **ITEM 1.7**

**APPLICATION NO: P/2001/1265**

**DATE: 23/10/01**

**PROPOSAL: IMPORT MATERIALS AND RETAIN  
IMPORTED MATERIALS TO CREATE RUGBY FIELD**

**LOCATION: Whitworth Ground, Tonmawr RFC,  
Tonmawr, PORT TALBOT SA129UN**

**APPLICANT: Tonmawr Rugby Football Club**

**TYPE: Full Plans**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan:

T26 New development and highway safety

T30 Public footpaths and new development

E77 Criteria for considering proposals concerning waste disposal

E55 Development in the countryside

E63 The conservation of woodlands and trees

RL47 Criteria for considering proposals for recreational facilities

West Glamorgan Structure Plan (Review No.2):

C5 Development in the open countryside

#### **b. Other Policies**

None

#### **c. Relevant Planning History**

74/334 – Dressing room and stand. Approved 18/9/74

76/456 – Changing room and showers – Approved 28/9/76

76/639 – Changing room – Approved 25/1/77

92/443 – Picnic sites, signposting, waymarking, cycle track.  
Approved. 3/9/92

95/206 – Infilling of low level area. Refused 15/6/95

95/369 – Filling in of low level area. Approved 17/8/95

95/578 – Relocation of floodlight columns. Approved 11/12/95

98/369 – Floodlighting of playing fields. Approved 19/5/98

#### **d. Responses to Consultations**

Number of properties consulted: 0

The application was advertised on site and in the local press

Number of replies received: 0

Statutory Consultees:

The Head of Municipal and Highway Services (Highways): No highway objection.

The Head of Municipal and Highway Services (Drainage): No objections in principle.

The Environment Agency: No objections in principle

The Coal Authority: No adverse comments

Pelenna Community Council: No objections in principle, but concerns expressed that lorry movements should be limited in number and work should take place during normal working hours only.

#### **APPRAISAL**

This application seeks consent to retain tipped materials that have been imported at Tonmawr Rugby Club and to carry out further tipping of imported material in order to create a rugby field. The proposal involves an area of some 4000 square metres adjacent to the existing rugby pitch and in front of the changing rooms. The proposed new rugby field will be 55 metres long and 35 metres wide, on the area in front of the changing rooms which is currently unused. A level plateau will also be formed on the area to the south of the existing pitch. Access to the site is via the access road to the Tonmawr 2000 sports centre and industrial units.

A previous application for tipping and land fill on the area to the south and east of the existing rugby field (including part of the current application site) was approved in 1995, but tipping works have continued beyond the scope of that consent. The current application is therefore to regularise the works that have taken place as well as being for additional tipping and works to provide the new rugby pitch.

The Environment Agency has raised no objections in principle to the continuation of tipping on the site, and it is considered that this is reasonable in order to complete the works and provide levelled areas for

the additional playing field. In visual terms, subject to the implementation of a scheme of landscaping, the proposal should serve to improve the appearance of the area. The site is not near to any dwellings, although lorries bringing material into the site will pass dwellings in Tonmawr Road. As indicated above, the Community Council has expressed concerns about this and it is considered that conditions can be imposed to limit hours of working and lorry movements. Subject to this, it is considered that the proposal will not adversely affect residential amenities.

**RECOMMENDATION:      Approval with 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)No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, taking into account potential growth, together with measures for their protection in the course of development. This scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(3)Adequate provision, in accordance with a scheme to be first submitted to, and approved in writing by, the local planning authority, shall be made

for the drainage of the land. Such scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected. The scheme shall be implemented within six months of the completion of tipping works on site.

Reason

To ensure satisfactory drainage.

(4)No material shall be brought on to the site or tipping works undertaken outside the hours of 0830 hrs to 1800 hrs nor at any time on Sundays, Bank or Public Holidays.

Reason

In the interests of the amenities of the area.

Unless otherwise agreed in writing,

(5)The importation of material shall cease on the 22nd January 2003.

Reason

To allow a reasonable time period in which to complete the development and in the interest of amenity.

## **ITEM 1. 8**

**APPLICATION NO: P/2001/1291**

**DATE: 02/11/01 10:06:51**

**PROPOSAL: EXTENSION TO EXISTING  
FOODSTORE, WITH A PETROL FILLING STATION, CAR  
PARKING FOR 635 CARS AND A SUBWAY CLOSURE.**

**LOCATION: BAGLAN MOORS SHOPPING CENTRE,  
CHRISTCHURCH ROAD, BAGLAN MOORS, PORT TALBOT**

**APPLICANT: W.M. MORRISONS SUPERMARKETS  
PLC**

**TYPE: Full Plans**

### **BACKGROUND INFORMATION**

#### **Note to Members**

Members will recall that this application was reported to this Committee on 18<sup>th</sup> December 2001, when it was resolved that the Council is minded to grant consent for the proposal, subject to conditions and subject to the application being first referred to the Welsh Assembly under the Town and Country Planning (Development Plans and Consultations) Direction 1992 and the Town and Country Planning (Shopping Development)(England and Wales)(No.2)Direction 1993.

A reply from the Assembly should be received by 21<sup>st</sup> January. Subject to a favourable reply being received, the application can be approved at this meeting. Members will be updated of this position at Committee. The previous report is therefore reproduced below.

#### **a. Structure/Local Plan Policies**

West Glamorgan Structure Plan (Review No. 2):

- S2 Facilities within existing local shopping centres
- S4 New superstores and Hypermarkets
- S7 Retail developments outside existing or proposed shopping centres.

Draft Port Talbot Local Plan:

- S10 Retailing applications which adversely affect the vitality and viability of the town centre.

T11 Car parking standards

**b. Other Policies**

Planning Guidance (Wales) Planning Policy  
Technical Advice Note (Wales) 4: Retailing and Town Centres

**c. Relevant Planning History**

74/0070 – 22 Shop units with 9 flats over. Approved 21/5/74  
75/0675 – Phase 1 – Supermarket and 8 shops with ancillary works.  
Approved 11/7/75  
76/1126 – Supermarket and retail shops with ancillary works.  
Approved 15/6/76  
76/1425 – Shopfront, internal fittings and furnishings. Approved  
28/1/77  
76/1496 – First floor offices over units 7/8 as part of supermarket and  
shops development with ancillary works. Approved 29/4/77  
80/3229 – Supermarket (outline) Approved 10/10/80  
81/3566 – Supermarket, petrol filling station, car park. Approved  
3/9/81.  
87/5913 – Demolish 6 shop units and flats adjoining superstore for  
additional parking.  
91/8378 – Jet wash for petrol filling station. Approved 7/10/91

**d. Responses to Consultations**

Number of properties consulted: 15

The application was advertised on site and in the local press

Number of replies received: 0

Statutory Consultees:

The Head of Municipal and Highway Services (Highways): No  
highway objection

The Head of Municipal and Highway Services (Drainage):

The Environment Agency: No objections

The Glamorgan Gwent Archaeological Trust: No objections



## **APPRAISAL**

This application seeks consent for a new supermarket with petrol filling station and car parking at Baglan Moors Shopping Centre, Baglan Moors. The proposed development comprises the complete refurbishment and extension of the existing Pioneer supermarket building, with the provision of parking for 365 cars and a new petrol filling station. The proposal will involve the removal of all existing buildings from the site, with the exception of the steel frame of the main supermarket building and the existing NTL compound.

New accesses will be provided for both deliveries and for public access. The deliveries/servicing access will be from Christchurch Road in the position of the existing service road at the rear of the supermarket. The remainder of this road will be incorporated into the new car park. The public car park and filling station access will be from the existing road off the roundabout linking to Afan Way.

The new filling station, including car wash, jet wash and kiosk building will be situated in the corner of the site nearest to the Afan Way roundabout. The existing subway leading from the site to the rear of properties in Chalice Court will be closed and replaced with zebra crossings. However, the subway leading from the site to the side of the Lidl building will be retained for access to the new supermarket.

Although the steel framework of the existing supermarket will be incorporated into the new supermarket building, the proposal will effectively constitute a new building. The proposal is for a modern design with a mixture of flat and pitched roofs. The main elevations to the car park will be finished with brickwork at ground floor level, with silver cladding above. The main store entrance will form a feature at the western corner of the building comprising a large glazed atrium under a pitched slate roof with two towers above of metal cladding and glass. The new supermarket will have a gross floorspace of 7,711 sq. m. compared to the gross floorspace of 3,160 sq. m. of the old Pioneer supermarket.

### **Policy Background**

Policy S7 of the Structure Plan states:

“With the exception of those developments permitted by Policies S3 and S5, the establishment of retail outlets, through development or conversion, outside an existing or proposed shopping centre will be resisted.....”

Policy S5 makes allowance for new retail warehouses, subject to meeting a series of criteria, while Policy S3 relates to the provision of small scale local shopping facilities.

Policy S2 allows:

“Developments which maintain or improve the range and quality of shopping facilities within established shopping centres will be encouraged.....”

Policy S4 states:

“In order to safeguard the vitality and viability of existing shopping centres, the development of any additional new superstores or hypermarkets within the County will be resisted.....”

In the Deposit Draft Port Talbot Local Plan, Policy S10 states:

“Any retailing application which adversely affects the vitality and viability of the town centre, local shopping centres, or retail parks subject to the exceptions given by Policy S9 will be resisted.”

Policy S9 relates to outlets trading in gardening, bulky goods and high value/low cost D.I.Y. items.

This policy base reflects the more recent policy guidance contained in Planning Guidance (Wales) Planning Policy First Revision and TAN 4: Retailing and Town Centres. This government guidance indicates that the need for new retail developments should be assessed, and that a sequential approach should be adopted when selecting sites for new development. In the sequential approach, first preference should be for town centre locations, followed by edge-of-centre sites, district and local centres, and finally out-of-centre sites in locations that are accessible by a choice of means of transport. It is also necessary to assess whether the development would have an adverse effect on any town, district or local centre.

### The Retail Assessment

In support of the application, the applicants have submitted a detailed Retail Assessment. This draws on the Neath Port Talbot Retail Survey (NPTRS) commissioned by this Authority. The Retail Assessment addresses the above concerns as follows:

1. The need for the development. Seven indicators of need are identified (derived from several English cases), and in relation to these indicators, the Retail Assessment concludes as follows:
  - (a) Retail Capacity. There will be surplus expenditure of £12.2m in the Port Talbot zone by 2006, based on the low surplus convenience expenditure projections in the NPTRS. The proposed increase in net floorspace as a result of the Morrisons development will be 1,881 Sq.m., which equates to a turnover of £14.4m. Accordingly, approximately 85% of the turnover of the proposed extension can be supported by the capacity in convenience expenditure based on the low surplus expenditure projections. It is concluded that there is sufficient convenience expenditure capacity to support the turnover generated by the proposed store through a combination of expenditure growth, the clawing back of expenditure which is currently leaking away outside the County Borough, and recapturing the trade of the former Pioneer store.
  - (b) Qualitative Improvements. It is argued that there is a qualitative need for a new food superstore to ensure the continued functioning of the Baglan Bay shopping centre as a district centre and to improve the centre and its transport and pedestrian links.
  - (c) Retailer demand. It is argued that the interest shown by Wm. Morrison Supermarkets Plc in extending and redeveloping the site shows that there is retailer demand for the development.
  - (d) Development of brownfield land. The application site is currently largely vacant, has a run down appearance and is subject to vandalism. It is argued that the redevelopment of the site will bring visual and environmental benefits.
  - (e) Regeneration/development of adjoining land. It is argued that the area as a whole is a focus for regeneration, and that the development will be a demonstration of confidence in the area, without which it is likely that the District Centre will continue to deteriorate.
  - (f) Employment Generation. It is likely that the development will employ 350 – 400 full and part time staff, the majority of whom will be from the local area.
  - (g) Benefits to the local community. It is argued that the development will bring jobs and new confidence to the area in addition to meeting a need for a more competitive convenience goods offer.

2. Existence of sequentially preferable sites. The applicants have analysed the availability of suitable sites within Port Talbot town centre, but have concluded that there are no suitable sites for a development of the type proposed. This conclusion is broadly supported by the NPTRS. They therefore argue that the site at Baglan Moors is the sequentially preferable location, being within a District Centre.
3. Whether the proposed development would have an adverse effect on the vitality and viability of other retail centres. It is argued that the majority of the trade of the new supermarket will be derived by clawing back trade that is currently leaking out of Port Talbot. However, the new store is likely to divert some trade from the Tesco store in the town centre. It is argued that since that store is overtrading, the reduction in trade will be acceptable and should help to relieve congestion and improve the shopping environment of that store. The NPTRS identified a number of strengths and weaknesses for the town centre, and it is argued that the proposed new store will not significantly affect these, but will complement the existing town centre foodstore.

The conclusions of the Retail Assessment are largely based on the figures and analysis of the NPTRS. Although there is a shortfall in expenditure capacity using the low surplus convenience expenditure projections, it is considered to be acceptable that this will be made up by the “claw back” of expenditure from outside the County Borough, since this will have the added benefit of reducing journey times and therefore traffic generation. It is anticipated that some trade will also be taken from other foodstores in the Port Talbot area and in particular from the Tesco store in the town centre. However, it is understood that this store is currently overtrading. The projected reduction in turnover of this store would not materially affect the vitality, viability and attractiveness of the Town Centre is therefore considered acceptable. Similarly, the projected impact on Neath and other town centres, would not have a material affect.

Subject to limitations being placed on amount of ‘comparison’ goods sales the proposal is therefore considered acceptable in terms of affects on other town centres. The applicants have indicated that there may be financial and ancillary services within the store, although no details have been given, and it is recommended that a condition also be imposed to restrict these uses to ensure that there is no detrimental effect on the town centre.

With regard to Structure and Local Plan policies, Policy S4 of the Structure Plan contains a presumption against new superstores and

hypermarkets. However, the proposal constitutes the extension and continuation of an existing supermarket, and the proposal is therefore not considered to be contrary to this policy. The proposed development will enhance the provision within the District Centre in accordance with Structure Plan Policy S2, and is considered to be an effective way of providing a food store within the District Centre which would help reduce trade loss and traffic out of Port Talbot. It will also help to ensure the long term viability of the District Centre.

With regard to the existence of sequentially preferable sites, the Retail Assessment does not consider edge of centre sites. Arguably, the Green Park area could be considered as edge of centre, but it is considered that this would not be large enough to accommodate the proposal. Possible alternative sites in the docks area will not become available until after the construction of the Peripheral Distributor Road. It is therefore accepted that the site is the sequentially preferable site.

#### Highways matters and accessibility

As indicated above, a total of 635 car parking spaces are proposed within the site. Although this is fewer than would be required by the parking guidelines, the site has good pedestrian links to nearby housing areas and is served by a bus service. In addition, bicycle parking is to be provided within the site. The Head of Municipal and Highway Services has indicated that this is considered to be acceptable in this location.

In support of the application, the applicants have submitted a transport assessment analysing the likely impact of the development on highway safety in the area. This concludes that both Christchurch Road/Village Road and the Southdown Road/Afan Way roundabout can readily accommodate traffic generated by the development in capacity terms and that there are no transport related issues which should prevent the proposals from proceeding. The Head of Municipal and Highway Services has accepted the findings of this study.

In terms of accessibility, the site is served by an existing bus route along Afan Way, and there is a railway station approximately 1.25km to the north. The site is near to extensive housing areas in Baglan Moors and Sandfields and is well connected to the local footpath network via subways and proposed new footpath links. The proposal is therefore considered to be a sustainable proposal, bearing in mind its effects in strengthening the District Centre.

## **Conclusion**

In visual and design terms it is considered that the proposal would enhance the Baglan Moors shopping centre and the locality generally and that subject to the submission of a detailed landscaping scheme, the proposal is acceptable. It constitutes the continuation and expansion of the existing supermarket use on the site and should not therefore have any significantly detrimental effect on the residential amenities of nearby housing.

In relation to the tests set out in PPG (Wales), there is an identifiable need to the development, it meets the sequential test criteria, will not adversely impact on the vitality, viability or attractiveness of any town or other centre, and is readily accessible and minimum the need to travel.

It should be noted that following discussions with the applicants and the officers representing the Head of Municipal and Highway Services, certain conditions have been amended/deleted as additional plans have been provided to address some of the proposed conditions reported to the last Planning Committee.

**RECOMMENDATION:      Approval with 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)Notwithstanding the details shown in the application, no development shall take place until there has been submitted to and approved by the local planning authority details of materials to be used externally. The development shall be built in the materials approved in accordance with this condition.

Reason

In the interests of visual amenity.

(3) Prior to the construction of the store a scheme for landscaping shall be submitted to and approved by the Local Planning Authority, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, taking into account potential growth, together with measures for their protection in the course of development. This scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(4) The development shall include works for the control of effluent which shall be designed, engineered and maintained in accordance with a scheme which shall be submitted to and approved in writing by the Local planning authority to prevent any contaminated surface water drainage from entering a watercourse. The scheme shall be implemented prior to the first use of the store or petrol filling station.

Reason

In order to ensure the provision of adequate foul drainage.

(5) Adequate provision, in accordance with a scheme to be first submitted to, and approved in writing by, the local planning authority, shall be made for the drainage of the land. Such scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected. The scheme shall be implemented prior to the first use of the store or petrol filling station.

Reason

To ensure satisfactory drainage.

(6) The net floorspace of the store shall be no greater than 3,750 sq. metres, or as may otherwise agreed in writing with the Local Planning Authority.

Reason

In order that the impact of any change in net floorspace can be assessed on the vitality, viability and attractiveness of any town or other centre.

(7)Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification), the retail floorspace hereby approved shall not be used for a Bank, other than for ATMs.

Reason:

In order to ensure that the development does not detract from the vitality and viability of the town centre and in the interests of clarity.

(8)A minimum of 80% of the net retail floorspace shall be for the sales of convenience goods.

Reason:

In order to ensure that the development does not detract from the vitality and viability of the town centre and in the interests of clarity.

(9)Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason:

To prevent pollution of the water environment.

(10)Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank plus 10%, or the combined capacity of the interconnected tanks plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason



To prevent pollution of the water environment.

(11) Provision shall be made to ensure that no polluting discharge from haul roads and disturbed areas enter any watercourse.

Reason:

In order to protect the environment.

(12) Prior to the first use of the store, the amendments to the footway adjacent to Chalice Court and the pedestrian guard rails on the public highway from the Christchurch Road roundabout to the new zebra crossing shall be constricted/erected.

Reason

in the interest of highway safety.

(13) Prior to the first use of the store, the necessary Clearway Orders to ensure that parking restrictions are marked out on the public highways boundary the site shall be in place.

Reason

In the interests of highway safety and passenger convenience.

(14) Prior to the first use of the store, bus shelter with real time passenger information shall be provided.

Reason

To ensure satisfactory public transport arrangements.

(15) Prior to the first use of the store or petrol filling station, a Green Transport Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following:

(a) Shower facilities for staff who cycle or walk to work.

(b) Methods to encourage staff to use alternative means of travel apart from the car. These could include car sharing schemes; use of public transport; covered cycling facilities.

The plan shall be implemented in accordance with the approved details.

Reason:

In the interests of providing alternative sustainable means of transport to the site.

(16)The areas of public highway which are to form part of the site, including the bellmouth of the existing site entrance and part of the proposed service yard, shall be stopped up prior to the carrying out of any work on these sections.

Reason:

In the interests of highway safety.

(17)Prior to the first use of the petrol filling station, the improvements to the roundabout at the junction of Christchurch Road/Village Road/Afan Way shall be carried out in accordance with the approved plans.

Reason:

In the interests of highway safety.

(18)The car parking areas shall be surfaced in either tarmacadam, concrete or block paviors and shall be marked out on site prior to the first beneficial use of the supermarket.

Reason:

In the interests of highway safety.

(19)Prior to commencement of the construction of the store, full details (including structural calculations where appropriate) of the proposed works to the subway to be closed off shall be submitted to and approved in writing by the Local Planning Authority. The works to the subway shall be completed in accordance with the approved details prior to the first use of the filling station.

Reason:

In the interests of highway and pedestrian safety.

(20)A forward visibility splay of 45m shall be provided along the sites frontage onto Christchurch Road. The area of the splay shall be maintained free from any obstruction greater than 600mm in height.

Reason:

In the interests of Highway Safety.

(21) Prior to the commencement of the construction of the store, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the alteration or provision of Traffic Regulation Orders, drainage, street lighting, street furniture and landscaping along Christchurch Road fronting the site and the unnamed access road along the northern boundary of the site. The scheme shall be implemented prior to the first beneficial use of the supermarket.

Reason:

In the interests of highway safety and amenity.

(22) Notwithstanding the details shown on the approved plans, the proposed flags/flagpoles shall be located only in positions to be agreed in writing by the Local Planning Authority.

Reason:

In the interests of highway safety.

## **ITEM 1.9**

**APPLICATION NO:** P/2001/1296

**DATE:** 05/11/01 09:31:48

**PROPOSAL:** PROPOSED TIP RECLAMATION TO  
OPEN AMENITY LAND

**LOCATION:** DARREN TIP,, TREBANOS, SWANSEA

**APPLICANT:** NEATH PORT TALBOT C.B.C.

**TYPE:** Full Plans

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

West Glamorgan Structure Plan

EQ3 – Land Reclamation.

EQ4 – Landscaping and Environmental Management.

EQ5 – Landscape, woodland and trees.

C8 – Common land.

Northern Lliw Valley Local Plan

EQ18 – Derelict Land.

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

Land Reclamation Works – Approved – 1995 – Not implemented.

#### **d. Responses to Consultations**

Number of properties consulted: 23

Notices were posted on site and in the general locality and the proposal was advertised in the press.

Number of replies received: 3

The letters can be summarised as follows:-

- a. concerns raised should be properly addressed and that the financial arrangements are investigated.
- b. That the Environment Agency investigate the legality and practicality of the Council's somewhat spurious proposals.
- c. It is suggested that the treatment and control of the infestation of Japanese Knotweed found on site would be inadequate and contrary to environmental legislation. Any treatment of the weed should be based on expert advice.
- d. It is brought to the attention of the authority that the site lies in a landslip area.
- e. The proposal would be in conflict with the Council's tree preservation policy.
- f. The community is concerned with the strong possibility of having to live with another of the Council's environmental disasters e.g. Glanrhyd Plantation.
- g. Why not leave the tips alone as nature reclaims it?
- h. Why buy in concrete blocks for the drainage?
- i. Works should be carried out without detriment to the existing pleasant aspects of the environment.
- j. Every effort should be made to minimise the disruption to residents.
- k. The site has been used in recent years by youths as a scrambling area for motorcycles. Every effort should be made to ensure that the site is not opened up for further illicit use of the land.
- l. Associated drainage should not pose difficulty to users of the unnamed access to the site.
- m. A substantial replanting scheme should be adopted on the site following the completion of the works.
- n. Any felling of trees along the access road is opposed.
- o. The access road should be repaired after the completion of engineering works.
- p. The letters have called for a public meeting on the proposal.

Statutory Consultees:

Environment Agency - No objections subject to comments on general drainage issues and that care should be taken to prevent the spread of Japanese Knotweed.

Head of Environmental Health and Trading Standards - No objection subject to controls on hours of working and dust suppression.

Glamorgan Gwent Archaeological Trust - No objection

Pontardawe Town Council - Officers met with Town Councillors on 6th December to describe all aspects of the proposal including lorry movement. No further comments have been received.

West Glamorgan Commoners Association - No objections in principle but wish to have further discussions relating to management.

Head of Municipal and Highway Services (Highways) - No highway objection.

Head of Municipal and Highway Services (Drainage) - No objections subject to off site assessment.

Countryside Council for Wales recommended that the Environment Agency is consulted with regard to the treatment of Japanese Knotweed and that the removal of trees/shrubs is not undertaken during the nesting season. Advice is given on seed mixtures, habitat creation and landscape.

## **APPRAISAL**

### **The Proposal**

The application seeks consent for engineering operations relating to the proposed regrading and reclamation of the Darren Tip at Trebanos in the Swansea Valley. The tip lies at the base of an escarpment, some 350 metres north from the main Pontardawe to Swansea Road. The development site boundary covers an area of some 1.4 hectares which constitutes some 75% of the tip in total. Access to the tip is along Graig Road and a short access track that leads to Darren Cottages. The tip area to be reclaimed and regraded stands proud and steep above the general levels of natural ground levels below and is surrounded and covered in parts by naturally colonized trees and shrubbery. Major areas of the tip continue to be bare and steep and are unlikely to develop any vegetation. Footpath No. 3 in the Community of Pontardawe follows the Eastern boundary of the site.

The site also forms part of a Commons Registration under the Commons Registration Act 1965. Therefore proposals for the construction of structures such as culverts and drainage ditches may need the consent of

the National Assembly for Wales under the provisions of the Law of Property Act 1925 (Section 194)

It is proposed to regrade the tip to gradients generally less steep than 1 in 2 by redistributing colliery shale from the southern area of the tip to a void area in the north eastern corner of the site.

To facilitate this work it will be necessary to fell some areas of re-colonised trees and shrubbery. The more mature areas of trees cover less than 0.1 hectare in area and around 50% of the tip areas to be regraded is devoid of any vegetation. Japanese knotweed has also infested the eastern fringe area of the tip and would be excavated to a depth of 3 metres. Some 200 cubic metres of this infested material will be disposed of off site and the remainder buried at a prescribed depth on a small designated area on the tip site. The regraded areas will fall in a north west to south east direction. Drainage would be provided on the eastern fringe of the tip and directed to existing watercourses to the south. The drainage ditch will be constructed of a stone pitched channel set in concrete. Additional engineering works to the south of the tip will also be carried out in the form of pipe replacement and bank stabilisation works.

The existing track that leads from Graig Road will be regraded and surfaced to improve its condition. Any damage caused by the works will be repaired. It is also proposed to create a footpath across the reclaimed area linking footpath No. 3 that runs on the eastern fringe of the site and an alleged footpath currently undefined on the western fringe of the site. A contractors compound will be positioned adjacent to the site. At the end of the works it is proposed to landscape the site however these details are reserved at this time.

The programme and scale of works is largely dependant on the contractor, however it is anticipated that all works should be complete within a 16 week period with the major earthworks being complete in around 6-8 weeks depending on weather conditions. It will also be necessary to close footpath No. 3 for the duration of the operation. The reclamation would be funded by the Welsh Development Agency and is subject to a financial spend within the financial year 2001/2002.

### **Comments**

The Darren tips in Trebanos have been identified for many years as an area of derelict land in need of some reclamation. The site is identified under Policy EQ18 of the Northern Lliw Valley Local Plan as a site

requiring reclamation treatment, where no specific land use can be identified for such sites the land should be returned to amenity and for small scale informal recreation.

The site has been the subject of works in the recent past, constituting repair and drainage works to the undertip adit. These were carried out under the provisions of Part 19 Class C of the General Permitted Development Order 1995. A previously approved land reclamation scheme had not been implemented because of the lack of funding.

In landscape terms, the tips can only be seen from major residential parts of the area at long distance views. The unvegetated parts of the tips however still continue to affect the general amenities of the local area in a negative manner. Whilst revegetation and natural colonization has occurred on part of the tip, the steeper parts of the site are unlikely to regenerate in their present shape and gradients. The proposals to regrade parts of the tip to gradients that will generate vegetation and natural colonization will be undertaken by earth moving plant machinery without the removal of tip material off site (with the exception of some 200 cubic metres of colliery shale infested with Japanese Knotweed which will be removed by road).

The earthmoving activity will be relatively short (some 6-8 weeks) although this work will be clearly in view during this process. There will be a loss of some 0.1 hectares of mature trees within the core of the site. This is required to provide the void space for the redistribution and spreading of colliery shale. The majority of the recolonised areas will be left untouched or protected.

The development will affect the visual amenity of the area for a short period of time and cause the destruction of a limited area of trees and shrubbery, however it is considered that the long term benefits of restoring the land to a condition conducive for landscaping and "recreational" use outweighs any temporary effects and loss of trees/shrubbery.

The ancillary drainage structures will be lined with sandstone to prevent any visual intrusion on a local scale.

As indicated above, a part of the area to be reclaimed is infested with Japanese Knotweed, an invasive species which can reoccur if not handled and or treated appropriately. The proposals indicates that the majority of the weed will be buried at depth in accordance with specific recommendations contained within Welsh Development Agency advice.



A portion of the material will be transported from the site (some 200 cubic metres) as it cannot be extracted at an early part of the engineering works. It is considered that the proposals will be adequate along with a herbicide treatment in subsequent years to ensure that the works do not exacerbate the problem. The treatment of adjacent area of infestation on land in the control of the authority would also be appropriate in the circumstances.

The operations will inevitably raise noise levels in the locality as the surrounding area is semi rural in nature. However the scale of the works will be relatively low in comparison to major earthworks developments such as opencast or other mineral working. It is acknowledged that the plant machinery will introduce construction noise for a short period of time. One earth moving machine or shovel, a dumptruck and a bulldozer may be used. It is also envisaged that not all plant machinery would be operational at the same time. The proposed hours of working of 08.00 to 18.00 Mondays to Fridays and 08.00 to 13.00 hours on Saturdays appear to be reasonable for the temporary working given the overall long term benefits of reclamation.

Adequate provision will also be made available at the site for the suppression of dust during earth moving operations.

Access to the site will be via Graig Road that leads from the A4107 Swansea to Pontardawe Road. The road is steep and narrow in places and is not readily suitable to major increases in traffic particularly heavy goods vehicles. However the scheme involves the transportation of plant and machinery onto the site which should, unless problems arise in terms of breakdowns etc, remain on site for the duration of the scheme. The importation, on an ad hoc basis, of civil engineering materials will also be required and the exportation of some 200 cubic metres of colliery shale "contaminated" with Japanese Knotweed. This would involve some 10 lorry movements out of the site.

An unnamed access track leading to the site and Darren Cottages from Graig Road will be repaired during and after the completion of the works. The Head of Municipal and Highways Services has no objection to the proposal on highway grounds. It is considered that the scale and level of traffic movement to and from the site is acceptable for the short duration of operations and does not constitute a danger to highway safety or a significant detrimental effect on the amenity of residents.

In ecological terms the operations will cause disturbance to some established trees and shrubbery which currently provide habitat for

general flora and fauna. The loss of the habitat is considered acceptable in the light of the long term benefits of reclaimed land and the opportunity to provide further areas for natural colonization and biodiversity.

(“ECOLOGY ADVICE”)

Because of the nature of the works, it will be necessary to apply for the temporary closure of Footpath No. 3 which lies at the base of the tip. The temporary closure and loss of access to such recreation access is considered to be acceptable given the need to reclaim derelict land. The introduction of a further footpath connection will also be advantageous in the longer term.

Adequate measures will need to be carried out on site to prevent the pollution of adjacent watercourses during the site operation and appropriate licences will be required by the Environment Agency for the works. The Environment Agency has no objection to the proposals.

The effect of the works on related drainage arrangements close to the development has been assessed and the flow of the surface water to associated culverts downstream should not result in any significant increase. As a precautionary measure a full assessment will be carried out of the culvert accepting surface water from the site.

With regard to other specific representations listed above the following comments are made on relevant material planning issues.

1. The application and proposal are subject to the approval of grant aid from the Welsh Development Agency. As such the proposals and financial arrangements will need to satisfy their requirements.
2. Japanese Knotweed will be handled and treated in accordance with existing guidelines.
3. As the development lies in a landslip area specific site investigation has been undertaken to establish the relevant engineering techniques required. The development proposals in relation to the landslip area have been designed with specific precautionary principles.
4. It is necessary to lose some existing vegetation and trees to enhance the area for the longer term.
5. The general amenities of the closest residents will be affected for a period of time. However, subject to measures being imposed to

minimise disruption it is considered that the benefit of the proposal outweigh such temporary amenity affects.

6. The land will be subject to a landscaping scheme to be submitted under a condition.
7. The access track leading from Graig Road to the tip will be repaired as necessary.
8. Whilst the site has been the subject of use by motorcyclists and horse riders, this matter is a land management issue which has been brought to the attention of the relevant department of the Authority.
9. A public meeting was not considered necessary.

### **Conclusions**

The project provides an opportunity to restore an area of derelict land that has a detrimental effect on the local amenities of the area. The size, structure and shape of the majority of the tip does not provide suitable conditions for natural colonization by vegetation. Whilst the tip is currently and inherently stable, it could be the subject to instability should general conditions deteriorate. It is therefore in the public interest for the tip to be regraded and reclaimed to a permanent stable condition which will also provide an environmental benefit to the area.

The temporary disturbance to the amenities of the area is considered to be outweighed by the long term benefits of restoring the land. Specific controls to protect the amenities of the area, access arrangements and landscaping can also be adopted to ensure that the works has the least possible effect on residents, ecology and the surrounding environment.

**RECOMMENDATION:      Approval with 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)This consent shall relate to the approved plans Drg. Nos. W2002/100; 102; 103 and 104..

Reason

In the interest of clarity.

(3)Unless otherwise agreed with the local planning authority the hours of working on the site shall be limited to the following.

Mondays to Fridays 08.00 to 18.00 hours.

Saturdays 08.00 to 13.00 hours.

No work of any kind shall occur on Sundays, Bank or Public Holidays.

Reason

In the interest of amenities of the area.

(4)All vehicles plant and machinery operated at the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silences.

Reason

To ensure minimum disturbance from operations and avoidance of nuisance to the local community.

(5)Unless otherwise agreed in writing with the local planning authority, no material shall be imported into the site.

Reason

In the interest of amenity.

(6)With the exception of any colliery shale infested with Japanese Knotweed, all other colliery shale material shall remain on site and shall be used in the regrading and recontouring of the site.

Reasons

In the interest of highway safety.

(7)Unless otherwise agreed with the local planning authority and with exception of general drainage and ancillary works for civil engineering structures, all major earth works such as colliery shale excavation and regrading shall not occur between 1st April and 31st July in any year.

Reason

In the interest of nature conservation.

(8) All tree and scrub removal required for the execution of the reclamation works shall not be undertaken during the bird-nesting season 21st March to 21st July in any year.

Reason

In the interest of bird nesting.

(9) Adequate measures shall be undertaken and provisions provided to minimise the generation of dust from site operations.

Reason

In the interest of the amenities of the area.

(10) Within 2 months of the commencement of operations a scheme for the landscaping of the site submitted to the local planning authority for its approval, which shall include indications of all existing trees on the land, and details of any to be retained. The scheme shall be carried out in the first planting season after completion of the land reclamation works and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(11) Within 3 months of the commencement of works on the site, a scheme shall be submitted to the local planning authority for its approval for the treatment and eradication of Japanese Knotweed on the site, and to the land in the ownership of the applicant immediately adjacent to the site boundary.

Reason

To prevent the reemergence and infestation of Japanese Knotweed on the site.

(12) Any facilities for the storage of oils, fuels or chemicals shall be on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be

at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipes should be detailed to discharge downwards into the bund.

Reason

To prevent pollution of watercourses

(13) Before entering onto the public highway the wheels, undersides and bodies of all vehicles travelling from the site shall be cleaned and, any loads shall be secured and fully covered by sheeting and in such a condition as to avoid the deposit of material upon the public highway.

Reason

To ensure that such reasonable precautions are taken and provision made as is necessary to prevent the exit of vehicles onto the public highway which would be likely to deposit material on the public highway to the detriment of highway safety and amenity.

(14) The permission hereby granted relates only to the use of the access road and access point shown on approved plan ref. Drg. No. W2002/100 by vehicles gaining access to or from the site and no other access or access point shall be used without the prior consent of the local planning authority.

Reason

To provide that any proposed use of alternative access routes and access points can be considered by the local planning authority so that the use of access routes and access points which would be unsuitable on environmental, highway safety or other grounds can be prevented.

(15) All necessary precautions shall be undertaken to prevent damage or disruption to the adjacent public rights of way.

Reason

In the interest of the amenities of the area.

## **ITEM 1. 10**

**APPLICATION NO: P/2001/1298**

**DATE: 05/11/01 11:16:45**

**PROPOSAL: NON-FOOD RETAIL WAREHOUSING  
TOTTALLING 1,397sq m (15,035sqft) GROSS ASSOCIATED CAR  
PARKING, SERVICING AND NEW ACCESS.**

**LOCATION: LAND ADJACENT TO LIDL STORE,,  
BRITON FERRY ROAD, MELYN, NEATH**

**APPLICANT: JOLLY PARK LTD**

**TYPE: Full Plans**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Neath Local Plan

S19 – Criteria for non - town centre retail.

T26 – New development and highway safety.

T24 – Car parking and servicing for new development.

E67 – Design of new development – effect on adjacent buildings.

B39 – Criteria for business proposals designs / access etc.....

S12 – Location of new major retail outlets.

West Glamorgan Structure Plan

S1 – Subregional shopping.

S2 – Retailing

S5 – Retail warehousing.

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

89/335 Demolition of existing structure and retail development on site  
App Cond 20/6/91

93/256 Retail Development App Cond 21/10/93

94/27 Phase 1 Retail Development Melyn Works Approved 17/3/94

96/1260 Removal of Cond 1 (time of the Submission of reserved matters) P.A. No. 89/335 Approved 16/9/96

97/873 Bingo Hall and parking App Cond 2/4/98

97/910 Four retail units App Cond 12/3/98

99/947 Three non-food retail units, bingo hall and Class A3 drive thru/restaurant App Cond 23/11/99

01/1262 Proposed private members Bingo Facility App Cond 19/12/01

**d. Responses to Consultations**

Number of properties consulted: 14

In addition a site notice was posted and the application advertised in the local press.

Number of replies received: 1

The letter offers support of the proposal as it would reclaim derelict land.

Statutory Consultees:

Head of Municipal and Highway Services (Highways) – No objections subject to conditions.

Head of Municipal and Highway Services (Drainage) –

Environment Agency – No objections subject to conditions.

Neath Town Council – No reply, therefore no observation to make.

Dwr Cymru/ Welsh Water -

Transco – Provides information on the location of its apparatus.

British Telecom – No objection

Western Power – No objection.



The Coal Authority – No objections.

Railtrack – No objections subject to conditions.

British Rail Property board – No reply.

Neath Port Talbot Access Group – Provides advice on making improvements to assist the disabled.

## **APPRAISAL**

This application seeks detailed planning approval for the erection of a building containing 2 non-food retail units on land adjacent to the Lidl Store Briton Ferry Road, Neath.

The site lies adjacent to the existing Lidl store and would lie next to the proposed Castle Bingo Club, which was granted approval at Committee on 18/12/01.

The units would have a gross floor space of 1,397 square metres (696sq.m. each) and would be located adjacent to the existing access road into the site and parallel to the site boundary with the railway.

Members will note, that consent was previously granted for 4 non-food retail units, on the site which is now earmarked for the Bingo Hall. The principle of the development has therefore already been established.

The building would be approximately 62m wide with a pitched roof, an eaves height of 5m and a ridge height of 7m.

The front elevation of the building would be finished in red facing brickwork with buff piers. The roof would be finished in a goose-wing grey profiled sheeting roof. Part of the side elevation of the building facing the Lidl store would be finished in brick. The remainder of the elevations would be clad in a bamboo coloured vertical trapezoidal sheet cladding.

The front elevation would contain a glazed entrance doorway with windows around the doors. These doors would be located at the centre of the building and it is proposed to provide a large window feature either end of the frontage. It is proposed to install concealed colour doors and glazing on each unit.

It should be noted that the other side elevation of the building would face the proposed car park to the Bingo Hall. This elevation would be visible from the car park. It is considered that it be given a similar treatment to that side facing the Lidl store.

The shops would have a parking area for 51 cars to the front. In addition a further 22 spaces, which presently lie within the Lidl car park are included in the application site a total of 73 spaces are therefore available. The retail units would be serviced to the rear, bin stores are also provided to the rear of the building.

In support of the application a Retail Impact Assessment has been made. The report indicates that

"no operators are currently associated with the scheme. It is however, anticipated that the 2 proposed units will be occupied by non-food bulky goods operators or large format retailer's commonly located at retail warehouse parks e.g. the Enterprise Park, Swansea from where the majority of trade is anticipated to be drawn. A minimum unit size of 698 sq.m will ensure that retailers attracted to the development will complement, rather than compete with Town Centre retailers.

The objectives of Planning Guidance ( Wales ) with respect to retailing to sustain and enhance the vitality and viability of existing town centres; to focus retail development in locations where the proximity of other businesses facilitates competition; to maintain an efficient, competitive and innovative retail sector, and to ensure the availability of a wide range of shops, employment opportunities and services to which people have easy access by a choice of transport. It also seeks to maintain an efficient, competitive and innovative retail sector.

The guidance sets out the criteria for consideration of proposals for new retail development, including the extension of existing facilities. In particular, the guidance requires that where development is proposed outside of a defined centre which does not accord with an up to date development plan, applicants must demonstrate a need for the proposals in addition to proving that the sequential test has been applied. The guidance does not however clarify what factors are likely to be regarded as constituting need. It has emerged that that demand and capacity may form part of demonstration of need and the significance in any particular case of the factors which may show need

will be a matter for the decision maker.” That both quantitative and qualitative factors were relevant considerations in assessing need.

The next step in the assessment of retail proposals is the sequential test. This directs that the first preference for the location of new retail development should be existing town centres. Only where no opportunities exist within defined town centres will development be considered on edge - of - centre sites. Where no suitable town centre or edge – of – centre sites be considered and only then where they are accessible by means of transport other than the private car. Planning Guidance Wales requires that this approach must be followed both in terms of development control and in the drawing up Development Plans.

Paragraph 10.2.10 of Planning Guidance (Wales) gives advice on planning for existing centres and advocates measures to sustain and enhance town, district and local centres to encourage them to provide a valuable and economically successful service.

Planning Guidance (Wales) refers to retail warehouse development and notes that some types of retailing such as stores selling bulky goods and requiring large showrooms may not be able to find suitable sites in town centres.

The Retail Impact Study goes on to discuss the various policies in the development plan (see also heading a) structure / local plan policies above)

The application site lies within the main urban area of Neath, which Policy S19 considers an appropriate location for retail development.

In such location, national planning guidance requires all applications for new retail development to be supplied by evidence of need to demonstrate compliance with the proposals will not harm the vitality and viability of existing centres.

A detailed assessment of need is given It is considered that about 70% of the turnover of the proposed retail units will be drawn from Neath and its hinterland.

The earlier date at which the new retail warehouses units could open would be early 2003. However, in accordance with the requirement to

assess the development when trading patterns have established a design year of 2004 has been established.

In terms of qualitative need, Neath is poorly served by retail warehousing, with provision in Swansea, notably the Enterprise Zone, drawing a significant proportion of locally generated expenditure. There is a clear need to “clawback” this outflow. This will not only improve local retail choice, but will reduce the need to travel to stores further afield, meeting substantially objectives. The development would also generate valuable local employment and meet a recognised need to regenerate this key site. There is both a clear quantitative and qualitative need for the proposed development.

A sequential assessment in support of the application proposals has been undertaken the report indicates:

“ Unfortunately, neither Planning Guidance Wales or Ministerial Statements in England give any guidance on how the sequential test is to be applied. For the purpose of this assessment, therefore, we have sought to identify sites or existing buildings suitable for conversion which could accommodate floorspace of the scale proposed, which would be available for development within a reasonable time period and which would represent a viable proposition.

Our assessment has identified no such sites within or at the edge of Neath town centre which would satisfy this criteria. Therefore, as an established retail location is an accessible location and within easy walking distance of residential properties. We concur with the view reached by the Council in 1988 and 1999 that the application site fully satisfies the sequential test.

A health check in the Neath Town Centre has been included in the report. Its baseline “health” taking into account indicated set out in TAN4 these include:

- Diversity of uses.
- Retailer representation and intention to change.
- Shopping rents and commercial yields.
- Street level vacant property.
- Pedestrian flows.
- Accessibility.
- Environmental quality.
- Perception of safety and occurrence of crime.

Neath is a key town centre functioning primarily as a non-food shopping destination for the County Borough but also serving as a convenience shopping destination for the local population and the valleys leading into the town. Its retail role is, however, dominated by the sub-regional centre of Swansea, which plays a particularly important role in meeting the retail warehouse requirements of Neath residents.

Neath has both a primary and secondary shopping area with an estimated, total gross floor area of approx. 53, 750 sq.m.

It offers a good range of comparison shopping but is only about 80% of the national average of GOAD Surveyed Centres.

It is well served by a good range of A2 uses including all the High St Banks and Major Building Societies. It has a good range of A3 Cafes and restaurants and A1 service uses such as Launderettes, Travel Agents and Hairdressers. This good mix is commensurate with its role and function as a weekly Shopping Centre.

Neath has a vacancy rate of just under 12.5% marginally above the national average of GOAD surveyed centres of 10.9% but lower than the 12.7% vacancy rate identified by NLP in 2000.

Vacancies are concentrated in secondary areas of the town centre, particularly along Windsor Road, and generally comprises small units unlikely to be attractive to national and regional multiples.

The health check assessment of the town centre has reaffirmed the conclusions of the NLP Neath Port Talbot Retail Study that Neath is generally a vital and vibrant town centre offering a good range of goods and services in a pleasant shopping environment.

The report identifies that in view of the very limited warehouse provision in the study area it is considered that the application proposals will draw the majority of its trade from the retention of expenditure currently lost to retail warehousing development such as the Enterprise Zone in Swansea with only about 20% of trade from the study area being diverted from the town centre, equating to about £0.57 million per annum. However, as a worst case scenario, for the purposes of the report we have tested the proposals on the basis of 30% of all trade to the proposed development being diverted from the town centre.

This would equate to £0.85 million, which at the design year would represent an impact on the comparison sector of the town centre of 0.9%. Against the background of expenditure growth of 4.1% per annum, the impact would be absorbed in less than three months growth, and the town centre at 2004 would still be nearly £10 million or 11.9% higher than current (2001) levels.

Indeed, even if 50% of the trade to the new development were to be drawn from the town centre, the level of impact at 2004 would only be 1.5% and the turnover of the town centre would still be £9.2 million higher than current (2001) levels.

Of course, these levels of impact relate to purely the comparison sector, and the overall impact on the town centre as a whole will be lower still.

The above identifies that the proposed development will draw the majority of its trade from the clawback of trade from existing retail warehouse provision located beyond Neath – primarily in Swansea.

The report concludes:-

The application site, while out of centre, benefits from extent planning consent for non-food retail warehouses development of a similar scale to that proposed. The extent consent was granted in November 1999 and was, at that time, determined in the context of the most recent planning guidance on retail development contained in Planning Guidance Wales and the February and March 1999 Ministerial Statements in England which clarified the application of retail guidance. Against that background. The earlier proposals were considered to comply fully with the tests of need, the sequential approach and retail impact.

This assessment has been prepared to consider whether there have been any material changes in circumstances since that grant of that consent would warrant a different conclusion on this current application. Drawing upon the evidence presented in the Council's own Retail Study it has been shown that there is a clear need, both in qualitative and quantitative terms for retail warehousing such as proposed to serve Neath and its immediate area. Our sequential assessment has identified no alternative sites in sequentially preferable locations which are suitable, visible and available for the proposed development, and our retail impact assessment has shown that the

proposals would have an imperceptible impact on the town centre of Neath.

It is therefore considered that the application site, and the proposals contained in this application, comply fully with the requirements of national and local planning policy and there is no reason why planning consent should not be forthcoming."

In policy terms, the applicants have identified the need for the development as being a qualitative need and quantitative need together with a drawback of trade that is otherwise going outside the general Neath Area. In relation to the Sequential Test there would appear to be no suitable sites available in the town centre or edge of town centre and therefore the proposal is considered to be in accord providing conditions were imposed to ensure that the range of goods sold would not undermine the attractiveness, viability and vitality of Neath Town Centre.

**RECOMMENDATION:      Approval with 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)Notwithstanding the details shown in the application, no development shall take place until there has been submitted to and approved by the local planning authority details of materials to be used externally. The development shall be built in the materials approved in accordance with this condition.

Reason

In the interests of visual amenity.

(3)No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for landscaping, which shall include indications of all existing trees and

hedgerows on the land, and details of any to be retained, taking into account potential growth, together with measures for their protection in the course of development. This scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(4) Adequate provision, in accordance with a scheme to be first submitted to, and approved in writing by, the local planning authority, shall be made for the drainage of the land. Such scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected. The scheme shall be implemented prior to the occupation of each [the] dwelling/s.

Reason

To ensure satisfactory drainage.

(5) Prior to the commencement of the development, full details of the proposed means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The means of enclosure as approved shall be erected on site prior to the first use of the 2 retail units.

Reason

In the interests of visual amenity.

(6) Prior to the commencement of the development hereby permitted, full details of the proposed screening to the bin storage area shall be submitted to and approved in writing by the Local Planning Authority. The screening, as approved shall be erected on site prior to the first use of the 2 retail units.

Reason

In the interests of visual amenity.



(7)The parking area as shown on the approved plan shall be provided on site prior to the first use of the retail units and retained thereafter for car parking.

Reason

In the interest of highway safety.

(8)With the exception of the bin store shown on the approved plan no SW614.P/100 dated 12/10/2001 outside storage whatsoever shall take place at the premises without the prior written consent of the local planning authority.

Reason

In the interests of the visual amenity of the area.

(9)The details submitted to satisfy condition 2 above shall include the provision of brick panels to the side elevation facing the proposed car park to the Bingo Hall.

Reason

In the interest of visual amenity.

(10)Details of the floor level of the development shall be submitted to, and approved in writing by the local planning authority before work on site is commenced, and the development carried out as may be approved by this condition.

Reason

In the interest of the amenities of the area and to ensure a satisfactory street picture.

(11)No works on the construction of any shop front to the building the subject of this permission shall be carried out prior to the submission of details to, and their approval in writing by, the local planning authority, and shall be constructed as may be approved under this condition.

Reason

In the interests of visual amenity.

(12)There shall be no subdivision of any retail unit without the prior consent of the Local Planning Authority.

## Reason

In order that such proposals can be assessed in relation to potential impact on Neath Town Centre.

(13) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (or any order revoking and re enacting that order with or without modification), the retail floorspace hereby approved shall not be used for the sale of:

- a. Men's and women's fashion clothing and or footwear.
- b. Sport's goods, equipment and/or clothing.
- c. Fashion accessories.
- d. Jewellery.
- e. Cosmetics and/or toiletries.
- f. Pharmaceutical products.
- g. Photographic equipment.
- h. Food other than ancillary sales of such items.

## Reason

In order to ensure the development does not detract from the vitality and viability of the Town Centre and in the interests of clarity.

(14) Any proposed external lighting scheme shall be submitted to and approved by the Local Planning Authority and carried out in accord with such details as may be approved.

## Reason

In the interests of safety and amenity.

(15) Adequate provision, in accordance with a scheme to be first submitted to and approved in writing by, the local planning authority, shall be made for the drainage of the land. Such scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected.

## Reason

To ensure satisfactory drainage.

(16) No development approved by this permission shall be commenced until:-

a) The application site has been subjected to a detailed scheme for the investigation and recording of contamination and a report has been submitted to and approved in writing by the Local Planning Authority.

b) Detailed proposals in line with current best practice for the removal, containment, or otherwise rendering such contamination to have an acceptable risk to the aquatic environment or human health have been submitted to and approved in writing by the Local Planning Authority.

c) For each part of the development contamination proposals relevant to the part (or any part that would be affected by the development) shall be carried out either prior to or during such development as appropriate.

## Reason

Prevention of pollution and to ensure a satisfactory development.

(17) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund. The delivery area should also be bunded to prevent pollution.

## Reason

To prevent pollution of the water environment.

(18) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and

constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

#### Reason

To prevent pollution of the water environment.

(19)The submission of a scheme detailing the redesign and reconstruction of the existing traffic signalled controlled junction of School Road with Briton Ferry Road and the site access, together with all associated modifications to the traffic signal equipment and control systems. This should also include any signing, lining, Traffic Regulation Orders, tactile paving and drop kerbs to be approved in writing by the Authority and implemented as such prior to work commencing on site.

(20)No access at any time during any construction period of the site shall be gained via DC Griffiths Way.

(21)Parking restrictions being implemented on the proposed access road to avoid any indiscriminate parking from occurring anywhere along it prior to the first use of the building.

(22)The submission of an amended plan at a scale of 1:500 detailing changes to the delivery vehicle route on the bend adjacent to the bin store to allow the passage of any articulated lorry for approval by the Authority prior to work commencing on site, and implemented as such prior to the first use of the building.

(23)Any surface water discharge to watercourse from the proposed car park, building etc. should be attenuated to existing levels or less. Surface water storage is likely to be required. Full calculations shall be submitted to and approved by the Local Planning Authority, prior to the commencement of work on site, to justify the design.

## **ITEM 1. 11**

**APPLICATION NO: P/2001/1303**

**DATE: 06/11/01 14:17:30**

**PROPOSAL: EXTENSION OF ENCLOSED GARDEN  
TO 2/3RDS OF THE AREA WITH THE REMAINING BEING  
LANDSCAPED**

**LOCATION: 17 The Avenue, Eaglesbush, Neath SA112FD**

**APPLICANT: P J & M D Hayes**

**TYPE: Householder**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan:

H1 – Housing Land Bank

T26 – New development and highway safety

#### **b. Other Policies**

None

#### **c. Relevant Planning History**

87/122 Residential Development – Approved 9/9/87

88/800 Residential Development – Approved 30/3/89

#### **d. Responses to Consultations**

Number of properties consulted: 9

Number of replies received: 7 letters from 5 neighbouring properties.

Three neighbours oppose the proposal and two neighbours support the proposal.

Objections can be summarised as follows:

1. The proposal will create a blind corner, hazardous for pedestrians, especially children, and vehicles.

2. If a high fence is put up, it will block the view from the front of the neighbouring house, and will block the view in from the Avenue to the close. There is no street lighting on the shared drive, and this could cause security problems.
3. The proposal does not conform with the overall design of the development. The area should be open and landscaped, similar to other areas at the front of properties which are either open or enclosed with low picket fences. A high fence would be unsightly and would cause a nuisance.
4. If one house is allowed to enclose open land, others could follow suit.
5. There are no measurements shown on the submitted plan and concerns are expressed that the applicant will be granted approval to place the fence wherever he wants.

Comments supporting the application can be summarised as follows:

1. The proposal will enhance the area and will be of aesthetic benefit.
2. The site is too large to landscape and is an eyesore at present.

Statutory Consultees:

The Head of Municipal and Highway Services (Highways): No highway objections.

Neath Town Council: No objections

## **APPRAISAL**

This application seeks consent to extend the garden of 17 The Avenue, Eaglesbush, Neath. The proposal relates to an area at the side of the property, adjacent to a shared drive which serves 4 properties. The site is some 7m wide (maximum) and some 10m long and is currently unused. It was originally intended to be a landscaped area adjacent to the shared drive, but is now owned by the applicants although it is not incorporated within their garden. Other similar areas adjacent to the private drive are also privately owned and have been seeded and planted, but remain open. The proposal is to enclose an area with a width of some 5m (tapering to 3.5m) and incorporate it within the garden of No. 17. A strip some 2m wide at the side (adjacent to the private drive) and a strip of some 0.7m wide at the front would be left open and landscaped.

With regard to the points raised by the objectors, the area to be enclosed is set back from the junction of The Avenue and the shared drive by some 5.5m. It is considered that it will not obstruct visibility significantly for vehicles or pedestrians. The Head of Municipal and Highway Services has raised no objections to the proposal on highway safety grounds.

The proposal will involve erecting a 2m high fence around the area to be enclosed. This will have a width of some 3m in front of the neighbouring property (No. 18). However, the fence will be some 15m from the front of No.18 and it is considered that it will not significantly affect the residential amenities of that property. It is considered that it should also not have a significant effect on the security of the area.

Although there are no measurements shown on the submitted plans, scale plans have been submitted which indicate the proposed position of the fences.

In visual terms, the proposal will result in a less open aspect to the entrance to the shared drive. However, an area of landscaping will be retained adjacent to the drive, and it is considered that the proposal is a reasonable compromise to allow the owners of the property to benefit from the area by enclosing part of it within their garden, while providing landscaping at the entrance to the shared drive as originally envisaged.

**RECOMMENDATION:      Approval with 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)No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for the landscaping of the strip of land adjacent to the highway. This scheme shall be carried out in the first planting season after completion of the erection of the fence, whichever is the sooner and any trees or plants which within a period of five years are removed or become seriously

damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(3) Prior to the commencement of work on site, full details of the proposed fencing shall be submitted to and approved in writing by the Local Planning Authority. The fences shall not exceed the height of the existing adjacent fences. The fences shall be erected in accordance with the details approved under this condition.

Reason:

In the interests of the visual amenity of the area.



## **ITEM 1. 12**

**APPLICATION NO: P/2001/1317**

**DATE: 09/11/01 12:17:25**

**PROPOSAL: PERMISSION TO MOVE EXISTING FENCE TO INCLUDE OPEN LAND TRANSFERRED FROM WESTBURY WHICH WILL NOW FORM PART OF THE GARDEN AREA FOR No's 7, 15, 17 AND 19 CWRT YR EOS , PLUS 2.7m FENCE.**

**LOCATION: 7, 15, 17 & 19 CWRT YR EOS, MARGAM VILLAGE, PORT TALBOT, SA132SU**

**APPLICANT: J. HARMER, G. BAILEY, S OWEN, M. EVANS**

**TYPE: Full Plans**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Port Talbot Local Plan:

R8 – New village at Coed Hirwaun.

R19 – Open space/children's playspace.

#### **b. Other Policies**

None

#### **c. Relevant Planning History**

96/8003 – New village (outline) – Approved 23/12/96

97/1032 – 445 residential dwellings – Approved 23/7/98

#### **d. Responses to Consultations**

Number of properties consulted: 8

The application was advertised on site.

Number of replies received: 5

Objections can be summarised as follows:

1. The level of the adjacent residential properties at the rear is lower than the rear gardens of the applicants' properties. A 2.7m high fence closer to the objector's property would result in a loss of light and amenity.
2. There is an existing problem with surface water running on to neighbouring properties which could be made worse by the proposal.
3. The loss of open land is detrimental to the development as a whole and is inconsistent with the layout and amenities of the estate.
4. The area was originally proposed to be a tree belt which would have enhanced privacy and provided a natural break from the development at the rear. With gardens behind, there will be no privacy.
5. A pathway of only 1m width will be left if the proposal goes ahead. This will not leave room for improvements or modifications to adjacent gardens. It will be a narrow dark access way with no lighting, affecting overall safety and security.
6. It is questioned why neighbours at the rear were not given the opportunity to acquire the land.
7. It is questioned whether this is a case of miss-selling since the area of open space enhanced the area, but is no longer required once the houses have been sold.
8. The proposal will devalue the properties at the rear.

Statutory Consultees:

None

## **APPRAISAL**

This application seeks consent to change the use of an area of land from open space to residential curtilages at 7, 15, 17 and 19 Cwrt yr Eos, Coed Hirwaun. The application is also to erect fences and walls to enclose the land. The land in question is an area of some 195 square metres at the rear of the above properties and at the rear of 18 – 28 (evens) Cwrt y Carw. It is an open area, laid to grass, which was shown as open space on the original layout for the development. The site includes an area of land adjacent to the footpath link between Cwrt yr Eos and Cwrt y Carw, although it is indicated that a verge about 1m wide will be retained alongside the path. It is proposed to enclose the area with a new wall/fence at the rear of the properties and a brick wall to match the

existing boundary wall adjacent to the footpath link. The application has been amended to reduce the height of the wall and fence to 2m maximum, rather than 2.7m as originally proposed.

With regard to the points raised by the objectors, the following comments are made:

1. As indicated, the proposal has been amended and the proposal is now for fences/walls a maximum of 2m high. This is a similar height to the existing rear fences of the properties (which are 1.8m high), and it is considered that this should not have a detrimental effect on the residential amenities of neighbouring properties.
2. With regard to the question of surface water run-off, it is considered that the erection of fences should not have a significant effect. This point is a private matter between the neighbours concerned.
- 3.&4. As indicated, the area was designated as open space in the original plans for the development, although there are no trees or other vegetation on the land, and it has been levelled and grassed. The area is a strip of land some 6.5m wide at its widest point (average width approximately 4m) with a maximum overall length of some 55m and it is considered that it does not have significant amenity value in terms of the overall development, being located at the rear of housing areas.
5. The houses in Cwrt y Carw have pedestrian access at the rear along a 1m wide footpath, and the plans indicate that this is to remain. The applicants have indicated that they own the remainder of the land. Although the erection of fences will result in the creation of an enclosed alleyway, it is considered that this should not affect the residents right of access or security.
- 6-8. It is considered that questions of land ownership, miss-selling and property values are not material planning matters in this case.

The proposed enclosure of the strip of open within adjoining gardens is considered to be acceptable in visual terms, subject to the new walling adjacent to the footpath link being constructed of materials to match the existing boundary wall of the property. In terms of the use of the land, it is considered that it does not constitute a significant amenity area for the development as a whole and that it does not have any current beneficial use. It is therefore considered reasonable to allow the owners to incorporate the land into their curtilages.

**RECOMMENDATION:      Approval with 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)Notwithstanding the details shown in the application, no development shall take place until there has been submitted to and approved by the local planning authority details of materials to be used for the construction of the brick wall. The development shall be built in the materials approved in accordance with this condition.

Reason

In the interests of visual amenity.

(3)The proposed enclosures shall be no higher than 2.0 metres above existing ground level.

Reason

In the interest of visual amenity.

(4)Notwithstanding the submitted plans, the wall/enclosure fronting onto the tarmac access track shall be set back a minimum of 2 metres from the edge of the tarmacademed path.

Reason

In the interest of visual amenity.

## **ITEM 1. 13**

**APPLICATION NO: P/2001/1320**

**DATE: 09/11/01 14:22:21**

**PROPOSAL: CHANGE OF USE FROM VACANT  
PETROL STATION SITE TO CAR SALES**

**LOCATION: Pinetree Car Sales, A48 Westbound, Baglan,  
Port Talbot SA128BH**

**APPLICANT: Pinetree Car Sales**

**TYPE: Full Plans**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Port Talbot Local Plan (Draft)

RT9 – Cycle and cycle path network.

T11 – Car parking.

S9 – Criteria for considering proposals for out of town retailing.

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

99/1036 – Enlarged car sales area and additional floodlighting.  
Approved 14/3/00.

01/1150 – Post signs and goal post sign. Not yet determined.

01/1151 – Floodlights and poles. Not yet determined.

P/96/1626 – Pine Tree Filling Station – Change from Take Away to  
retail of garden sheds – Approved with conditions.

P/97/152 – Former Esso Filling Station – Change from petrol to car  
sales – Approved with conditions 9.5.97.

81/3810 – Pine Tree Station – Site for car display – Approved 3.12.81.

P/99/310 – Proposal portacabins and floodlights – Approved 20.7.99.

99/968 – Retention of valeting bay – Approved 2.11.99.

**d. Responses to Consultations**

Number of properties consulted: 40

In addition a site notice was posted.

Number of replies received: 3

Objections can be summarised as follows:

1. If they proposed to have the entrance to the site as shown on the submitted plans, this will impede any vehicle accessing the A48 from Pinewood Terrace.
2. If a car is stationary, waiting to access the dual carriageway, vehicles will be unable to access the vehicle sales.
3. There is a right of way to the side of the forecourt and if vehicles park near the entrance it will be inaccessible.
4. The objectors feel that it will be very dangerous if the entrance is situated as shown on the proposed plans it could be an accident waiting to happen.
5. Concern is raised at the volume of traffic on the A48 and around Pinewood Terrace is very busy especially at peak times and at weekends.
6. Traffic leaving the dual carriageway and taking a sharp left to pull into the car sales while the residents of Pinewood Terrace will be trying to get on to the dual carriageway.
7. Children play out in the street; this will be a problem with the opening being so close to the street. It would be safer for the opening to stay where it is.
8. There are parking problems on weekends with football being played on the Evans Bevan's playing field.

One of the letters attached a copy of a petition signed by 15 residents of Pinewood Terrace. There are no reasons given for objections.

Statutory Consultees:

Head of Municipal and Highway Services – No highway objections subject to conditions.

Head of Municipal and Highway Services (Drainage) -No apparent problem.

National Assembly Highways – no comments to make or objections to the proposal.

Railtrack – No objections in principal, subject to notes.

### **APPRAISAL**

This application seeks planning permission to change the use of the former Pinetree Filling Station site in Baglan for car sales.

The application site is the last remaining parcel in the block, which is not presently used for car sales.

The plans submitted with the application indicate that the entry to the site would be adjacent to the properties in Pinewood Terrace. Exit from the site would be via the existing access/ exit to the site.

It should be noted that an application has been submitted for advertisements on site and another for floodlights. These applications are on hold pending determination of this application.

In respect of the objections raised which all relate to highway safety and parking, the Head of Municipal and Highway Services has no highway objections subject to conditions.

It should be noted that the site was formerly used as petrol filling station, with unrestricted access in the vicinity of the proposed access.

In planning terms, having regard to the former use of the site, the proposed use is considered to be acceptable and naturally rounds off the car sales area. It is important that adequate facilities for visitor parking are provided to ensure that no over spill parking takes place in the adjoining streets and this can be controlled by conditions.

**RECOMMENDATION:      Approval with 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)Details of the proposed surfacing of the proposed car sales area shall be submitted to the local planning Authority within 1 month of the date of this consent. The surfacing as approved shall be completed prior to the first use of the new car sales area and retained thereafter.

Reason

In the interest of amenity.

(3)No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for landscaping . This scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees of plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(4)Prior to the commencement of the use, a plan (at a scale of 1:200) detailing the 25 customer car parking spaces shall be submitted to and approved by the Local Planning Authority. The scheme as approved shall be implemented prior to the vacant petrol station being used as part of the car sales and the area that thereafter be retained for customer car parking and not used for a car sales or any other purpose.

Reason

In the interest of highway safety.



(5)The customer parking area shall be positioned near the entrance and exit of the site.

In the interest of highway safety

(6)The site shall be surfaced in either tarmacadum, concrete or block paviour prior to its first use as a car sales area.

Reason

In the interest of highway safety.

(7)No vehicles for sales shall be displayed for sale outside the site or within the customer parking area.

Reason

In the interest of highway safety.

## **ITEM 1. 14**

**APPLICATION NO:** P/2001/1321

**DATE:** 13/11/01 09:21:37

**PROPOSAL:** CONVERSION OF BARN TO  
RESIDENTIAL ACCOMMODATION

**LOCATION:** Bryn Chwyth, Baran Mountain, Rhyd Y Fro,  
PONTARDAWE

**APPLICANT:** Mr. & Mrs. K. Swoboda

**TYPE:** Full Plans

### **BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

None

**b. Other Policies**

DG11 - Conversion of existing rural buildings.

**c. Relevant Planning History**

None

**d. Responses to Consultations**

Number of properties consulted: 0

A notice was placed near the site.

Number of replies received: 0

Statutory Consultees:

The Head of Highways and Municipal Services (Highways) – raises no objection subject to the imposition of conditions.

The Head of Municipal and Highway Services (Drainage) – raises no objection.

The Environment Agency Wales – No adverse comments.

Pontardawe Town Council – No reply to date, therefore no objections to make.

## **APPRAISAL**

This is a detailed application to convert and extend a redundant (and isolated) farm building at Bryn Chwyth, Baran Mountain, Rhyd y fro, Pontardawe.

The existing building is largely in random stone construction which has been supplemented in more recent times by concrete. It measures 10.1 metres long by 5.6 metres wide, there is no roof, however the building has a maximum height of 5.9 metres. Adjoining the building is a single storey former cattle store. This is not part of the original structure.

The proposed alterations to the external appearance of the building are as follows:

### **Front elevation**

The proposal involves the provision of two dormer windows on the front elevation. The scheme involves the construction of a small porch over the proposed front door. Two new windows opening is proposed at ground floor level.

### **Rear elevation**

The proposal involves the provision of 2 dormer windows and installation of a ground floor window. It is also proposed to construct a single storey extension in the place of the cattle shed. The extension would measure 2.95 metres long by 5.95 metres wide. It would be constructed of random stone to match the existing building and would have a pitched roof of composite slate.

### **Side elevation**

Installation of two window openings on the ground floor.

The proposal would provide the following accommodation

Ground floor: Kitchen, lounge, utility room and bathroom.

First floor: 3 bedrooms

Foul water drainage is proposed to a septic tank installation and the Environment Agency has no objection subject to a condition requiring details of the soakaway system and percolation tests to be submitted for subsequent approval.

The principle issue in the determination of this application is whether the proposal constitutes a conversion of an existing building or the construction of a new building in the open countryside. Planning Policy Guidance (Wales) states that local authorities should encourage the re-use of rural buildings for a variety of uses (including residential). The guidance also states:

"Residential conversion or buildings which have ceased to be used for industrial or commercial purposes, including agriculture, can have a minimal economic impact, and may be detrimental to the fabric and character of historic buildings, while business conversions generally have a more positive economic impact on local employment. Local planning authorities should consider the needs of their areas for business and residential conversions."

The Applicant has confirmed the barn has become redundant and due to its location, residential is the only alternative use. The applicant has submitted a structural survey which confirms that the building is capable of conversion without substantial rebuilding works.

The main issue in the determination of this application is whether the proposed alterations are acceptable in design terms. It is considered that the proposals will not detract from the character and appearance of the building and represents a sympathetic conversion of a redundant building.

It is also proposed to construct a single garage at the rear of the building. It would have a pitched roof and be constructed in materials to match the dwelling.

The Head of Municipal and Highway Services is satisfied with the use of the existing vehicular access.

The proposal is considered compatible with planning policy and would have no additional impact on the appearance of the open countryside and will not adversely affect amenity or highway safety.

**RECOMMENDATION:      Approval with 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)Notwithstanding the details shown in the application, no development shall take place until there has been submitted to and approved by the local planning authority details of materials to be used externally. The development shall be built in the materials approved in accordance with this condition.

Reason

In the interests of visual amenity.

(3)Prior to first use of the dwelling the existing access shall be hardsurfaced in concrete, tarmacadam or block paviers for the first 15 metres to a gradient not exceeding 1 in 30 and a minimum width of 4 metres.

Reason

In the interest of highway safety.

(4)Any access gate shall be set back a minimum of 5 metres from edge of the carriageway and to be of a type which open inwards only.

Reason

In the interest of highway safety.

(5) Prior to first use of the dwelling a turning area and three parking spaces shall be provided within the curtilage of the site and retained thereafter for such uses.

Reason

In the interest of highway safety.

(6) Any proposed forecourt boundaries to be set back 2 metres from edge of carriageway and the area between boundary and carriageway to be levelled and maintained as a grass verge with nothing to be erected or allowed to grow over 600mm in height in this verge.

Reason

In the interest of highway safety.

(7) A soakaway shall be provided to cater for the surface water drainage from this development. The details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on the site.

Reason

To reduce the risk of increased flooding in this catchment. (The developer should establish that ground conditions are suitable, in accordance with BS 6367:1983, for the use of soakaways.)

(8) The foul drainage from the proposed development shall be discharged to septic tank and soakaway system which meets the requirements of British Standard BS 6297:1983 and which complies with the following:-

(a) there is no connection to any watercourse or land drainage system and no part of the soakaway system is situated within 10 metres of any ditch or watercourse.

(b) porosity tests are carried out to the satisfaction of the Local Planning Authority to demonstrate that suitable subsoil and adequate land area is available for the soakaway (BS 6297:19983 refers).

Reason

To prevent pollution of the water environment.

(9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and

re-enacting that Order with or without modification), no extensions, external alterations garages or outbuildings shall be erected (other than those expressly authorised by this permission).

#### Reason

In order to safeguard the amenities of the area by enabling the local planning authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the estate.

(10)Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or dormer windows (other than those expressly authorised by this permission) shall be constructed.

#### Reason

In order to safeguard the amenities of the area by enabling the local planning authority to consider whether planning permission should be granted for , having regard to the particular layout and design of the estate.

(11)No development shall be commenced until a survey has been undertaken for bats and barn owls in accordance with a scheme to be submitted to and approved by the local planning authority. The survey shall if appropriate incorporate a scheme indicating a nesting facility integrated into the development either internally or externally.

#### Reason

In order to ensure that the natural habitat of a protected species is not adversely affected and to encourage such a facility in the interest of wildlife in this countryside location.

## **ITEM 1. 15**

**APPLICATION NO: P/2001/1324**

**DATE: 13/11/01 10:52:40**

**PROPOSAL: PROPOSED EXTENSIONS AND ALTERATIONS, CONVERSION TO GENERAL PURPOSE HALL AND DAY CENTRE.**

**LOCATION: BRITON FERRY JUBILEE HALL, Mansel Street, BRITON FERRY, NEATH SA112PD**

**APPLICANT: BRITON FERRY TOWN COUNCIL**

**TYPE: Full Plans**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan

E67 Design of New Development

T26 New Development should avoid highway safety problems.

#### **b. Other Policies**

None

#### **c. Relevant Planning History**

82/502 Extension to kitchen and ladies toilet. Approved 15/10/82

#### **d. Responses to Consultations**

Number of properties consulted: 16

The proposal has also been advertised by means of two site notices

Number of replies received: 2 (including a petition with 34 signatures)



The objections can be summarised as follows;

1. Inadequate parking;
2. No meals are cooked and served from 9.00 a.m to 1.30 p.m.  
Monday to Fridays, the hall is usually empty in the mornings;
3. The old age pensioners make weekly use of the building, few evening meetings are held;
4. The building is currently used on Saturday mornings and Sunday chapel mornings and afternoon;
5. It is believed that a new traffic system will be implemented next year, in which case if Mansel Street remains 2 way more traffic will be generated;
6. The intensification of use of the building especially in the evenings is unacceptable in a residential area;
7. The community hall at Shelone Road has a commercial kitchen which is only used occasionally;
8. Could both halls be used in such a way as to suit each area;
9. Height of the building and steepness of the pitch;
10. Location of access ramps;
11. Problems envisaged with water running down the ramps and causing damp problems;
12. Ramps are poorly designed;
13. Reduction in light;
14. Overshadowing the garden and kitchen and living room windows;
15. Noise pollution is currently experienced and would appreciate sound proofing;
16. The design of the extension to the front will encourage even more children to congregate at the front of the building;
17. Concerned about the proposed glass to the rear which is likely to be open to vandalism.

Statutory Consultees:

The Head of Municipal and Highway Services (Drainage) – No adverse comments

The Head of Municipal and Highway Services (Highways) – Raises no objection to the proposal subject to no roof water from the Mansel Street frontage to discharge into the drain between the hall and No 10 Mansel Street.

The Head of Environmental Health and Trading Standards – No objections.

## **APPRAISAL**

This application seeks full planning permission to extend and alter the existing Jubilee Hall at Mansel Street, Briton Ferry.

The premises stand on the southern side of Mansel Street and is flanked to the east, west and to the north on the opposite side of the road by residential properties. To the rear of the premises is an access lane which serves both the properties in Mansel Street and Vernon Street.

Currently this is a single storey flat roofed building located some 0.6m off the boundary with No 8 Mansel Street and 1.8 metres off the pine end of No 10 Mansel Street. The building has a floor area of 182 square metres, 51 square metres of which does not form part of the original building but comprises a kitchen and toilet extension. The maximum height of this Element is 4 metres as opposed to the original building which is 6.5 metres. A total of 118 square metres of floorspace is used as a hall.

A distance of 6.2 metres exists from the rear elevation of the building and the stone wall which denotes the rear boundary of the site and the access lane.

The proposal involves a number of elements:

Firstly, it is proposed to extend the existing lobby to the front of the building to accommodate a disabled toilet. The building would extend 0.8 metres further forward. The existing flat roof would be replaced with a mono pitched roof which would tie into the new hipped roof.

Secondly, it is proposed to construct a single storey hipped roof rear extension comprising a conservatory/ sun lounge and store room facilities. The minimum height of this building would be 3 metres rising to 6.7 metres at its ridge. This element would involve a new roof over the existing rear extension and lobby to the side, the latter would be a mono pitch rather than a hipped roof. The total floor space created by this extension would be 53 square metres. The proposed floor space of the building would increase from 182m<sup>2</sup> to 235m<sup>2</sup>.

Thirdly, it is proposed to replace the existing flat roof on the original building to a hipped style at the front and gable to the rear. This would

increase the overall height of the building from the existing maximum height of 6.4 metres to 8.2 metres.

The applicant has submitted a statement to accompany the application to outline the existing and proposed use of the building. The information reads as follows:

“(1) The building is used by the same users as prior to the Briton Ferry Town Council’s purchase on 3<sup>rd</sup> August 2001 i.e.

Briton Ferry Old Age Pensioners (weekly meetings)  
B F Labour Group, Irish Dance Classes, Slimmers Class  
Church Services (Bethel Chapel – Sundays)

(2) The building is currently used in the evenings by 2 users but the Council is not agreeing new users until the hall has been refurbished;

The proposed uses are as follows:

9.00am to 1.30pm Day Centre providing subsidised meals to senior citizens and unemployed. (Day facility at 40 Neath Road to be transferred to the Jubilee Hall subject to planning approval). Kitchen to be refurbished and existing hall (refurbished) to become dining area from 9.00 am to 1.30 pm Monday to Fridays. Afternoons continued useage by Old Age Pensioners Association as agreed in purchase deed.

Additional uses include:

Lifelong Learning: Art Classes, Welsh Lessons, Health Promotions  
NPTCVC Useage

Evenings: Open for hire by local organisations

It is proposed that the building will be used in the day and evenings."

With regard to the application it is considered that the main considerations applied in this case relate to the effect the proposed development is likely to have upon present levels of residential amenity and the existing character of the area as a whole.

In considering this application regard has been given to the existing lawful use of the premises which falls within Class D1 (Non Residential Institutions) of The Town and Country Planning (Use Classes) Order

1987. Although it is intended to use the building for a number of different uses as listed above these appear to fall within the same use class and such no material change of use of the premises is proposed.

Furthermore, in highway safety terms, whilst the premises lacks off street parking provision The Head of Municipal and Highway Services (Highways) has indicated no objections to the proposal. It should be noted that no restrictive parking exists outside the premises. The extension to the building will not significantly increase the size of the building and therefore will not in itself intensify the use.

In response to the objections raised:

1 & 5 The Head of Municipal and Highway Services (Highways) has offered no objection to the proposal on parking grounds.

2 3 & 4 & 6 It is considered the additional use of the building would not unduly affect residents.

7 & 8 The reference to another community facility within the vicinity of the application site has no bearing on the consideration of this application.

9, 13 & 14 With regards to the design and its impact on neighbouring residential properties it is considered that although the rear extension would result by virtue of its height in a degree of overshadowing to the adjacent property No 8 Mansel Street this would not be to such an extent as to warrant a refusal of the application.

10, 11 & 12 It is considered the ramps are adequately designed to cater for disabled access.

15 In respect of the issue of noise the views of The Head of Environmental Health and Trading Standards has no objections to the proposal.

16 & 17 Vandalism and congregation of children by virtue of the buildings design are not considered to be material planning issues.

Taking the above considerations into account the Directorate is of the opinion that the proposal would not significantly affect the amenities of neighbouring properties and is acceptable in design, land use and highway safety terms.

**RECOMMENDATION:      Approval with 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)No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the visual amenity of the area.

(3) No roofwater shall be discharged onto the footway of Mansel Street.

Reason:

In the interests of highway safety.

## **ITEM 1. 16**

**APPLICATION NO:** P/2001/1360

**DATE:** 16/11/01

**PROPOSAL:** CONVERSION OF EXISTING TERRACED HOUSE INTO A DENTAL SURGERY

**LOCATION:** 37 Tydraw Street, Port Talbot SA131BT

**APPLICANT:** Owen A T Jenkins

**TYPE:** Change of Use

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Port Talbot Local Plan (Draft)

None.

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

None.

#### **d. Responses to Consultations**

Number of properties consulted: 7

In addition a site notice was posted.

Number of replies received: 0

Statutory Consultees:

Head of Municipal and Highway Services – No highway objection subject to conditions.

Neath and Port Talbot Access Group makes suggestions about providing improvements for people with disabilities.

## **APPRAISAL**

This application seeks full planning permission to the change of use of this mid terraced property at 37 Ty Draw Street in Port Talbot into a dentist's surgery. The property is located on the western side of Tydraw Street, on the lower end of the street to the rear of Courtland Place.

The application site is located in a street, which is residential in nature and the whole of the dwelling would be used. The accommodation would comprise as follows:

Main entrance to the front, the existing front sitting room would become surgery one, the sitting room at the rear of the house would become the waiting room, and the existing kitchen at the rear would become the reception area. The three bedrooms on the first floor would be used as follows: one small bedroom would be used as an office, the main bedroom would be a staff room and the third bedroom would possibly become a second surgery treatment room. The existing bathroom and toilet would be retained.

There is a rear garden at the property, which it is proposed to use for car parking. The area available could accommodate up to 4 staff cars.

It is proposed to relocate the practice from existing first floor premises on Station Road, Port Talbot.

The premises operate Monday to Friday 9.00am to 5.30pm. No weekend or bank holiday working is carried out.

In planning terms it is considered that a use such as this would be better suited to a town centre location, however the proposed premises are a short walk from the main thoroughfare and bus routes.

It is considered that the proposal is acceptable in this location, subject to conditions to ensure that there is no loss of amenity to neighbouring properties.

**RECOMMENDATION:      Approval with 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)Prior to the use commencing, any party walls having a thickness of less than 250mm shall be sound proofed. Such sound proofing shall be the subject of a detailed scheme to be submitted to and approved by the Local Planning Authority in writing before the work of conversion commences, and any subsequent alterations to the building shall retain sound proofing as may be agreed under this condition or replace such sound proofing to similar standard or better.

Reason

In order to ensure the party walls are soundproofed where necessary in the interest of the amenities of the residents of adjoining properties and those of the occupiers of the development.

(3)The use hereby permitted shall not be open to customers outside the following times Monday to Friday 9.00am to 5.30pm.

Reason

In the interest of the amenities of the area.

(4) Prior to the commencement of work on site, a plan (drawn to a scale of 1:50) shall be submitted to the Local Planning Authority for approval which shows the provision of 4 parking spaces 2.4m by 4.8m within the rear garden. The parking area as approved shall be surfaced in tarmac and marked out on site to the approval of the Local Planning Authority prior to the first use of the premises. The area shall be retained thereafter for car parking for the dental surgery.

Reason

In the interest of highway safety.

(5) A scheme shall be submitted to the Local Planning Authority for approval which prevents any surface water from the parking area from flowing onto the rear lane.



Reason

In the interest of highway safety.

(6)The shed in the rear garden shall be demolished to facilitate the provision of the parking spaces required under condition 4 above.

Reason

In the interests of clarity.

(7)The premises shall be used for dental surgery and for no other purpose including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason

In order that other changes of use can be assessed in the interests of amenity.

## **ITEM 1. 17**

**APPLICATION NO: P/2001/1366**

**DATE: 21/11/01 08:46:17**

**PROPOSAL:                    REMOVAL OF CONDITION 2 OF  
PREVIOUS PLANNING CONSENT  
2/3/77/0133/01**

**LOCATION:                    BANWEN FARM Bryncoch, NEATH  
SA108AA**

**APPLICANT:                B McNEIL**

**TYPE:                        Full Plans**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

West Glamorgan Structure Plan (Review No. 2)

C1 – Environment and Protection of the Countryside.

C5 – Exceptions permitted within the open countryside.

Borough of Neath Local Plan

E55 – Exceptions permitted within the open countryside.

E58 – New dwelling in the open countryside.

E61 – Special Landscape Areas.

#### **b. Other Policies**

National Guidance

Planning Guidance (Wales) Planning Policy (First Revision)

Technical Advice Note 6 – Agricultural & Rural Development

#### **c. Relevant Planning History**

2/3/77/0133/01 Outline application for a “new dwellinghouse to replace existing farmhouse” - Approved 16<sup>th</sup> June, 1977

2/3/78/0180/02 Details following outline approval for a “Farmhouse” -  
Approved 24<sup>th</sup> May, 1978

P/00/1227 Removal of Condition 3 of Planning Consent  
2/3/77/0133/01 and Condition 1 of Planning Consent 2/3/78/0180/02-  
Refused 9<sup>th</sup> January, 2001. Appeal allowed 6<sup>th</sup> August, 2001

**d. Responses to Consultations**

Number of properties consulted: 1

A site notice was posted.

Number of replies received: 0

Statutory Consultees:

Blaenhonddan Community Council: No objections.

**APPRAISAL**

The application site is located within the open countryside some 750 metres to the east of Forest Goch and comprises a dwellinghouse and outbuildings. Directly to its east is the working farm known as Lletty Siac. Land surrounding the application site and Lletty Siac Farm, is largely open grassland. Access to the application site is via a track off the A474 before Fforest-Goch.

Members will recall the recent appeal decision which removed two identical Conditions, namely:

Condition 3 of Planning Consent 2/3/77/0133/01 and  
Condition 1 of Planning Consent 2/3/78/0180/02

“The occupation of the proposed dwelling shall be limited to persons employed or last employed locally in agriculture as defined in Section 290 of the Town and Country Planning Act, 1971, or in forestry or a dependant of such person residing with him (but including a widow or widower of such a person).

All policy considerations, including those relating to agricultural justification and the tying of the dwellinghouse to that of agriculture were considered. The Inspector concluded

“that the severance of the dwelling from the holding which it was originally intended to serve and the reduction of its size from over 300 acres to only 22 acres, means that it is no longer a viable agricultural enterprise and there is no longer any need for a farm or forestry worker to live on the spot. The dwelling itself is far too large for an employed farm-worker to maintain and much too remote from the village with local facilities to attract those from agriculture or forestry elsewhere. It seems to me that the occupancy condition has long-since outlived its usefulness and any realistic assessment leads to the logical conclusion that it is no longer needed for its stated purpose.”

The present application before the Council is to remove a further Condition which the owner omitted in error to apply for previously, namely:

Condition 2 of Planning Consent 2/3/77/0133/01

“This permission is expressly for a dwelling solely in connection with the working of a farm at Lletty Siac.”

In view of the Inspectors comments and appeal decision together with the fact that there already exists a farmhouse at Lletty Siac Farm serving an existing farm holding, it is considered reasonable to recommend for approval this application which needs to remove a clarifying condition which is no longer relevant.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1)The permission hereby granted shall be for the continued occupation and retention of a replacement farmhouse at Banwen Farm, Bryncoch in accordance with the terms of this application No. P/2001/1366 made on the 21/11/01 without compliance with condition 2 and condition 3 previously imposed on the outline planning permission No. 2/3/77/0133/01, dated 16/06/77, but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect.

Reason

In the interests of clarity.

## **ITEM 1. 18**

**APPLICATION NO:** P/2001/1368

**DATE:** 19/11/01

**PROPOSAL:** CONSTRUCTION OF 4 BEDROOM  
DETACHED HOUSE WITH ATTACHED DOUBLE GARAGE

**LOCATION:** Land adjacent to 4 Gellifowy Road,  
Ynysmeudwy, Pontardawe SWANSEA

**APPLICANT:** Mr D M Danton

**TYPE:** Reserved Matters

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

None.

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

81/548 – Residential Approved. 1981 – Approved 19/1/82.

85/224 – Residential Approved. 1985 – Approved 13.8.85.

89/75 – Residential Approved. 1989 – Approved 16.3.89.

P/01/0074 – Outline for residential development – Approved 13.3.01

#### **d. Responses to Consultations**

Number of properties consulted: 24

A notice was displayed on site.

Number of replies received: 1

The objection raises concerns regarding the state of the access road.

Statutory Consultees:

Head of Municipal and Highway Services (Highways) – No highway objection subject to conditions.

Environment Agency Wales – No objection.

Head of Municipal & Highway Services (Drainage) – No objection

The Coal Authority – No adverse comments.

Pontardawe Town Council – No objection.

## **APPRAISAL**

This is an application for the approval of reserved matters for a single dwelling after the grant of outline consent.

Members will note from the planning history reiterated above that outline consent was granted on 13.3.01 under planning application no. P/01/0074.

The application site has an area of 0.19 Ha and is located adjacent to no.4 Gellifowy Road and is accessed from the unmade lane, which runs at the rear of the properties, which front onto Ynysmeudwy Road. The lane 'runs through' to connect to Bethesda Road. It is located within the settlement and its development for residential purposes is consistent with Policy H9 of the Northern Lliw Valley Local Plan.

The proposed dwelling will be sited approximately 14 metres from the edge of the lane.

The dwelling will provide the following accommodation

Ground floor Kitchen, dining room, lounge, family room, utility room and shower room

First floor

4 bedrooms (one with en suite facilities) and bathroom

An attached double garage is proposed.

The Proposed dwelling will be constructed of render and facing brickwork and will have a hipped roof of concrete tiles.

The submitted plans indicate that it is proposed to site the dwelling approximately 3.5 metres from the common boundary with the nearest neighbouring property no. 4 Gellyfowy Road. The proposed dwelling will comply with the Council's adopted guidelines for overlooking windows.

With regard the concerns expressed the state of the access road, it should be noted that the conditions attached to this consent includes conditions requiring highway improvements to the part of the road which the application site fronts.

The Directorate is satisfied with the proposed development.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1)Prior to the occupation of the dwelling the length of Gellifowy Road fronting the site shall be made up in accordance with a scheme which shall first be submitted to and approved by the local planning authority. The scheme shall provide a surfaced carriageway width of 5.5 metres and a 2 metre wide footway in front of the property.

Reason

In the interest of highway safety.

(2)Prior to the occupation of the dwelling the drive shall be hardsurfaced in concrete, tarmacadam or block paviers to a gradient not exceeding 1 in 9.

Reason

In the interest of highway safety.

(3)Any gates shall be of a type which opens inwards only.

Reason

In the interest of highway and pedestrian safety.

(4) Prior to the occupation of the dwelling 3 off street parking spaces shall be provided within the curtilage of the site and these 3 spaces retained thereafter for the use as off street parking.

Reason

To ensure the development has adequate car parking facilities.

(5) Pedestrian vision splays of 2.4 by 2.4 metres measured back from back of footway shall be provided each side of the drive and maintained so nothing over 600mm in height above footway level is erected or allowed to grow within the splay area.

Reason

In the interest of highway and pedestrian safety.

(6) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the visual amenity of the area.

(7) The development hereby permitted shall be provided with means of enclosure to all property boundaries. Prior to the commencement of work on site details of all means of enclosure and screen walling or fencing shall be submitted to and approved in writing by the local planning authority. These means of enclosure shall be implemented as may be approved prior to the occupation of any associated dwelling.

Reason

In the interests of the visual amenity of the area and the amenities of the occupiers of proposed and existing dwellings.

(8) Notwithstanding the details shown in the application, prior to the commencement of work on site a scheme shall be submitted and approved by the local planning authority for the erection of side panels to the proposed balcony.

Reason



To protect the privacy of the neighbouring properties.

(9)The window on the side elevation serving the kitchen/diner shall be glazed with obscured glass and the transom level to any opening shall be a minimum of 1.5 metres above the floor level of that room, and any replacement window or glazing shall be of a similar glazing and type.

Reason

In the interest of the amenities of the adjoining property.

(10)No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, taking into account potential growth, together with measures for their protection in the course of development. This scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(11)All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development hereby permitted, whichever is the sooner and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(12)The development shall include works for the control of effluent which shall be designed, engineered and maintained in accordance with a scheme which shall be submitted to and approved in writing by the Local planning authority to prevent any contaminated surface water drainage from entering a watercourse. The scheme shall be implemented prior to the occupation of the dwelling.

Reason

In order to ensure the provision of adequate foul drainage.

(13)Adequate provision, in accordance with a scheme to be first submitted to, and approved in writing by, the local planning authority, shall be made for the drainage of the land. Such scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected. The scheme shall be implemented prior to the occupation of the dwelling.

Reason

To ensure satisfactory drainage.

## **ITEM 1. 19**

**APPLICATION NO: P/2001/1385**

**DATE: 27/11/01 12:09:39**

**PROPOSAL: PROVISION OF COMPOUND FOR  
ENCLOSURE OF 2 SEALED CONTAINERS FOR THE STORAGE  
OF ASBESTOS WASTE**

**LOCATION: CUDDY DEMOLITION &  
DISMANTLING, TANK ROAD, LLANDARCY, NEATH**  
**APPLICANT: CUDDY DEMOLITION & DISMANTLING**  
**TYPE: Full Plans**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan

B33 Sites suitable for industrial development

T26 New development should avoid causing highway safety problems

E67 Design of new development

B39 Business proposals

#### **b. Other Policies**

None

#### **c. Relevant Planning History**

92/0002 Contractors Yard Approved 20/2/92

88/849 Greenhouse to be used for horticultural training Approved  
10/1/89

89/0228 Horticultural Training Approved 22/5/89

89/0196 S53 Erection of polyhouse Planning permission required  
20/12/89

89/770 S53 Contractors Yard with haulage and plant hire. Planning  
permission needed 20/12/89

95/549 Raising land for proposed use as a contractors yard and transport yard Approved 2/7/96  
97/758 First floor extension and new pitched roof  
00/1174 Provision of compound for enclosure of sealed containers Approved 11/01/01

**d. Responses to Consultations**

Number of properties consulted: 0

The proposal has been advertised by means of site notices and a press notice.

Number of replies received: 0

## Statutory Consultees:

Coedffranc Community Council – states that the Council has already indicated its objection to the proposal to store asbestos waste at this location. Consequently it is bound to object to the follow up application.

The Head of Highways and Municipal Services (Highways) – raises no objection.

The Health and Safety Executive – there are no reasons on major hazard grounds for advising against the granting of planning permission

Western Power Distribution – advises on the location of its apparatus

The Coal Authority – advises that the responsibility for carrying out any development in a safe manner rests with the developer.

The Head of Environmental Health and Trading Standards – advises that the site is regulated by the Environment Agency.

British Telecom – advises on the location of its apparatus

Transco – advises on the location of its apparatus

Environment Agency Wales – Advises that the proposal will require a waste Management Licence. If more than 10 tonnes of hazardous substances are to be stored, then a Pollution Prevention Control Permit is required.

## **APPRAISAL**

This application seeks full planning permission to provide a compound for the enclosure of 2 sealed containers for the storage of asbestos waste at the Cuddys Civil Engineering Depot, Tank Farm, Llandarcy.

Members will note from the planning history above that planning permission has previously been given under Code Reference 00/1174 to site two storage containers within a storage compound which measures 18m x 7m adjacent to the southern boundary of the site.

This current application seeks consent for a compound of 18m x 11m to be sited anywhere within a specified area measuring 60m x 45m and located adjacent to the southern boundary of the site. The site includes the land approved under Code Reference 00/1174. Each container measures 2.4m x 6m. The Applicant has confirmed that if the application is approved it will not be an additional compound to that previously approved it will be instead of. All other details will remain as per the approved application 00/1174. The additional area is required to allow flexibility should the Environment Agency decide to require a variation in future siting through the Waste Management Licence Procedures.

The proposal is considered acceptable in land use terms as the site is located in an established industrial area some 250 metres from the nearest residential properties in Llandarcy Village. It is considered that the containers and compound will not detract from visual amenities.

In terms of highway safety, the Head of Engineering and Programme Management (Highways) has raised no objection. The number of vehicle movements to and from the site generated by the proposal are considered to be such so as not to have an unacceptable impact on highway safety on the amenity of residents living in Llandarcy village.

The provision of such a facility is regulated by the Environment Agency Wales through the issue of the Waste Management Licence and the requirements in respect of pollution prevention would have to be met.

In conclusion. It is considered that the scale of the proposed development can be satisfactorily accommodated on this site without adversely affecting highway safety or visual or general amenities and there is no objection to the proposal.

**RECOMMENDATION:      Approval with 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)Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any provision equivalent to that Class in any statutory instrument revoking or re-enacting that order with or without modification) the containers shall not be used for the storage of any hazardous waste substance other than asbestos, without the prior written agreement of the Local Planning Authority.

Reason:

In order that other storage uses can be assessed in the interest of amenity.

(3)No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, taking into account potential growth, together with measures for their protection in the course of development. This scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(4)The development hereby permitted shall be carried out as an alternative to the permission granted on 11th January 2001 for provision of compound for enclosure of sealed containers for storage of asbestos waste (Code Ref 00/1174) but not in addition to it, to the extent that the applicant may carry out one of the developments permitted but not both, nor parts of both developments.

Reason

To prevent unsatisfactory development or over-development of the site.

## **ITEM 1. 20**

**APPLICATION NO: P/2001/1399**

**DATE: 03/12/01 11:31:50**

**PROPOSAL: CONSTRUCTION OF 9 No. BUNGALOWS  
WITH EXTERNAL WORKS**

**LOCATION: 9 to 31 Sandown Road, Sandfields, PORT  
TALBOT SA126PR**

**APPLICANT: Dewi Sant Housing Association**

**TYPE: Full Plans**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Port Talbot Local Plan (Deposit Draft)

R20 Residential Development

#### **b. Other Policies**

None

#### **c. Relevant Planning History**

01/739 Residential Development (Outline) Approved 14/8/01

#### **d. Responses to Consultations**

Number of properties consulted: 47

The proposal has also been advertised by means of two site notices.

Number of replies received: 0

Statutory Consultees:

The Head of Environmental Health and Trading Standards – No adverse comments.

Environment Agency Wales – No objection



Head of Municipal and Highway Services (Drainage) – No adverse comments

Transco – advises that a low pressure main runs through the application area and Transco would require time to prepare any diversionary or isolation works.

British Telecom – advises on the location of its apparatus

The Coal Authority – advises that the responsibility for carrying the development in a safe manner rests with the developer.

The Head of Highways and Municipal Services (Highways) – raises no objection subject to the imposition of conditions.

Hyder Consulting Ltd – No response to date

## **APPRAISAL**

This application seeks full planning permission to erect 9 No bungalows at No's 9 to 31 Sandown Road, Port Talbot.

The application site covers an area of approximately 0.22 hectares. Two storey buildings comprising retail units at ground floor with flats above fronting Sandown Road stand on the site together with garages. These would be demolished to make way for this scheme. To the rear of the site is an access road serving both the application site and the residential bungalows in Twyn Crescent. Commercial properties stand to the south, while residential properties stand to the north and east on the opposite side of the road.

The submitted layout plan indicates the development of the site for 9 No 2 bed bungalows comprising 4 pairs of semi detached bungalows and 1 detached bungalow. The proposed dwellings would be of a linear arrangement and orientated east to west.

Each property would have a footprint of 69 square metres and a ridge height of 4.8 metres.

The proposed external finishing materials are as follows:

Walls – Front elevation of bungalow to be face brickwork with contrasting soldier course, with powerwall classic stone render over banding

Rear and side elevations to have face brickwork with contrasting cills

Roof – Marley Monarch concrete interlocking tiles to the main roof and concrete plain tiles to the porches (colour anthracite)

Off street parking in the form of one space per dwelling is proposed at the rear of the bungalows with vehicular access off the existing rear lane.

It is considered that the site is capable of being developed in such a manner that would ensure reasonable standards of space between existing and proposed dwellings, without affecting residential amenities.

Therefore, the proposal accords with Policy R20 of The Port Talbot Local Plan (Deposit Draft)

There are no objections on highway grounds and the development is considered to be acceptable in design terms.

**RECOMMENDATION:      Approval with 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)Notwithstanding the submitted plan no development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, taking into account potential growth, together with measures for their protection in the course of development. This scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees of plants which within a period of five years are removed or become

seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(3) Prior to the commencement of development of plots 7, 8 & 9 the existing public highway linking the rear access lane to Sandown Road as indicated in green on Plan No A shall be stopped up to facilitate the construction of Plots 7 and 8 and 9.

Reason: In the interests of highway safety.

(4) Prior to occupation of any dwelling all highway works to improve the existing access as detailed on the approved plan shall be completed.

Reason:

In the interests of highway safety.

(5) Each parking spaces shall be surfaced in tarmacadem prior to the occupation of the dwelling it serves.

Reason:

In the interests of highway safety.

(6) Development shall not begin until details of the proposed highway drainage of the rear lane have been submitted to and approved by the local planning authority, and such drainage works shall be implemented as may be approved by this condition.

Reason:

To ensure satisfactory drainage.

(7) Notwithstanding the details shown in the application each parking space shall have a minimum length of 6 metres and a minimum width of 3.6 metres.

Reason:

In the interests of highway safety

(8) The use of each car parking space shall be restricted to the parking of private motor vehicles and uses incidental to the use of the associated bungalow and for no industrial, commercial or business use.

Reason;

In the interests of amenity and to clarify the extent of this consent.

(9) The means of enclosure detailed on the approved plan shall be completed on site prior to the first occupation of the dwelling it serves. The means of enclosure as approved shall be retained and any replacement shall be of a similar material and height.

Reason:

In the interests of visual amenity.

(10) The development shall include works for the control of effluent which shall be designed, engineered and maintained in accordance with a scheme which shall be submitted to and approved in writing by the Local planning authority to prevent any contaminated surface water drainage from entering a watercourse. The scheme shall be implemented prior to the occupation of each dwelling.

Reason

In order to ensure the provision of adequate foul drainage.

(11) Adequate provision, in accordance with a scheme to be first submitted to, and approved in writing by, the local planning authority, shall be made for the drainage of the land. Such scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected. The scheme shall be implemented prior to the occupation of each dwelling.

Reason

To ensure satisfactory drainage.

(12) Notwithstanding the details shown in the application, no development shall take place until there has been submitted to and approved by the local planning authority details of materials to be used externally. The development shall be built in the materials approved in accordance with this condition.

**Reason**

In the interests of visual amenity.

**ITEM 1. 21**

**APPLICATION NO: P/2001/1403**

**DATE: 04/12/01 15:34:59**

**PROPOSAL: PROPOSAL TO EXTEND / INCREASE  
RETAIL FLOOR AREA BY UTILISING EXISTING  
RESIDENTIAL SPACE.**

**LOCATION: FAIRWAY POST OFFICE, FAIRWAY,  
SANDFIELDS, PORT TALBOT SA127HP**

**APPLICANT: R LEWINGTON HUGHES**

**TYPE: Full Plans**

**BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

Port Talbot Local Plan (Draft)  
S7 – Local shopping facilities.

**b. Other Policies**

None.

**c. Relevant Planning History**

88/6799 – Extension to trading centre. Approved 1/12/88.

**d. Responses to Consultations**

Number of properties consulted: 14

In addition a site notice was posted.

Number of replies received: 1

The letter supports the proposal.

Statutory Consultees:

Head of Municipal and Highway Services (Highways) – No objections.

Head of Municipal and Highway Services (Drainage) – no reply.

Hyder – No reply.

Policy – No reply.

## **APPRAISAL**

This application seeks planning permission to increase the trading area of the post office by extending into the residential accommodation, situated to the rear of the ground floor.

The existing post office is located at the front of the building and has limited area for retail sales of associated products e.g. cards, wrapping paper, small gifts.

The existing retail floor space is in the region of 44sq.m. and the proposal would increase this to 172sq.m. The residential use would still remain on the first floor.

The enlarged premises would be able to sell a wider range of goods and it is proposed to install an ATM. In addition a new post office counter will be provided at the rear of the enlarged shop. A second counter will be provided to the front of the shop, which will provide 2 post office combi positions, which is a new concept which allows certain transactions to take place away from the main post office counter.

Externally it is proposed to erect security bars to the windows at the rear of the post office counter at the rear of the shop. In addition it is proposed to remove one of the existing shop windows to the front and alter the position of the entrance doorway. The revised elevation shows the doorway located on the left hand side of the frontage whilst retaining the existing right hand window. Presently, there are 2 windows one either side of the entrance doorway.

The property is located between a block of 6 flats and a pair of houses, however several doors down is a parade of shops selling a variety of products.

Policy S7 of the Port Talbot Local Plan (Draft) states:

Local shopping facilities within residential areas will be directed to acceptable sites in or directly adjacent sites in or directly adjacent to defined local shopping centres. The acceptability of any such proposal will be assessed against the following:-

- (iv) accessibility by car, public transport, bicycle and foot;
- (v) adequate car parking facilities.

Local shopping facilities are defined as retail developments of up to 1,200 sq. metres providing food/convenience goods.

The proposed conversion needs therefore to be considered against this policy.

The existing premises have been used as a post office for a number of years. The property is neither located within, nor directly adjacent to an existing shopping centre, but is only 4 houses away from a substantial parade of shops. It is considered that the proposed alterations would benefit the shopping area by providing additional facilities for shoppers. In terms of use it is considered that the proposal is compatible with both the function and character of the area, and being within a large settlement, is readily accessible by pedestrians and public transport. There are no parking facilities on site for customers, however there is a lay by to the front of the post office, which can be used for limited parking.

A letter of support has been received from Post Office Ltd. who state that the applicants are offering a new concept post office which will be the first of its kind in the County Borough. They also state that due to changes in benefit payments, it will be necessary for outlets to offer a retail service which will enable the post office to remain viable.

In planning terms, the proposal is considered to be acceptable.

**RECOMMENDATION:      Approval with 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)The materials to be used in the construction of the external surfaces of the alterations hereby permitted shall match those used in the existing building.

Reason

In the interests of visual amenity.

(3)The promises shall only be open to the public between the hours of 0700 to 2200 hrs.

Reason

In the interest of amenity.

**ITEM 1. 22**

**APPLICATION NO: P/2001/1410**

**DATE: 05/12/01 16:42:45**

**PROPOSAL:** SINGLE STOREY LIVING ROOM  
**EXTENSION**

**LOCATION:** 27 Connaught Street, Port Talbot SA131ET  
**APPLICANT:** J SIMONSON  
**TYPE:** Full Plans

**BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

Port Talbot Local Plan (Deposit Draft)

R20 Residential Extensions

**b. Other Policies**

Design Guidance For Household Extensions. Rear ground floor extensions to terraced properties will not normally be permitted to project more than 7.3 metres beyond the main back wall of the dwelling.

**c. Relevant Planning History**

None

**d. Responses to Consultations**

Number of properties consulted: 7

Number of replies received: 0

Statutory Consultees:

The Head of Municipal and Highway Services (Drainage) – No apparent problem

## **APPRAISAL**

This application seeks full planning permission to erect two single storey extensions to No27 Connaught Street, Port Talbot, a terraced property.

The premises comprises a two storey annex to the rear which extends half the width of the property and has a projection of 6.6 metres. Beyond this annex is a single storey lean to w.c. The proposal involves extending the existing living area the full width of the property. This element would be of a single storey flat roofed design with a projection of 3.8 metres. Above this extension the applicant proposes to install railings 1 metre in height which would provide a balcony. It should be noted however that this would not overlook any neighbours windows or gardens. This extension would be sited adjacent to the side elevation of No 25 Connaught Street.

The second element of the proposal involves incorporating the existing w.c as part of the kitchen and extending it by 2.25 square metres in floor area. The proposal involves an extension exceeding the Council's Guidelines of 7.3m by some 0.9m, however no part of this extension will project beyond the existing rear elevation of the property.

By virtue of its size and design it is considered that the proposed extension will not materially impact on the neighbouring properties or the visual amenities of the area.

The Directorate is satisfied that the proposal is acceptable.

**RECOMMENDATION:      Approval with 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)The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

In the interests of visual amenity.

**ITEM 1. 23**

**APPLICATION NO: P/2001/1412**

**DATE: 06/12/01 10:30:33**

**PROPOSAL: FRONT PORCH**

**LOCATION: 5 St. Davids Road, Ystalyfera, Swansea SA9  
2JQ**

**APPLICANT: Cheryl Francis**

**TYPE: Householder**

**BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

None.

**b. Other Policies**

None.

**c. Relevant Planning History**

80/305- Private Garage- Approved-20/6/80.

**d. Responses to Consultations**

Number of properties consulted: 4

Number of replies received: 1

The objection relates to the fact that the porch is already constructed, and that the porch is too near the highway.

Statutory Consultees:

Ystalyfera Community Council- No Objection.

Head of Municipal and Highway Services, (Highways) no objection.

## **APPRAISAL**

This is a retrospective application for a porch to the front elevation of a terraced property known as 5 St. Davids Road, Ystalyfera.

The porch projects 1.16m from the main front elevation of the property, and measures 1.72m wide. It is set 1.8m in from the front boundary wall. The porch has a pitched roof rising to a height of 2.8m.

The porch only requires planning consent as it is 0.2m, closer to the highway fronting the property than permitted development rights allow.

The porch is constructed in Upvc, which is brown in colour, and matches the windows on the existing property. The roof is tiled to match the existing dwelling.

In relation to the objection, although the porch has been erected the application is considered on its merits only, and no weight is placed on the fact that the development has been completed. In addition the Head of Municipal and Highway Services, Highways section has no objections to the proposal.

It is considered that the design of the porch is acceptable, and is in keeping with the existing building in terms of shape, size, and materials and is therefore acceptable in terms of street scene, and does not cause any harm to highway or pedestrian safety.

It is therefore recommended that the application be approved.

**RECOMMENDATION:      Approval**

**ITEM 1. 24**

**APPLICATION NO: P/2001/1413**

**DATE: 06/12/01 11:13:37**

**PROPOSAL:                   ERECTION OF OFFICE UNIT AND CAR  
PARK**

**LOCATION:                    PLOT 2, BRITTANIC BUSINESS  
VILLAGE, LLANDARCY, NEATH,**

**APPLICANT:                BAILEY COMMERCIAL LTD**

**TYPE:                       Full Plans**

**BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

The Borough of Neath Local Plan:

T24 – Car parking and Servicing requirements.

T26 – New development and Highway Safety.

B39 – Criteria for considering business proposals

E67 – The design of new development

**b. Other Policies**

None

**c. Relevant Planning History**

None

**d. Responses to Consultations**

Number of properties consulted: 0

The application was advertised on site and in the local press

Number of replies received: 0

Statutory Consultees:

The Head of Municipal and Highway Services (Highways): No  
highway objections in principle.

The Head of Municipal and Highway Services (Drainage): No objections.

The Health and Safety Executive: No objections

The Environment Agency: No objections subject to conditions.

Coedffranc Community Council: No reply received, therefore no comments made.

## **APPRAISAL**

This application seeks consent for a new office building at the rear of Britannic House and William Knox House, within the BP Llandarcy site. The application site has an area of some 1.5 acres (0.6 Ha) and is a clear site, laid to grass. The proposal is for a building of 1900 square metres gross floor space, with car parking at the rear for 105 cars and 14 secure cycle spaces. The proposed building will have two wings each of two storeys arranged to form a triangular shape at the front of the site, linked by a foyer/atrium on the main elevation facing down the hill, fronting a landscaped forecourt. Each wing will be some 27m long and 14m wide. Due to the sloping nature of the site, the two main wings of the building will be at different levels. The building will have pitched roofs with a maximum height of some 13m. At the rear of the building between the two main wings, it is proposed to establish a wetland habitat area with landscaping and a decked jetty/patio.

The proposal involves the development of a “brownfield” site near to existing offices (Britannic House and William Knox House), which is not near to any residential property. Policy B39 of the Local Plan indicates criteria to be used when assessing business proposals, and it is considered that in terms of this policy and in general land use and amenity terms the proposal is acceptable in principle.

However, Planning Guidance (Wales) Planning Policy indicates that proposals for office developments should be assessed in terms of a sequential approach, with first preference being for sites in town centre locations, followed by edge-of-centre sites, district and local centres and only finally out-of-centre sites accessible by a choice of means of transport. The applicants have investigated the availability of suitable sites within Neath town centre, and sites in district and local centres but have concluded that there are no suitable sites available in the area for an office development of this size. It is considered that the site is accessible by a



choice of means of transport in addition to the private car: there are regular bus services which run past the BP Llandarcy site and the site is near to designated cycle routes. In addition, a condition is proposed to require the developers to submit a green transport plan, and subject to this it is considered that the proposal is in accordance with the national guidance.

In design terms, it is considered that the proposed building is in a sensitive location in terms of the possible future development of the oil refinery site. The design of the building has been amended to ensure that it will be in keeping not only with the existing nearby office buildings, but also with the design concepts likely to be embodied in any future development for this area. In this respect, the choice of materials is considered to be important and a specific condition is proposed to ensure that these are acceptable.

The applicants have shown a large car park on the site (with spaces for 105 cars) although it is indicated that part of this area may be developed for a further wing of the building in the future. The adopted car parking guidelines would require the provision of between 48 and 63 car parking spaces, and it is considered that the large car park proposed would detract from any future urban character of development, and should not be necessary in the future (depending on future public transport developments and the success of the Green Transport Plan). A condition is therefore proposed to impose a time limit on the consent for that part of the car park which is to be developed in the future, in order to ensure that this matter can be reassessed in the future.

The Head of Municipal and Highway Services has raised no highway objections to the proposal, subject to conditions including the provision of visibility splays of 4.5m by 90m for the junction of a proposed road adjacent to the building and 2.4m by 90m for the car park access. However, the future road network for the site has not yet been finalised and it is not considered to be reasonable to require specific visibility splays at this stage. However, a condition is proposed to require full details of visibility splays to be submitted and agreed prior to the commencement of building work. Similarly, although some details of the proposed forecourt to the building have been submitted, its precise size and shape and the requirement for steps adjacent to the new side road depend on the details of the new road network. A condition is therefore proposed to require these details to be finalised at a later stage.

It is considered that the proposal is acceptable in planning and highway terms and the development represents an important investment into this area.

**RECOMMENDATION:      Approval with 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)No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for landscaping. This scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees of plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(3)Notwithstanding the details shown in the application, no development shall take place until there has been submitted to and approved by the local planning authority full details of the materials to be used externally, including details of the pointing to be used. The development shall be built in accordance with the details approved in accordance with this condition. All bricks shall be clay (not concrete), constructed in a Flemish bond and the roofs shall be rosemary clay tiles.

Reason

In the interests of visual amenity.

(4)()This condition relates to that part of the proposed car park edged in green on plan ref 2591- 03A(1), hereinafter referred to as "the temporary car park". This consent is for a period of five years only in relation to the temporary car park. The car parking provision shall be reviewed prior to the expiration of 5 years from the date of this consent, following a Review of public transport carried out by an independent person, which shall be submitted to the Local Planning Authority by the occupiers/owners of the site. If the Review indicates that a satisfactory integrated public transport service has developed, the temporary car park shall cease to be used as a car park. If the Review indicates that such a public transport service has not developed, or has not developed fully, the planning permission for the temporary car park (or part thereof) shall be extended for a further period of five years, to be reviewed on the above basis at five yearly intervals

Reason:

In the interests of the visual amenity and future development of the area, and also to allow reappraisal of car parking requirements against future public transport provision in the area and the success of measures contained in the Green Transport Plan.

(5)Prior to the commencement of the construction of the building, a Green Transport Plan shall be submitted to and approved in writing by the Local Planning Authority. This should include:

- a. The provision of cycling facilities such as cycle racks and showers.
- b. A scheme to reduce the reliance on the car by users of the building, such as car sharing schemes, encouragement of the use of public transport, etc.

The plan shall be implemented as approved under this condition.

Reason:

In the interests of highway safety, amenity and to encourage more sustainable forms of transport.

(6)Notwithstanding the details shown in the application, the construction of the building shall not commence until full details of the proposed forecourt area at the front of the building, including the proposed "feature" and steps arrangement, and the areas between the proposed building and the amended highway to the south east of the site and proposed highway

to the north of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details approved under this condition.

Reason:

In the interests of the visual amenity of the area.

(7) Visibility splays shall be provided at the entrance to the proposed car park and at the junction adjacent to the main access into the building in accordance with details to be submitted to and approved by the Local Planning Authority in conjunction with the details submitted under condition 6. The visibility splays shall be provided prior to the occupation of the building and maintained thereafter, with nothing higher than 600mm being allowed within the splays.

Reason:

In the interests of highway safety.

(8) A two metre wide footway shall be constructed along the frontages of the site prior to the occupation of the building.

Reason

In the interests of highway safety.

(9) Prior to the commencement of use of the building, measures shall be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority, to ensure that no surface water from the site flows over the highway.

Reason:

In the interests of highway safety.

(10) A minimum of five disabled parking spaces shall be provided within the curtilage of the site.

Reason:

In the interests of highway safety.

(11) Pedestrian tactile paving crossings shall be constructed on the junction adjacent to the main entrance to the building and at the car park access prior to the occupation of the building and therefore retained.

Reason:

In the interests of highway safety.

(12)Prior to the commencement of the construction of the building, full details of the proposed levels of the car park shall be submitted to and approved in writing by the Local Planning Authority. The car parking shall be constructed in accordance with the details approved under this condition.

Reason:

In the interests of highway safety.

(13)Prior to the commencement of work on site, a detailed scheme to deal with any contamination on the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be a staged approach and will first include the submission of a Site Investigation and Risk Assessment. If at this stage of the process the Local Planning Authority notify the applicant in writing that contamination will cause an unacceptable risk to site users or the environment, a mediation strategy shall be implemented in accordance with details to be submitted to and approved by the Local Planning Authority. Prior to any occupation of the development a validation report and results prepared by a suitably qualified person shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason:

In order to ensure that any contamination on site is adequately dealt with.

(14)All foul drainage shall be connected to the public sewerage system.

Reason

Septic tanks/private sewage disposal works are an unacceptable method of drainage within a severed area.

(15) Notwithstanding the details shown in the application, the construction of the building shall not commence until revised details of its south eastern and northern elevations (with particular reference to the recesses and overhangs on either side of the entrance) have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the details approved under this condition.

Reason:

In the interests of the appearance of the building and the visual amenity of the area.

## **ITEM 1. 25**

**APPLICATION NO:** P/2001/1418

**DATE:** 07/12/01 09:28:56

**PROPOSAL:** CONSTRUCTION OF A SINGLE STOREY  
**EXTENSION**  
**LOCATION:** 20 Farm Road, Briton Ferry, Neath  
**SA112TA**  
**APPLICANT:** Mr W J Lowry  
**TYPE:** Householder

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan

H8 New dwellings and extensions to dwellings

E67 Design of new development

#### **b. Other Policies**

Design Guidance for Household Extensions.

#### **c. Relevant Planning History**

None

#### **d. Responses to Consultations**

Number of properties consulted: 5

Number of replies received: 0

Statutory Consultees:

None

## **APPRAISAL**

This application seeks full planning permission to erect a single storey shower room extension at the rear of 20 Farm Road, Briton Ferry, a terraced property.

This pitched roof extension would extend the full width of the two storey annex and have a maximum projection of 3.6 metres and a maximum height of 4.2 metres. The extension would be finished in materials to match the existing building.

Members will note that the Council's adopted standards for a ground floor extension to a terraced property require that the proposal does not project more than 7.3 metres beyond the main back wall of the dwelling. The existing annex projects 4.3 metres beyond the main wall of the property and this extension will project a further 3.6 metres. The properties either side each have a two storey annex of the same projection as the application site and No 18 has a further single storey lean to with a projection of approximately 1.5 metres.

By virtue of its size and design it is considered that the proposed extension will not materially impact on the neighbouring properties or the visual amenities of the area.

The Directorate is satisfied that the proposal is acceptable.

**RECOMMENDATION:      Approval with 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)The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

In the interests of visual amenity.

## **ITEM 1. 26**

**APPLICATION NO:** P/2001/1432

**DATE:** 11/12/01 15:01:25

**PROPOSAL:** PROPOSED DIVERSION OF THE  
PENCOED/PYLE 132KV OVERHEAD LINE

**LOCATION:** Park Slip (Margam) Opencast Site, Nr. Cefn  
Cribbwr,

**APPLICANT:** Western Power Distribution

**TYPE:** Full Plans

### **BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

None

**b. Other Policies**

None

**c. Relevant Planning History**

P98/0541 – Opencast development, extension of site and development of deep mine. Margam Mine Opencast – Approved 2<sup>nd</sup> March 2001.

**d. Responses to Consultations**

Number of properties consulted: 0

Site notices were posted on the site and in the locality.

Number of replies received: 0

Statutory Consultees:

The Coal Authority – No adverse comments.

Regional Planning Advisor – Agriculture – No comments.

Environment Agency – No comments received to date.

Bridgend County Borough Council's comments are anticipated by the date of Committee.

British Telecom – No adverse comments.

British Gas Transco – No objections.

Head of Municipal and Highway Services (Highways) – No objections.

Health and Safety Executive – No objections.

Railtrack – No objections.

## **APPRAISAL**

Western Power Distribution are applying to the Secretary of State for Trade and Industry under Section 37 of the Electricity Act 1989 to divert approximately 575 metres of double circuit; 132,000 volt overhead L4(M) tower line on land at Cefn Cribbwr, Nr. Pyle. Most of the diversion would occur over land associated with the Margam Opencast Site.

The applicant has served notice on the authority under Paragraphs 2(1) and 2(6)(a) of Schedule 9 of the same Act. The Authority has two months to object to the development if it should wish to do so.

The diversion would take place by erecting three towers. A new tower (No. U110A) will be erected on the Margam (Parc Slip) opencast coal site, and situated 500 metres to the east of Crown Road, Kenfig Hill and 20 metres north of the railway line. This tower will replace the existing tower U110A, which currently lies some 190 metres north of the railway line. The tower would be 28.7 metres high. The diversion would end at a new tower (No. U110C) situated approximately 260 metres north of Swn yr Afon, Kenfig Hill, on land which forms part of Hafod Heulog Farm, Pen y Bryn. This tower will be placed on the site of an existing tower and will be 28.8 metres high.

A new tower (No. 110UB) will also be constructed some 200 metres north east of Swn yr Afon, and located within the site boundary of the opencast site, linking the line between tower 110A and 110C.

New tower U110B, which will be 32 metres high, will bring the line some 130 metres south of a further existing tower, which will be removed.

All three towers will have three pairs of cable wiring and a central earth wire at the apex. Any deviation carried out could occur 50 metres either side of the identified line within the application.

### **Comments**

Members will note that an application has been made by Celtic Energy Ltd to extend the coal extraction area within the Margam (Parc Slip) opencast coal mine. This is reported under PA Ref. No. 2001/1243 of this Committee. Two of the pylons/towers associated with the current electricity line occupies the area identified for the extended coal extraction area and would need to be diverted in order for coal extraction to take place.

Two of the new towers will be constructed on operational land within the opencast development area. The towers located within the opencast site will bring the power line closer to the rail track but will still remain at substantial distances from residential areas, the closest being properties at Crown Road, 200 metres away. The mineral railway line and woodland valley of the Nant Iorwerth separate the new towers and these nearest residential properties.

The third new tower on adjacent land at Hafod Heulog Farm will occupy the same site location as the existing tower and therefore will not change the visual scene.

The deviation will, on balance, reduce the overall impact of the power line on the landscape as its realignment will be set closer to a fringe of woodland and the rail track replacing the existing structures that lie in open field enclosures.

The relocation of the second tower, nearest Crown Road, will also not materially affect the visual scene or amenity of local residents.

New tower No. U110A is located within operational and disturbed land on the Margam opencast coal site. The second new tower NOU 110B will be erected on land that will need to be stripped of soils and topsoils in association with the proposed opencast development. Therefore no additional impacts are anticipated on these areas.

The only possible source of audible noise from such towers are from the insulator strings which connect the conductor to the tower arms. These constitute a "point source" and hence the noise diminishes rapidly over distance. The nearest habitable dwellings are some 200 metres from the centre-line. Complaints about audible noise are therefore not anticipated.

Any electricity cable/overhead line connection will produce power frequency electric and magnetic fields. In recent years, a number of responsible and independent bodies have reviewed the evidence for possible health effects of power line electric and magnetic fields and have found it unconvincing. They provide no basis for changing present practice with regard to power transmission and distribution.

### **Conclusions**

It is considered that the diversion is acceptable in visual and environmental terms and also does not introduce a significant change to the local scene from existing circumstances.

**RECOMMENDATION: That the Secretary of State for Trade and Industry be informed that this Authority does not object to the development.**

**ITEM 1. 27**

**APPLICATION NO: P/2001/1442**

**DATE: 12/12/01**

**PROPOSAL: NEW MAST AND ASSOCIATED  
APPARATUS TO BE USED IN CONNECTION WITH THE  
PUBLIC SAFETY RADIO COMMUNICATIONS PROJECT**

**LOCATION: Mynydd Resolven, Resolven, Neath**

**APPLICANT: Rob Cunningham**

**TYPE: Full Plans**

**BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

Neath Local Plan  
E79 - Telecommunications.

**b. Other Policies**

None.

**c. Relevant Planning History**

None

**d. Responses to Consultations**

Number of properties consulted: 0

The application was also advertised on site.

Number of replies received: 0

Statutory Consultees:

Blaengwrach Community Council- No Reply to date.

## **APPRAISAL**

This is a full planning application for the installation of a new mast and associated apparatus located adjacent to the existing antenna at Mynydd Resolven, Resolven.

The proposed works involve a new 15 metre lattice tower with 3 no. 4 stack antennae up to a level of 17.5 metres above ground level. It is also proposed to construct a blockwork equipment cabin of 2.5m by 2.5m at ground level. The mast and the cabin would be housed within a 12m by 6 metre compound surrounded by a 2 metre high fence.

It is proposed to remove the existing police 4 stack antenna which will be transferred to the new mast at the same level. It is also proposed to demolish the existing single storey building at the site.

The applicant has submitted information to support the need for this equipment on this mast. It states that the works are needed to provide telecommunications services for the emergency services:

The application on behalf of PSRCP (Public Safety Radio Communication Project) whom are Licensed by the Government and funded by British Telecommunications Ltd. PSRCP will revolutionise the efficiency and response of the emergency services, providing a more secure radio system. The service will use a digital system allowing inter working between emergency services and security services in the form of encryption, capable of handling simultaneous voice and data.

In relation to Health considerations, draft planning policy issued from the National Assembly of Wales, states that;

“In deciding what weight to put on health considerations and public concern, authorities are advised to have regard to the report of the Independent Expert Group on Mobile Phones (IEGMP) (The Stewart Group’s Report) and to its guidance. It is the Assembly’s view that, if a proposed development meets the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines as expressed in the EU Council Recommendation of 12 July 1999 on the limitation of exposure of the general public to electronic fields (as recommended by the Group on a precautionary basis), it should not be necessary for an authority, in processing an application, to consider health effects

further. All new base stations are expected to meet the ICNIRP guidelines.”

It goes further to state that;

“The report does not provide any basis for precautionary actions beyond those already proposed; In the Assembly’s view, local planning authorities should not implement their own precautionary policies e.g. imposing ban or moratorium on new telecommunications development and existing development.”

The applicant has confirmed that the proposals meet the ICNIRP guidelines, and it is therefore, considered that the health effects should not be considered further.

It is considered that by sharing an existing mast that the proposed works will comply with Policy E79 of the Borough of Neath Local Plan, and that the need for these works has been clearly set out by the applicant. It is considered that the introduction of the antennae and cabin would not lead to a significant detrimental effect on the visual amenity of the surrounding area.

It is therefore considered that the proposed works are acceptable, and be recommended for approval.

**RECOMMENDATION:      Approval with 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.

()Within 3 months of the date of the use of the new mast, the existing mast and building at the site shall be removed and the site reinstated to its former state.

Reason

In the interest of visual amenity.



## **ITEM 1. 28**

**APPLICATION NO: P/2001/1446**

**DATE: 14/12/01**

**PROPOSAL: REDEVELOPMENT INVOLVING DEMOLITION OF EXISTING SPORTS AND LEISURE CLUB AND ERECTION OF HARVESTER PUB / RESTAURANT, 74 BED HOLIDAY INN EXPRESS, CAR PARKING, CONSTRUCTION OF NEW VEHICULAR ACCESS AND LANDSCAPING. (AMENDED APPLICATION)**

**LOCATION: Former BP Sports & Social Club, Llandarcy, NEATH SA106EL**

**APPLICANT: Six Continents Retail**

**TYPE: Full Plans**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

T26 – New development and highway safety.

RL47 – Criteria for recreation and leisure facilities.

E67 – Design of new development – effect on adjacent buildings.

T24 – Car parking and servicing for new development

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

99/173 – outline application for the demolition of the existing building and the construction of a 120 bed hotel, family restaurant/pub and health and tennis club and realignment of rugby pitch. Approved 18/3/99.

99/803 – construction of hotel, restaurant and bar with associated facilities including car parking and access from B4290. Approved 12/10/99.

98/85 – partial demolition of existing leisure buildings and construction of new hotel and fitness/leisure centre. Approved 12/3/98.

01/0303 - redevelopment involving demolition of existing sports and leisure club and erection of Harvester pub / restaurant 74 bed Holiday Inn Express, car parking, construction of new vehicular access and landscaping. Approved 22/6/01.

**d. Responses to Consultations**

Number of properties consulted: 40

In addition a site notice was posted and the application advertised in the local press.

Number of replies received: 0

Statutory Consultees:

Head of Municipal and Highway Services (Highways) – No highway objection subject to conditions.

Head of Municipal and Highway Services (Drainage) –No objection in principle.

Environment Agency – No objection.

National Assembly Highways – No objections to the development in principle.

Transco – Offers advice on the location of its apparatus in the locality.

Coedffranc Community Council – No reply therefore no observations to make.

Dwr Cymru/ Welsh Water – No reply.

The Coal Authority – The property is not within the likely zone of influence of any present or currently planned future workings. Within 20m of the property there is 1 mine entry

Health and Safety Executive – Awaiting reply.

British Telecom – Offers advice on the location of its apparatus in the locality.

## **APPRAISAL**

Members will note that planning permission was granted in June 2001 for a new hotel and restaurant on site. Since the permission was granted changes have been made to the overall development which, when considered in their entirety were not considered to be of a minor nature. Therefore a revised application has been submitted.

This application seeks full planning approval for the erection of an hotel and restaurant at the site of the former BP Sports and Social Club at Llandarcy Neath.

Members will note that similar proposals have been approved on the site in past years.

The recently approved proposal was for a 74 bedroomed Holiday Inn Express Hotel with a Harvester Restaurant. The existing sports building on site, which has been vacant since the new Leisure Club has opened, has now been demolished to facilitate the development.

The main access will be via the existing access for the new leisure club adjacent to the site which will allow vehicles to enter / leave and it is proposed that a slip road be provided off the existing B4290 which will allow access into the site (but no exit). This situation was the same for the previously approved scheme.

The Harvester Restaurant will be located at the northern end of the site in the general area of the former car park. The building will be a combination of single and 2 storey elements, with the central part of the building being 2 storey. The external finishes are a mix of brick, decorative clay tile hanging and timber boarding. There is also a rendered plinth. The roof finish will be a mix of plain clay pantile and natural slate.

The main entrance to the pub/restaurant will not now face the car park. Instead the building is turned so that the main entrance and elevation faces the Motorway roundabout and slip road. Access for pedestrians will be provided accessing from the car park around the sides of the building.

The height of the building varies due to its style. It has a maximum height of approximately 8m.

It should be noted that the amended plans show that the internal layout of the building has been revised so that the sole use is as a restaurant. The size of the bar has been reduced.

To the side of the pub/restaurant it is proposed to provide a garden for patron's use.

The changes between the originally approved scheme and this proposal can be summarised as follows:

1. Site plan rationalised to suit construction details of new road; the 131 parking spaces have been retained. The orientation / location of the pub / restaurant / hotel has not changed.
2. The building footprint of the pub / restaurant has been amended and reduced in overall size.
3. The internal re-design of the ground and first floor to suit the new integrated restaurant operation.
4. Pathway added to the left-hand side of the building to allow the building to be approached from both directions from the car park.
5. The public toilets (excluding disabled) relocated from ground to first floor.
6. External elevations and roof redesigned to suit new layouts, all original finishes and materials retained. The rear elevation has been altered.

The hotel, which is three storeys, will be located in the eastern edge of the site, with its rear facing towards the slip road off the Motorway and its front elevation facing the car park. Due to the difference in levels, some cut and fill operations will be required.

The building would be constructed using a mix of facing brick with some render infill panels at second floor level. The roof is a hipped roof with gable detailing is completed with GRP cupola detail on top. The first and second floor windows in the gables have false balconies, as do the first and second floor windows on the end elevations. The hotel contains on the ground floor a meeting room, public toilets, a bar / reception and a sitting area. It also contains functional areas such as a kitchen, office, equipment area etc. The upper floors contain bedrooms and stores.

The overall height of the building is 8.1m to the eaves, 13m to the ridge, and 17.5m to the top of the cupola. A lightning conductor will be erected

on top of the cupola. Adjacent to the building it is proposed to provide an enclosed compound within which a satellite dish to serve the hotel will be located.

Externally it is proposed to provide a bund to the side of the hotel, adjacent to the access road into the site from the adjacent leisure club. In addition, to the rear of the Harvester a gently sloping area will be provided which will be grassed. It will not be a garden for the pub, but will be a pleasant feature to the front of the main entrance of the building.

It is also proposed to provide an external paved terrace area to the east of the proposed Harvester. The design and layout of the hotel has not changed from that originally approved.

A total of 131 car parking spaces will be provided to serve the hotel and pub / restaurant. Within the car park it is proposed to provide small landscaped areas and landscape the area adjacent to the new access road.

In planning terms the new application is considered to be acceptable. The design and siting of the buildings is considered appropriate as too is the car parking layout and access. It is considered that this development will enhance the local area and provide useful facilities for residents.

It should be noted that no reply has been received from the Health and Safety Executive at the date of the writing of this report. The original proposal was amended prior to determination to comply with their requirements relating to a 'safety zone' from a high pressure gas main that runs near the site. The new proposal complies with their original conditions and it is recommended therefore that in order to avoid undue delay, that consent be granted upon receipt of a reply from and the Health and Safety Executive provided they have no objections.

**RECOMMENDATION: That subject to the Health and Safety Executive having no objections to the application, that consent be granted subject to the following conditions and to any other conditions that may be required by Health and Safety Executive.**

**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)Notwithstanding the details shown in the application, no development shall take place until there has been submitted to and approved by the local planning authority details of materials to be used externally. The development shall be built in the materials approved in accordance with this condition.

Reason

In the interests of visual amenity.

(3)No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, taking into account potential growth, together with measures for their protection in the course of development. This scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(4)Prior to the commencement of work on site, details of any proposed screen walling/screen fencing shall be submitted to the Local Planning Authority for approval. The scheme as approved shall be provided on site prior to the first use of the associated buildings and shall be retained thereafter.

Reason

In the interest of the amenities of the occupiers of the property and the amenity of the adjacent residents.

(5)The premises shall not be used/occupied until the car parking areas and access roads are surfaced in tarmac and marked out in accordance with plans 396509/AP/002.

Reason

To ensure that adequate car parking and servicing provisions are made within the curtilage of the site.

(6)Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any equivalent provisions in any order revoking and re-enacting that Order with or without modification) there shall be no change of use from Class A3 to Class A1 as defined by the Schedule to the Town and Country Planning Use Classes Order 1987 (or any equivalent classes in any Order revoking and re-enacting that Order with or without modification) without the granting of planning consent in that behalf.

Reason

In order that other changes of use can be assessed in the interests of amenity.

(7)Prior to the commencement of work on site,a scheme shall be submitted to the Local Planning Authority for approval (drawn to a scale of 1:200), detailing the signing and lining covering the left only access off the B4290, together with the internal roadway including that section of proposed access road linking to the Health and Raquet Club. The scheme as approved shall be completed in accordance with the approved details prior to the first use of either the hotel or public house/restaurant.

Reason

In the interests of highway safety.

(8) All footways shall have a minimum width of 2m.

Reason

In the intersts of pedestrian Safety.

(9)Prior to the commencement of work on site a scheme shall be submitted to the Local Planning Authority for approval (drawn to a scale of 1:200),which provides details on the tactile pedestrian crossings positioned to allow right angled crossings of he new access road at its junction with the B4290. This shall be completed with appropriate "Look Left" and "Look Right" carriageway markings. The details as approved shall be completed on site prior to the first use of the hotel or the public house/restaurant.

Reason

In the interests of pedestrian safety.

(10) Prior to the commencement of development on site, details shall be submitted to prove the structural stability of the banks on site. The embankments shall be completed in accordance with the approved details prior to the first occupation of the buildings.

Reason

To ensure the structural stability of the embankments.

(11) Prior to the commencement of work on site, details of the proposed surface water drainage of the access road shall be submitted to the Local Planning Authority for approval. The scheme as approved shall be completed on site prior to the first use of the buildings.

Reason

In the interests of highway safety.

(12) Prior to the commencement of work on site longitudinal and cross sections (drawn to a scale of 1:200), of the proposed access road shall be submitted to and approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved details prior to the first use of the buildings.

Reason

In the interests of highway safety.

(13) Prior to the commencement of work on site, details of any work to be undertaken on or within 10m of any existing embankment supporting the existing highway, shall be submitted to the Local Planning Authority for approval. The details as agreed shall be completed on site prior to the first use of the buildings.

Reason

In the interests of highway safety.

(14) The existing access approximately 150m south west of the proposed access shall be closed and the access point shall be reinstated as footway in accordance with a scheme to be submitted to and approved by the Local



Planning Authority. The scheme as approved shall be implemented in accordance with the approved details prior to the first use of the buildings.

Reason

In the interests of highway safety.

(15) Within 1 month of the completion of the link road, details of a suitable anti dazzle screen shall be submitted to and approved in writing by the Local Planning Authority. The screen as approved shall be erected on the exit road from the Harvester to the Leisure Complex. This screen as approved shall be erected on site within 1 month of its approval and retained as such thereafter.

Reason

In the interests of highway safety and to ensure that there is no dazzle to drivers on the M4 slip road.

**ITEM 1. 29**

**APPLICATION NO: P/2001/1470**

**DATE: 27/12/01 14:41:57**

**PROPOSAL:                   INSTALLATION OF A 12.5 HIGH STREET FURNITURE TELECOMMUNICATIONS COLUMN WITH INTEGRAL ANTENNA, TOGETHER WITH TWO NUMBER STREET FURNITURE EQUIPMENT CABINETS (WITH FOOTPRINTS OF 1310MM X 750MM AND 1650MM X 550MM, OR THEREABOUTS)**

**LOCATION:                    Land adjacent to, Street Light Column 156 Afan Valley Road, Cwmavon, PORT TALBOT SA129AA**

**APPLICANT:                B T Cellnet**

**TYPE:                        Prior Notif.Telecoms**

**BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

Port Talbot Local Plan Deposit Draft  
Policy E11 - development outside settlement limits  
Policy E26 - telecommunications development.

West Glamorgan Structure Plan (Review No.2)  
Policy C5 - criteria for development in the open countryside.

**b. Other Policies**

None

**c. Relevant Planning History**

None

**d. Responses to Consultations**

Number of properties consulted: 0

The application was advertised on site

Number of replies received: 0

Statutory Consultees:

Head of Highways and Municipal Services – no objections.

### **APPRAISAL**

The application is for a 12.5 metre high telecommunications tower and antenna submitted under Part 24 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended).

The site is located adjacent to an existing lay-by off the A4107 Road above Cwmavon in the Afan Valley. The mast will be of a single pole design and similar in proportions to the nearby lamp post. It will be accompanied by 2 small equipment cabinets.

The site is situated outside the settlement limits of Cwmavon, and there are no residential properties in the vicinity. The mast will be viewed against a backdrop of dense forest and would not be unduly prominent in the landscape.

It is considered therefore that the proposal is acceptable.

**RECOMMENDATION:      Approval with Condition**

### **CONDITION:**

(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.

**ITEM 1. 30**

**APPLICATION NO:** P/2001/1471

**DATE:** 27/12/01 15:12:17

**PROPOSAL:** INSTALLATION OF A 12.5M HIGH STREET FURNITURE TELECOMMUNICATIONS COLUMN WITH INTEGRAL ANTENNA, TOGETHER WITH TWO NUMBER STREET FURNITURE EQUIPMENT CABINETS (WITH FOOTPRINTS OF 1306MM X 750MM AND 1650MM X 550MM OR THEREABOUTS)

**LOCATION:** Land adjacent to street lamp column 99, Afan Valley Road, Cwmavon, PORT TALBOT SA129AA

**APPLICANT:** BT Cellnet

**TYPE:** Prior Notif.Telecoms

**BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

Port Talbot Local Plan Deposit Draft.  
Policy E26, telecommunications development.

**b. Other Policies**

None

**c. Relevant Planning History**

None

**d. Responses to Consultations**

Number of properties consulted: 32

The application was advertised on site

Number of replies received: 0

Statutory Consultees:

Head of Highways and Municipal Services (Highways) – no highway objections.

### **APPRAISAL**

The application is for a 12.5 metre high telecommunications tower and antenna submitted under Part 24 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended). The site is located on a grass verge adjacent to an existing lay-by off the A4107 in Ynysygwas above the village of Cwmavon. The mast will be of a single pole design and similar in proportions to a standard lamppost. It will be accompanied by 2 small equipment cabinets.

The site is situated within the settlement limits of Cwmavon and the nearest residential property is some metres away. The mast will be viewed against a backdrop of mature trees and would not appear unduly prominent in the landscape. It is considered therefore that the proposal is acceptable.

**RECOMMENDATION:      Approval**

**2. LISTED BUILDING AND CONSERVATION AREA  
APPLICATIONS RECOMMENDED FOR APPROVAL**

**ITEM 2.1**

**APPLICATION NO: P/2001/1465**

**DATE: 21/12/01 09:18:31**

**PROPOSAL: EXTERNAL AND INTERNAL REPAIRS  
AND RENOVATION. PROPOSED DISABLED ACCESS RAMP  
TO FRONT ELEVATION**

**LOCATION: Town Hall, Church Place, Neath SA113LL  
APPLICANT: Neath Town Council  
TYPE: Listed Building Cons**

**BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

Borough of Neath Local Plan.

Policy E65- Conservation Areas.

Policy E66- Listed Buildings.

**b. Other Policies**

None.

**c. Relevant Planning History**

None.

**d. Responses to Consultations**

Number of properties consulted: 48

The application was also advertised on site and in the press.

Number of replies received: 0

Statutory Consultees:

Neath Town Council- No Reply.

## **APPRAISAL**

This is a Listed Building application for proposed external and internal repairs and renovation to Neath Town Hall, which is a Grade 2 Listed Building located within the St. Thomas Conservation Area.

The property is located prominently on the corner of New Street with Castle Street with its entrance onto Church Place, and was constructed in 1820.

The listing describes the building as; “Taller 2 storey block. 3 window elevation to New Street, broader 5 window elevation to Castle Street. Hipped slate roof, deep boarded eaves with paired brackets. Rusticated quoins, plinth. 12 pane, 1<sup>st</sup> floor sash windows, reveals, blind fanlight. Modern glazing.”

The building is currently used as a town hall, with retail premises in the lower floors fronting New Street and Castle Street.

The proposed works are in two sections, internal and external.

The external works are to be subject to approval of CADW, at this stage the Authority can only be minded to grant approval. Internal works to a Grade 2 Listed Building can however be approved by the Local Authority without referral to CADW.

### **Internal Works.**

The internal works proposed cover running repairs and redecoration where required. It is considered that as the works will be like for like repairs that these are acceptable.

### **External Works.**

The applicant has supplied a list of works to be undertaken externally, these are;

1. Overhaul of roof and flashings.
2. Take down eaves, gutters and downpipes and renew in original cast iron.
3. Take down and replace soffits and fascias.

4. Hack off all external rendering, rake out joints, dub out and re-render with wood float finish.
5. Take out and renew all windows as exact replicas of existing windows.
6. Renew all external doors.
7. Renew ceiling over portico.
8. Take up concrete flagstones and steps in portico and renew in native stone.
9. Renew balustrades to stairs.
10. Prepare and redecorate the whole of the exterior of the building.

Unless specified, all items will be replaced like for like in both materials and design.

It is also proposed to provide new disabled access into the property through the construction of a ramp to the front elevation serving Church Place.

The property has a central portico supported with columns. On either side of the main steps, which rise to first floor level, are ground floor doorways. These doorways are stepped 0.4m above pavement level, and are set 3m in from the front elevation. It is proposed to remove the steps at this point to provide a disabled access.

It is considered that all external works are considered to be acceptable and would lead to the restoration and repair of this prominent building and enhance the Conservation area, and protect the long term future of the building.

The application was advertised in the press for 21 days as it is located within a conservation area. Due to the Christmas holidays the final date for representations to be made in relation to this notice is the 24th January. It is understood that works are required to commence this financial year and as this application has to be forwarded to CADW prior to determination, it is recommended that, subject to there being no objections received within the Statutory time period, CADW be informed that this Authority has no objections.

### **Recommendation**

**That, once the statutory period for consultation has expired and subject to there being no objections received, CADW be informed that this Authority is minded to grant Listed Building consent subject to the following condition, and subject to CADW having no objections**



**or wishing to determine the application themselves, Listed Building consent be granted.**

**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.

### **3. TPO APPLICATIONS RECOMMENDED FOR APPROVAL**

#### **ITEM 3.1**

**APPLICATION NO:** P/2001/1285

**DATE:** 01/11/01 08:58:02

**PROPOSAL:** PROPOSED WORKS TO TREES  
COVERED BY A TREE PRESERVATION ORDER

**LOCATION:** Land Adjacent, 24 Cefnllan, Pontardawe  
**APPLICANT:** Neath Port Talbot County Borough Council  
**TYPE:** App under TPO

#### **BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

Northern Lliw Local Plan  
Policy EQ10 Trees and Woodlands

**b. Other Policies**

None

**c. Relevant Planning History**

97/1146 Works to trees covered by Tree Preservation Order –  
Approved 31/10/97. This approval was not implemented.

**d. Responses to Consultations**

Number of properties consulted: 13

Number of replies received: 0

Statutory Consultees:

Pontardawe Town Council – No objection.

Head of Streetcare Services (Arboricultural Officer) – No objection subject to a condition.

### **APPRAISAL**

The proposal is to carry out maintenance involving the removal of branches to improve the safety of 8 Scots Pine Trees located on the verge between the side curtilage of the residential property 24 Cefn Llan and the entrance of the Cefn Llan Community Hall. The land is in the ownership of this Authority and it is proposed to carry out remedial work to prevent branch failure during periods of high winds.

The Head of Streetcare Services (Arboricultural Officer) has no objections subject to conditions and whilst these trees are prominent in the local landscape it is considered that the works proposed would not detrimentally affect visual amenities.

**RECOMMENDATION:**      **Approval with Conditions**

### **CONDITIONS:**

(1)The works hereby granted shall be begun before the expiration of one year from the date of this permission.

Reason

In the interests of good husbandry and visual amenity.

(2) All works to be in accordance with BS 3998:1989 "Recommendations for Tree Work".

Reason

In the interests of good husbandry and visual amenity.

## **ITEM 3. 2**

**APPLICATION NO:** P/2001/1364

**DATE:** 20/11/01

**PROPOSAL:** WORKS TO TREE COVERED BY T.P.O.

**LOCATION:** 45 Rowan Tree Close, Bryncoch, Neath  
SA107SJ

**APPLICANT:** Mr A R Hutt

**TYPE:** App under TPO

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

H1 – Neath Local Plan – Housing local bank ( site identified for devt.)

E63 – Conservation of woodlands, trees & hedgerows.

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

99/646 – Works to tree covered by TPO – Approved 16-07-99.

#### **d. Responses to Consultations**

Number of properties consulted: 5

Number of replies received: 1

The grounds of objections contained in the letter are based on the excessive nature of the work proposed.

#### **Statutory Consultees:**

Head of Streetcare Services (Aboricultural Offices) – No objection subject to conditions.

Blaenhonddan Community Council – No objection.

## **APPRAISAL**

This proposal relates to works to be carried out to an Oak Tree covered by the Waunceirch Tree Preservation Order and located on the rear boundary of No 45, Rowan Tree Close.

The original Submission related to the reduction of the crown, reduction of the diameter, thinning the crown, and removal of all dead and decaying branches. Following consultation with the Arboricultural Officer, it is considered that due to the good health and condition of the tree and its attractiveness in the landscape, the only work which should be permitted is the removal of any dead and decaying branches in its crown and the reduction of selected branches which are overhanging the rear garden of No 45, Rowan Tree Close. A Letter has been received from the applicant confirming that these are the only works which he now proposes to carry out.

In view of the foregoing the Directorate is now satisfied with the proposed works which also take into account the comments from the neighbour.

**RECOMMENDATION:**      **Approval with Conditions**

### **CONDITIONS;**

(1)The development hereby permitted shall be carried out within 1 year of the date of this permission.

Reason

In the interests of amenity.

(2)All work is to be implemented in accordance with the recommendation stated in BS 3998 : 1989 recommended for tree work by a qualified and competent tree surgeon.

Reason.

To ensure the work is carried out to a satisfactory standard in the interest of amenity.

(3)The works to the tree shall be restricted to:-

a. The removal of dead or decaying branches in the crown.

b. The reduction of the length of selected branches which are overhanging the garden of No 45 Rowan Tree Close. All branches to be pruned back to a suitable growing point.

Reason.

In the interest of clarity as to the extent of the approved works.

### **ITEM 3.3**

**APPLICATION NO: P/2001/1394**

**DATE: 27/11/01**

**PROPOSAL:** WORKS TO TREES COVERED BY T.P.O.

**LOCATION:** 4 Blaenwern, Bryncoch, NEATH SA107AA

**APPLICANT:** Treecology

**TYPE:** App under TPO

#### **BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

Borough of Neath Local Plan  
E63 – The conservation of woodlands and trees.

**b. Other Policies**

None

**c. Relevant Planning History**

P/99/1269 – works to trees covered by tree preservation order –  
Approved 11.1.00

**d. Responses to Consultations**

Number of properties consulted: 8

Number of replies received: 1

The neighbouring property is of the opinion that the proposed works should be extended to remove a number of trees along the boundary.

Statutory Consultees:

The Head of Streetcare (Arboricultural Officer) – No objection subject to conditions.

Blaenhondda Community Council – No objections.

## **APPRAISAL**

This is an application for works to be carried out to trees covered by a Tree Preservation Order. It is proposed to carry out tree surgery on 16 trees within the grounds of no.4 Blaenwern, Pen y Wern Road, Bryncoch. The proposal relates to 16 trees and the works proposed are as follows:

- T1 – Pine: remove stubs and major deadwood.
- T2 – Horse Chestnut: remove stubs.
- T3 – Sycamore: reduce/remove limbs encroaching neighbouring property.
- T4 – Pine: reduce overhanging limbs and remove major deadwood.
- T6 – Pine: reduce 3 large limbs (weak unions).
- T7 – Pine: reduce large limb (weak union).
- T8 – Horse Chestnut: Crown-lift and remove large stub.
- T9 – Horse Chestnut: Crown-lift over pavement and remove stubs.
- T11 – Pine: remove lowest limb (over BT line) and major deadwood.
- T12 – Horse Chestnut: remove stubs.
- T13 – Pine: remove major deadwood.
- T14 – Pine: remove major deadwood.
- T15 – Horse Chestnut: remove stubs.
- T17 – Pine: remove major deadwood.
- T18 – Pine: Crown-lift (remove 2 lowest limbs).
- T19 – Pine: reduce 2 lowest limbs and remove major deadwood.

The Authority's Arboriculturist Officer considers that the works would improve the safety and appearance of these trees. The trees form an important element in the local landscape and it is considered that the works would not unduly impact on the visual amenities. The works are therefore considered acceptable.

**RECOMMENDATION:      Approval with Conditions**

### **CONDITIONS;**

(1) All tree works to be implemented in accordance with the recommendations started in BS 3998 1989 'recommendations for tree work' by a qualified and competent tree surgeon.

Reason

To ensure the work is carried out to a satisfactory standard.

(2) The development hereby permitted shall be carried out within 1 year of the date of this permission.



#### **4. PLANNING APPLICATIONS RECOMMENDED FOR REFUSAL**

##### **ITEM 4.1**

**APPLICATION NO:** P/2000/1391

**DATE:** 23/11/00

**PROPOSAL:** RESIDENTIAL DEVELOPMENT FOR 1  
NO DETACHED HOUSE (OUTLINE)

**LOCATION:** Land off and adjacent to No 110 Greenwood  
Drive, Cimla, Neath

**APPLICANT:** Baytree Homes Ltd

**TYPE:** Outline

##### **BACKGROUND INFORMATION**

###### **a. Structure/Local Plan Policies**

H1 – Housing land bank (sites identified for development).

H5 – Open space provision on new residential estates.

T26 – New development and highway safety.

RL50 – Monitoring and supply of public open space.

###### **b. Other Policies**

None.

###### **c. Relevant Planning History**

88/863 – Residential development (outline) Approved 1/2/89.

92/0437 – Four houses, 10 bungalows at plots 127-138 The Meadows and 69 and 72 Greenwood Drive. Approved 30/9/92.

###### **d. Responses to Consultations**

Number of properties consulted: 12

In addition a site notice was posted.

Number of replies received: 3

Objections can be summarised as follows

1. The land was allocated as part of the 20% to be supplied in any built up estate area. This area was supposed to include a small playground, which to this day has never been installed. The area has never properly been maintained.
2. The area to be built on has a public footpath running through it, which is used by many people for access. Concerns are expressed with regard its loss.
3. There was supposed to have been another footpath link leading to an open amenity area leading to the Gnoll Woods. Hale's changed the building plans in the area so they could build larger houses, which covered the amenity area and path. This must have had the Council's approval.
4. Additional building on this estate should now be halted, as it will cause more problems on an already congested road, with the width of the road and the number of parked cars and caravans and work vans passing at some times of the day is almost impossible.
5. Without this open space, the children of the area will only be able to play on the road.
6. The open space is very important due to the squeezing of too many properties in the surrounding land.
7. When the objector bought his property in 1994, he was assured that there would be no development on that land as it was felt that an amenity area was vital to the community and that building on it would be over developing the site.
8. The developer IGHale has failed in their duty to provide a safe area for children to play.
9. The site will mean extreme noise and disruption and noise pollution to the objector's property. It will also remove the cul de sac element of the street.
10. The objector on approaching I.G.Hale to purchase a small area of the site was told that nothing could be built there due to a water line running through the site and that nothing could be built 3m either side of this.
11. The applicant is quite aware of the previous use of the site.

Following the receipt of the revised plans reducing the number of plots to one, 3 further letters of objection were received. The comments raised are as follows:

1. Invasion of privacy as the development would be overlooking windows in the objector's property.
2. When purchasing the property the resident was informed that the site was a green belt area.
3. Restricting of view, another benefit for purchasing the property.
4. The area is down as a play area and the children of the area play football on the land and spend long summer evenings playing around the area with no problems to the residents. So much is heard of young children, but this area keeps them happy on the green park.
5. The Cimla area is over developed at the moment with a lack of play areas and Meadow views from people's houses.
6. Greenwood Drive is fully developed and if any further building works took place there would be a lot of dust, noise and mud on the roads and into the objector's garden.
7. If the development took place there would be a problem with the access to the house and the children who play games on the site would have to move elsewhere.
8. There already is a parking problem, as people have to park their cars on the pavements due to the limited parking. When the occupiers of the new house have visitors the parking and noise will increase.
9. The development may result in a loss of light and create extra noise.
10. When the objector purchased his property off I.G. Hale he was led to believe that the area of land was to be left green and left for children to play on.

In addition a telephone call from one of the original objectors was received indicating that his objections remained for the revised scheme.

Statutory Consultees:

Head of Municipal and Highway Services (Highways)– No highway objection.

Head of Municipal and Highway Services (Drainage) –No objection.

British Telecom – Offers advice on the location of its apparatus in the locality.

Environment Agency – No objection in principle.

The Coal Authority – The property is not within the likely zone of influence of any present or currently planned future workings. It has no knowledge of any shafts or adits within or within 20m of the site.

Transco – Offers advice on the location of its apparatus in the locality.

Dwr Cymru/ Welsh Water – A water main crosses the site, which will need to be diverted or an easement retained.

Neath Town Council – Requested further information, which has been supplied, and no further comments received.

## **APPRAISAL**

This application seeks outline planning permission for the erection of dwelling on a parcel of land at the end of Greenwood Drive and backing on to houses at The Meadows, Cimla, previously earmarked as an open amenity area. It should be noted that as originally submitted the application was for 2 plots on the parcel of land. Following discussion with the agent, this was then reduced to 1 plot and interested parties re-consulted.

The area of land has not been laid out or properly maintained nor has it been offered to the Authority for adoption. The site forms part of a larger undeveloped area, which runs between the site and The Meadows.

The original outline application in 1988 contained a standard condition requiring that 10% of the site was to be given over to Public Open Space.

A subsequent reserved matter application identified the area as “amenity land for the future.” Various other consents were granted which all indicate that the site would form part of the open space provision.

In respect of the objections made the open space was required under the planning permissions but it has not been provided. It is accepted that a footbridge and path to the Gnoll Woods was also to have been provided, but has not. Members will recall that this was the subject of a report to

Planning Committee on the 6th November 2001 wherein it was resolved not to take action in respect of the footbridge.

In respect of the footpath it is not a registered right of way but as it lies within the application site, and its retention should be ensured.

In respect of the highway issue the Head of Municipal and Highway Services has offered no objection to the proposal.

In respect of the cul de sac this would still remain as the development of the site would not enable a road to be put on site, which would access other houses or land. Whilst it is accepted that there are a large number of houses in the area the development is not considered to result in overcrowding. The proposal is for 1 generous plot.

There is a water main running through the site and this could be diverted or otherwise an easement maintained.

In respect of the issues of noise and disturbance this would be of a temporary nature and not considered to be grounds to refuse consent. If a statutory nuisance exists, this would be a matter for the Head of Environmental Health and Trading Standards.

In respect of the additional comments made on the amended plans;

Whilst there may be windows in the objector's property facing the site any detailed application would ensure that the council's policy on distances between habitable rooms is complied with.

The site does not lie within a green belt.

Loss of view as such is not a material planning consideration.

In respect of the loss of a play area these issues are considered later.

In respect of the comments made on highway safety, the Head of Municipal and Highway Services has raised no objection to the proposal. Any new dwelling on the site would need to comply with the Council's car parking guidelines.

The Neath Local Plan under policy H5 states:

Proposals for substantial new residential development will normally be expected to include adequate open space to meet the needs of that development.

The explanation states that the amount of space and facilities should be reasonably related to the development. New family housing developments should include adequate provision of suitable areas for children's play including informal play space, with safe pedestrian access. When considering proposals, the proximity and adequacy of public open space provision in the area will be taken into account. In addition it notes that as an alternative to on site provision, where developers wish and where there is suitable potential for the provision or enhancement of public open space off site which would serve the development, the Council will consider entering into a financial agreement with the developer to enable the creation or enhancement of public open space. In order for the Authority to favourably consider entering into such an arrangement, it would need to be convinced that the development could be adequately served by an off site provision and that the provision could be expected to be made within a reasonable period.

In considering this proposal it is noted that there was no Section 106 Agreement in place to ensure that the site was laid out and maintained in future. The site has not been offered for adoption nor is money available to this Authority to maintain this site and the adjoining area.

In support of the application, the applicant has indicated:

“The application site is located at the northern end of Greenwood Drive, adjacent to Number 110 and formed part of the I.G.Hale Ltd., Residential Development.

The land is not adopted by the Council, is unkempt and becomes extremely overgrown during the summer period, causing a nuisance to adjacent occupiers. The current owners do not have the resources to maintain the area.

This land was undeveloped due to the existence of a high-pressure water main crossing the site, which has now become redundant.

The applicants are prepared in exchange for a planning permission for residential development: -

1. Pay to the Council a reasonable sum, for the maintenance of the remaining adjoining area.

or

2. Offer the adjacent property owner's parts of the adjoining land.

and

3. Pay the Council a reasonable sum for the ongoing maintenance of publicly adopted open amenity areas within the locality.

The application site provides approximately 0.1ha of the open space indicated on the original approved site and if the remaining areas of open space are provided this will ensure that 16% of the site area will be given over to open space. However a large proportion of the proposed open space was a woodland area of some 6400 sq. metres whilst this has been offered to the Authority, the Head of Leisure Services advises that the Authority would not take on the liabilities of this land, therefore if the applications was approved it would reduce the open space provision by approximately 27%.

It should be noted that following re -consultation, information was received from a local resident who provided evidence that children were using the play area for recreational purposes.

The letter indicates:

1. That the play area is used in the summer, the area by the trees is used at least 4 or 5 times a week, and the area in front of 71 Greenwood Drive is used most nights when there is school by boys and girls to play football at least 3 or 4 days a week. They even bring their own mini goal net with them. The area s used extensively in the summer, in the winter, the children are playing at weekends and for half an hour on weeknights.
2. The area is used primarily in the summer months and during periods of fine weather.
3. The numbers of children using the facility is in the region of 12 – 14 children in the summer and 5 –6 children in the winter.
4. The children use the site for a number of activities, they swing from the trees on a rope, with no damage to the area, football and chase and other running games as children do.

The letter finishes by indicating that there must be areas on the estate where children can play in safety, and this is one such area. They cause no problem at all. If they have no place to go, then that is when the problems start.

It should be noted that at the time of the original submission, this information was not available.

With regards to the loss of public open space there was no legal agreement to ensure the area would be provided and monitored. Although a condition was imposed on a previous consent the developers have gone into liquidation and it would be difficult to enforce and to ensure that the site was maintained in perpetuity.

It is clear from the letter that has been supplied that the area, although not maintained, provides a useful amenity area for local children. It is considered that the proposed development is unacceptable, as it would result in a loss of open amenity space.

**RECOMMENDATION:      Refusal**

**REASONS FOR REFUSAL;**

(1) The proposed development would result in a loss of an amenity area, to the detriment of the residential amenity of local residents and as such is contrary to Policy H5 of the Neath Local Plan.



## **ITEM 4. 2**

**APPLICATION NO:** P/2001/1122

**DATE:** 24/09/01 14:09:33

**PROPOSAL:** RETAINING WALL

**LOCATION:** 15a Glangwrelych, Pontwalby, Glynneath,  
NEATH SA115LN

**APPLICANT:** Mr S M Cox

**TYPE:** Full Plans

### **BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

None

**b. Other Policies**

None

**c. Relevant Planning History**

None

**d. Responses to Consultations**

Number of properties consulted: 6

In addition a notice was placed near the site

Number of replies received: 1

Concerns were expressed regarding the stability of the hillside behind the retaining wall.

Statutory Consultees:

Director of Property and Procurement Architectural Services  
(Structures Section) - No objections subject to additional works.

Glynneath Town Council - No reply therefore no observations to make.

### **APPRAISAL**

This is an application for the retention of a retaining wall constructed at the above property.

The wall which is the subject of this planning application was erected without the benefit of planning consent and thus a retrospective application has been submitted.

The wall is located at the side of the property, the structure will provide steps at the side of a largely square area with the walling around the edge.

It has been constructed of concrete blockwork, with concrete pillars on top. The wall excluding the pillars has a maximum height of 3.3 metres above ground level.

The structural calculations of the wall has been assess and have been found to be adequate subject to additional works to the wall.

The wall is clearly visible from the whole of Glangwrelych.

It is considered that the wall due to its location design and height detracts from the appearance of the dwelling itself and also from the whole street scene. In fact the section of the wall adjacent to the neighbouring property will be higher than the ridge height of the neighbouring property and also has an overbearing affect on the neighbouring property, a bungalow.

It is considered therefore that the proposal be refused.

**RECOMMENDATION:      Refusal**

### **REASONS FOR REFUSAL;**

(1)The development represents an unduly prominent feature which would have a detrimental affect on the visual amenities of the street scene and the surrounding area.

### **ITEM 4.3**

**APPLICATION NO:** P/2001/1131

**DATE:** 25/09/01 14:39:44

**PROPOSAL:** MOBILE CATERING FACILITY

**LOCATION:** ABBEY AUTO DISMANTLERS, SOUTH OF PENRHYN STREET (CORUS ENTRANCE), TAIBACH, PORT TALBOT

**APPLICANT:** PETER SEXTON

**TYPE:** Full Plans

#### **BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

Port Talbot Local Plan (Deposit Draft), Policy T11, new development and car parking facilities.

**b. Other Policies**

Standing Conference on Regional Policy in South Wales, Parking Guidelines

**c. Relevant Planning History**

87/6272 Refurbishment of arches, approved 7/12/87  
82/4190 Vehicle dismantling, approved 3/12/82

**d. Responses to Consultations**

Number of properties consulted: 0

The proposal was advertised by way of a site notice.

Number of replies received: 0

Statutory Consultees:

Head of Highways and Municipal Services, refusal recommended on highway safety grounds.

Principal Officer Environmental Health, no objection in principle.

### **APPRAISAL**

The proposal is for the retention of a mobile catering facility sited close to the Taibach entrance to the Corus steelworks in Port Talbot and adjacent to the entrance of the Abbey Auto Dismantlers breakers yard. The facility consists of a steel lorry container, which has been adapted to provide catering and counter facilities and operates during the morning and early afternoon. The container has no wheels but is not fixed to the ground

The unit is located outside defined settlement limits however, it forms part of the built-up industrial hinterland of Port Talbot. The nearest residential dwellings are in Penrhyn Street some 100 metres to the northwest which are separated from the site by the main Swansea to Paddington Railway line.

The Directorate is satisfied that there will be no harm in land use or amenity terms. The Head of Highways and Municipal Services has however, raised concerns regarding car parking. Whilst the applicant has provided some off-street parking within the curtilage of the site, this is not considered sufficient and would result in the indiscriminate parking of vehicles on the Corus entrance road to the detriment of highway safety. In this respect the development is contrary to Policy T11 of the Port Talbot Local Plan Deposit Draft and is therefore unacceptable.

**RECOMMENDATION:      Refusal**

### **REASON FOR REFUSAL**

The development if approved will result in the indiscriminate parking of vehicles using the facility on the access road into the Corus Plant, which would be detrimental to highway safety and thus contrary to Policy T11 of the Port Talbot Local Plan Deposit Draft

#### **ITEM 4.4**

**APPLICATION NO: P/2001/1346**

**DATE: 15/11/01 08:40:52**

**PROPOSAL: CHANGE OF USE FROM DOMESTIC  
GARAGE TO CARPET STOREROOM**

**LOCATION: 1 Cannon Street, Lower Brynamman,  
AMMANFORD SA181TW**

**APPLICANT: Mr Poole**

**TYPE: Change of Use**

#### **BACKGROUND INFORMATION**

##### **a. Structure/Local Plan Policies**

Northern Lliw Valley  
T2 - New development and highway safety.

##### **b. Other Policies**

None

##### **c. Relevant Planning History**

None

##### **d. Responses to Consultations**

Number of properties consulted: 5

In addition a notice was placed near the site.

Number of replies received: 0

Statutory Consultees:

Head of Municipal and Highway Services – Recommendation of refusal.

## **APPRAISAL**

This is a detailed application for the change of use of a domestic garage to a commercial carpet storeroom. The existing single storey building is located within the curtilage of no. 1 Cannon Street, Lower Brynamman, an end of terrace property. The premises are located within the triangular side garden area. The “L” shaped building has the maximum dimensions of 3.75 metres wide by 5.6 metres long.

The premises would be used to store both carpet samples and carpets waiting to be delivered to customers. The applicant proposes to take the carpet samples to the customers where the selection takes place, however there would be no proposals to prevent the public visiting the premises.

The applicant has indicated that the number of delivery vehicles to the premises would vary but there would be mostly 2 deliveries per week by a commercial vehicle.

The Head of Engineering and Programme Management has recommended refusal of the change of use will convert an existing residential garage to a commercial storage premises which could lead to increased vehicle traffic generation such as customers and delivery vehicles where no adequate off street parking or loading/unloading facilities exist.

Concern is also expressed by the Directorate regarding the detrimental affect on the amenity currently enjoyed by the neighbouring properties. This would be in respect of the comings and goings to this property as since the premises are located within a residential curtilage in a predominately residential area.

In view of the above comments the Directorate is not satisfied that the proposed use is not acceptable at this location and it would have a detrimental affect on highway safety.

**RECOMMENDATION:        Refusal**

### **REASONS FOR REFUSAL;**

(1)The proposal will generate additional on-street parking to the detriment of the safe and free flow of traffic and is such contrary to Policy T2 of the Northern Lliw Valley Local Plan.

(2)The proposed use represents an undesirable intensification of the use of the building within a predominately residential area. Such a use would likely to result in unacceptable level of general disturbance, detrimental to the amenities of local residents.

## **ITEM 4.5**

**APPLICATION NO:** P/2001/1466

**DATE:** 21/12/01

**PROPOSAL:**                   **PRIOR APPROVAL - PROPOSED  
ERECTION OF AN ULTRA SLIM MONOPOLE  
TELECOMMUNICATIONS INSTALLATION**

**LOCATION:**                   **Highway verge on Cadoxton Road, Neath,  
SA107AE**

**APPLICANT:**               **B T Cellnet Limited**

**TYPE:**                       **PriorNotif.Tele(New)**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan

Policy E79 - Telecommunications

#### **b. Other Policies**

Planning Guidance (Wales) First Revision  
Section 8.8 Telecommunications

Technical Advice Note (Wales) 19 - Telecommunications

#### **c. Relevant Planning History**

None

#### **d. Responses to Consultations**

Number of properties consulted: 19

Number of replies received: 2

In addition, a petition of 110 signatories has been received. The petition did not, however, state any reason for the objection. I have therefore written to the objectors seeking clarification.



The individual letters of objection related to the following.

- (1) The mast is visually intrusive.
- (2) The trees depicted are misleading as they are in the front garden of No. 5 and do not screen the mast from the main road and these may well be removed when the new entrance to No. 5 is constructed.
- (3) The view from No. 5 is very cluttered with around a dozen lamp posts already present, together with high road signs and the Burger King logo sign etc. The proposed mast would add to the clutter and would be centre stage.
- (4) The front elevation of No. 5 is omitted and the front drive of No. 5 is described as garden and no details of the drive are outlined, the plan being curtailed not to show the house at all. They give the impression that the proposed mast is located next to a green field site, which is not the case.
- (5) The proposed site of the mast interferes with the highway vision splay.
- (6) The intrusive nature of masts is best summed up by quoting Mr Crippin Blunt (MP for Reigate's) remarks from Hanford 18<sup>th</sup> January 2000:  
"The masts are invariably eyesores; they are an awful imposition in the surrounding landscape; time and again in my constituency, masts have been erected in places where their towering existence has had a serious impact on people's quiet enjoyment of their environment and surrounding scenery. My case files affect to the fact that they become a permanent blight on the lives of those who live nearby".
- (7) Ownership rights are in dispute.
- (8) The proposal will be a blight on property and consequent reduction in value.
- (9) As a solution, an Article 4 Direction is requested which would remove all permitted development rights for masts.

- (10) No. 6 Cadoxton Road is used as a day centre for mentally handicapped persons.
- (11) The Human Rights Act 1998 now in force provides remedies available in local courts against Human Rights.
- (12) In addition the objector has questioned the applicant's confirmation of meeting ICNIRP guidelines and raised many technical questions relating to the possible effect on health. Responses to the technical aspects will be provided on an amended sheet to Committee following further consultation with the applicant's.

Statutory Consultees:

Blaenhonddan Community Council: No reply to date.

Head of Municipal and Highway Services (Highways): No objections subject to conditions.

Head of Property and Architectural Services (Estates): No reply.

## **APPRAISAL**

This is an application to erect a new telecommunication pole and apparatus on a grass verge directly outside the residential premises of No. 5 Cadoxton Road, Neath. This is the nearest dwellinghouse and is some 26 metres distant. The grass verge comprises several road signs and two lamp posts.

The proposal is to erect a single ultra-slim monopole structure of 10 metres in height, constructed of galvanised steel. Equipment housing will comprise two typical boxes, one 1.5 metres and the other 1.9 metres in length, to a depth of 0.40 metres and 0.8 metres respectively. Both are approximately 1.5 metres in height. The boxes will be of light grey steel.

The applicant has submitted information to support the need for this equipment. The primary purpose of the installation is to provide enhanced GSM mobile telephone coverage to the town centre and north-west part of Neath and to facilitate the roll-out of BT's UMTS (3G or third generation) network.

In relation to Health considerations, draft planning policy issued from the National Assembly of Wales, states that;

“In deciding what weight to put on health considerations and public concern, authorities are advised to have regard to the report of the Independent Expert Group on Mobile Phones (IEGMP) (The Stewart Group’s Report) and to its guidance. It is the Assembly’s view that, if a proposed development meets the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines as expressed in the EU Council Recommendation of 12 July 1999 on the limitation of exposure of the general public to electronic fields (as recommended by the Group on a precautionary basis), it should not be necessary for an authority, in processing an application, to consider health effects further. All new base stations are expected to meet the ICNIRP guidelines.”

It goes further to state that;

“The report does not provide any basis for precautionary actions beyond those already proposed; In the Assembly’s view, local planning authorities should not implement their own precautionary policies e.g. imposing ban or moratorium on new telecommunications development and existing development.”

The applicant has confirmed that the proposals meet the ICNIRP guidelines, and it is therefore, considered that the health effects should not be considered further.

From a Policy viewpoint, Policy E79 of the Borough of Neath Local Plan, states that:

“Planning permission will normally be granted for telecommunications development where:

- 1 There is no reasonable possibility of sharing existing facilities;
- 2 In the case of radio masts there is no reasonable possibility of erecting antennae on an existing building or structure.

Any development should be sited and designed so as to minimise its visual impact subject to technical and operational considerations.”

It should be noted that the applicant’s have considered whether the BT building (telephone exchange) at Rosser Street, where there is existing apparatus on the roof, would be suitable, but have rejected this for

technical reasons. Nevertheless, in considering the proposal it is not accepted that sufficient effort has been given to the consideration of alternative sites, particularly, as there are industrial and commercial buildings nearby. Due to the restrictive time periods for such applications, there has, been little time within which to negotiate with the Applicants. However, discussions have been held with the applicants and it would appear that a prime consideration of siting this pole is that it needs to be on the public highway (verge) because Telecommunication Code Operators are Statutory Undertakers, they can erect their equipment without obtaining consents, land negotiations etc. It is considered in planning terms this is not a material consideration, and it would be expected that applicants could negotiate more acceptable sites, all be it at a cost to themselves. It is considered therefore that the criteria outlined in Paragraphs 1 and 2 of Policy E79 above, has not been adequately addressed.

In relation to visual amenity, the addition of a further structure, albeit the same height of the existing lamp posts in the area, is considered as an unacceptable element exacerbating the already existing cluttered proliferation of street furniture at this location, and would impact on the view from nearby houses.

Response to the numbered objections:

- (1) This has been addressed.
- (2) The trees are accurately depicted on the plane.
- (3) This has been addressed.
- (4) This has been noted.
- (5) This is not accepted. The Head of Municipal and Highway Services (Highways) has offered no objections.
- (6) This has been addressed.
- (7) This is a private matter.
- (8) This is not as such a material planning consideration.
- (9) This is considered as not appropriate.

(10)This has been noted.

(11)This has been noted. The Council is fully aware of its responsibilities under the Human Rights Act 1998.

It is considered therefore that the proposal does not accede with policy and should therefore be refused.

**RECOMMENDATION: Refusal**

**REASONS FOR REFUSAL;**

(1)The Council is not satisfied that alternative sites have been investigated and that the proposal would detract from the visual amenity of the area and would therefore be contrary ro Policy E79 of the Neath Local Plan.

## 5. TPO APPLICATIONS RECOMMENDED FOR REFUSAL

### ITEM 5.1

**APPLICATION NO: P/2001/875**

**DATE: 26/07/01**

**PROPOSAL: PROPOSED TREE SURGERY**

**LOCATION: 29 Pine Valley, Cwmavon, PORT TALBOT  
SA129NE**

**APPLICANT: MR & MRS R. S. HAYDN**

**TYPE: App under TPO**

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Port Talbot Local Plan  
E21 Retention of Trees

#### **b. Other Policies**

None

#### **c. Relevant Planning History**

None

#### **d. Responses to Consultations**

Number of properties consulted: 0

The proposal has been advertised by means of a site notice.

Number of replies received: 0

Statutory Consultees:

Head of Streetcare Services (Arboricultural Officer) advises that it would be acceptable and advisable to remove the branches which are near the rear of the house. However the information supplied by the Applicant does not give sufficient information regarding the proposed tree works.

### **APPRAISAL**

This application seeks consent for works to an oak tree located at the rear and outside the boundary of No 29 Pine Valley, Cwmavon. The tree is protected by a Tree Preservation Order.

The Applicant advises that as the branches are nearing the rear of his property they are a potential hazard.

The Arboricultural Officer has advised that due the size and location of the oak tree at the rear of the above property it would be advisable to remove the branches which are growing near the rear of the house.

However, insufficient details regarding the proposed works to the tree has been provided.

The Applicant has been contacted by letter on three separate occasions and requested to provide the necessary information for consideration. No response has been received.

Accordingly on the limited information available the Directorate is of the opinion that consent should be refused.

**RECOMMENDATION:      Refusal**

### **REASONS FOR REFUSAL;**

(1) Insufficient information has been submitted to fully assess the proposal.

## **6. APPEALS RECEIVED**

### **ITEM 1.**

#### **APPEAL REFERENCE: NPT/A195**

**DESCRIPTION:** Residential development

**LOCATION:** Land adjoining 38 Afan Road, Dyffryn, Port Talbot.

**APPELLANT:** Mr.J.W. John.

**TYPE:** Written representations.

**APPLN NO:** P/01/0895.



## 7. APPEAL DECISIONS

### ITEM 1

#### D. APPEAL REFERENCE: NPT/A187

**DESCRIPTION:** Double sided pole mounted illuminated display unit

**LOCATION:** Afan Valley Car Sales, Cwmafon Road, Port Talbot.

**APPELLANT:** Primelight Advertising Ltd.

**TYPE:** Written representations.

**APPLN NO:** 01/601

**DECISION:** Dismissed.

The Inspector considered that the main issue in this appeal was the effect of the proposal upon the visual amenity of the locality.

In his decision notice he stated that the display unit would be over-prominent, conspicuous and an intrusive feature in the street scene and the proposed illumination at night would cause further loss of amenity in the area. Finally he added that the advertisements would contribute to a clutter of advertising in the location.

He dismissed the appeal.

### ITEM 2.

#### APPEAL REFERENCE: NPT/184.

**DESCRIPTION:** 2 Sided advertisement panel on existing pole.

**LOCATION:** AJ Motors, Neath Road, Tonna, Neath.

**APPELLANT:** Primelight Advertising.

**TYPE:** Written representations.

**APPLN NO:** P01/581

**DECISION:** Dismissed.

The Inspector considered that the main issue was the general size and prominent nature of the signs which would detract from the pleasant semi-rural scene along this part of Neath Road, Tonna and therefore would also be detrimental to the visual amenity of the area. He also considered that the proposals would lead to a clutter of advertising at this location, further harming the area's existing good degree of visual amenity.

He dismissed the appeal.

**8. TREE PRESERVATION ORDER T149  
LAND AT MYNYDD GELLIONEN, RHYDYFRO,  
PONTARDAWE**

1. Members are advised that under delegated powers the Directorate made a Provisional Tree Preservation Order on 6th August 2001 in relation to a woodland area at Mynydd Gellionen, Rhydyfro, Pontardawe.
2. The Tree Preservation Order was implemented due to the significant risk of uncontrolled tree felling within the area and to safeguard the high amenity value of this woodland.
3. Copies of the Order and the relevant Notices were served upon all the interested parties. The period during which objections may be made has expired and the Authority has not received any letters of objection.
4. It is therefore **RECOMMENDED** that the Provisional Tree Preservation Order on land at Mynydd Gellionen, Rhydyfro, Pontardawe be confirmed as a Tree Preservation Order without modifications.

**FOR DECISION**

Contact Officer:- David Watkins Ext 4225

Background Papers:- Tree Preservation Order File T149

**8. DELEGATED APPLICATIONS DETERMINED BETWEEN  
7/12/2001 TO 14/01/2002**

1 App No. P/2001/904 Type Discharge of Cond.

Proposal AGREE CONDITION 2 OF PLANNING APPLICATION  
P/99/1281 WITH REGARD TO LANDSCAPING (CARE OF  
EXISTING TREES & HEDGEROWS)

Location NEW HOSPITAL SITE, AFAN WAY, PORT TALBOT,

Decision Approval with Conditions

2 App No. P/2001/908 Type Discharge of Cond.

Proposal AGREE CONDITION 6 OF PLANNING APPLICATION  
P/99/1281 WITH REGARD TO LANDSCAPING (SCREEN  
PLANTING AND PROPOSED BUNDS / MOUNDS)  
MOUNDS)

Location NEW HOSPITAL SITE, AFAN WAY, PORT TALBOT,

Decision Approval with Conditions

3 App No. P/2001/916 Type Discharge of Cond.

Proposal AGREE TO CONDITION 4 OF PLANNING APPROVAL  
NO P/00/1307 REGARDING A PROGRAMME OF  
ARCHAEOLOGICAL WORK

Location Barn 6 Eglwys Nunydd, Margam, PORT TALBOT

Decision Approval with Conditions

4 App No. P/2001/950 Type Advertisement

Proposal ONE PROJECTING SIGN

Location 44 New Road, Skewen, NEATH SA106EP

Decision Approval with Conditions

5 App No. P/2001/956 Type Full Plans

Proposal PROPOSED NEW BLOW MOULDING BUILDING.

Location ORION ELECTRIC UK CO LTD, KENFIG INDUSTRIAL  
ESTATE, MARGAM, PORT TALBOT SA132PE

Decision Approval with Conditions

6 App No. P/2001/990 Type Householder  
Proposal SIDE EXTENSION  
Location 53 The Meadows, Cimla, NEATH SA113XF  
Decision Approval with Conditions

7 App No. P/2001/1178 Type Householder  
Proposal CONSTRUCTION OF A FIRST FLOOR EXTENSION  
Location 121 Maes Ty Canol, Baglan, Port Talbot SA128US  
Decision Approval with Conditions

8 App No. P/2001/1181 Type Full Plans  
Proposal CONSTRUCTION OF A SINGLE STOREY SIDE  
EXTENSION  
Location 23 Alfred Street, Port Talbot SA126UL  
Decision Approval with Conditions

9 App No. P/2001/1191 Type Full Plans  
Proposal DETACHED HOUSE AND DOUBLE GARAGE  
Location PLOT 13 OCEAN VIEW, JERSEY MARINE, NEATH  
Decision Approval with Conditions

10 App No. P/2001/1198 Type Householder  
Proposal CONSTRUCTION OF A SINGLE STOREY EXTENSION  
Location 14 Poppy Close, Sandfields, Port Talbot SA127EA  
Decision Approval with Conditions

11 App No. P/2001/1227 Type Full Plans  
Proposal NEW DETACHED GARAGE  
Location Plot 79 Heol Y Nant, Baglan, Port Talbot  
Decision Approval with Conditions

12 App No. P/2001/1253 Type Full Plans  
Proposal Double Storey Extension to Dwelling  
Location 60 Gelligron Road, Gelligron, PONTARDAWE SA8 4NP  
Decision Approval with Conditions

13 App No. P/2001/1257 Type Full Plans  
Proposal NEW SPECIAL NEEDS WHEELCHAIR BUNGALOW  
Location Site off Talywern, Margam, Port Talbot  
Decision Approval with Conditions

14 App No. P/2001/1264 Type Householder  
Proposal DOUBLE STOREY EXTENSION AND PORCH  
Location 77 Penywern Road, Bryncoch, Neath SA107PA  
Decision Approval with Conditions

15 App No. P/2001/1268 Type Full Plans  
Proposal EXTENSION TO DWELLING  
Location Tyllwyd Farm, Tyllwyd Road, Neath, SA107DX  
Decision Approval with Conditions

16 App No. P/2001/1271 Type Full Plans  
Proposal CONVERSION FROM RESIDENTIAL DWELLING TO  
RETAIL UNIT FORMING OPENING IN PARTY WALL WITH  
ADJOINING SHOP (NO 96)  
Location 94 Briton Ferry Road, Neath SA111AP  
Decision Approval with Conditions

17 App No. P/2001/1284 Type App under TPO  
Proposal PROPOSED WORKS TO A TREE PROTECTED BY A  
TREE PRESERVATION ORDER  
Location 34 Rhiwlas, Waunceirch, Neath SA107RB  
Decision Approval with Conditions

18 App No. P/2001/1289 Type Full Plans  
Proposal GARAGE CONVERSION  
Location 8 Gwaun Afan, Cwmavon, PORT TALBOT SA129EJ  
Decision Approval with Conditions

19 App No. P/2001/1293 Type Full Plans  
Proposal PROPOSED GARAGE

Location ROYAL OAK Commercial Road, Rhydyfro,  
PONTARDAWE SA8 4SL  
Decision Approval with Conditions

20 App No. P/2001/1297 Type Full Plans  
Proposal 2 NO CONSERVATORY EXTENSIONS TO FRONT OF  
EXISTING BUILDING AND INTERNAL ALTERATIONS  
Location Ynysycorwg Park, Glyncorwg, PORT TALBOT  
SA133DS  
Decision Approval with Conditions

21 App No. P/2001/1302 Type Full Plans  
Proposal EXTENSION TO DWELLING AND CONSERVATORY  
Location 28 Cae Rhedyn, Rhos, Pontardawe, Swansea  
Decision Approval with Conditions

22 App No. P/2001/1304 Type Full Plans  
Proposal DEMOLITION OF EXISTING EXTENSION TO REAR OF  
PROPERTY AND THE CONSTRUCTION OF A NEW 2 STOREY  
EXTENSION TO REPLACE IT ALL FOR 4 NO SELF CONTAINED  
FLATS  
Location 55 Pentyla Road, Port Talbot  
Decision Approval with Conditions

23 App No. P/2001/1308 Type Full Plans  
Proposal SUBSTITUTION OF HOUSE TYPES:- PLOTS 19, 20, 22  
AND 23 OAK 2 HOUSES IN LIEU OF OAK HOUSE TYPE, PLOT 24  
OAK HOUSE TYPE IN LIEU OF CEDAR HOUSE TYPE AND TO  
EXTEND THE SINGLE GARAGE ON PLOTS 13 AND 17  
Location Dyffryn Woods Phase 2, Neath  
Decision Approval with Conditions

24 App No. P/2001/1309 Type Householder  
Proposal GARAGE  
Location 7 Mill Race Cafn y Felin, Parc Nedd, Neath SA107EG  
Decision Approval with Conditions

- 25 App No. P/2001/1312 Type Full Plans  
 Proposal GARAGE  
 Location Plot No. 18 Llys Dulais Site, Crynant, NEATH SA108RN  
 Decision Approval with Conditions
- 26 App No. P/2001/1319 Type Householder  
 Proposal CONSTRUCTION OF A CONSERVATORY  
 Location 24 Cwmclais Road, Cwmavon, PORT TALBOT SA129LY  
 Decision Approval with Conditions
- 27 App No. P/2001/1322 Type Full Plans  
 Proposal EXTENSION TO DWELLING  
 Location All Saints Church, Glanrhyd Road, Pontardawe, Swansea SA8 4AQ  
 Decision Approval with Conditions
- 28 App No. P/2001/1327 Type Full Plans  
 Proposal GARAGE  
 Location 9 Gellideg, Pontardawe, Swansea  
 Decision Approval with Conditions
- 29 App No. P/2001/1328 Type Full Plans  
 Proposal EXTENSION TO DWELLING  
 Location 68 Tanydarren, Cilmaengwyn, PONTARDAWE SA8 4QR  
 Decision Approval with Conditions
- 30 App No. P/2001/1331 Type Change of Use  
 Proposal CHANGE OF USE FROM SHOP WITH PREMISES TO RESIDENTIAL DWELLING  
 Location 202 Swansea Road, Trebanos, Swansea SA8 4BU  
 Decision Approval with Conditions
- 31 App No. P/2001/1343 Type Full Plans  
 Proposal SINGLE STOREY DINING ROOM EXTENSION  
 Location Ex Miners Welfare Hall, Glynneath, NEATH SA115EG  
 Decision Approval with Conditions

32 App No. P/2001/1347 Type Householder  
Proposal GARAGE  
Location 8 Bosworth Road, Skewen, Neath SA106BU  
Decision Approval with Conditions

33 App No. P/2001/1351 Type Householder  
Proposal GARAGE  
Location 236 Neath Road, Briton Ferry, NEATH SA112AX  
Decision Approval with Conditions

34 App No. P/2001/1354 Type Householder  
Proposal CONSTRUCTION OF A SINGLE STOREY REAR  
EXTENSION  
Location 7 Compton Avenue, Skewen, Neath SA106BB  
Decision Approval with Conditions

35 App No. P/2001/1357 Type Discharge of Cond.  
Proposal VARIATION OF CONDITION 2 OF PLANNING  
APPROVAL NO P/01/0452 REGARDING TIMES OF OPENING  
(OPENING HOURS UNTIL 10PM BETWEEN FRIDAY 23RD  
NOVEMBER UNTIL MONDAY 24TH DECEMBER 2001  
INCLUSIVE)  
Location 2-3 Old Market Street, Neath SA113NA  
Decision Approval with Conditions

36 App No. P/2001/1359 Type Discharge of Cond.  
Proposal AGREE TO CONDITION 3 OF PLANNING APPROVAL  
NO P/01/1139 REGARDING THE PROTECTION OF TREES DURING  
THE CONSTRUCTION PERIOD  
Location ZONE 2, FORMER BORG WARNER PLANT, KENFIG  
INDUSTRIAL ESTATE, MARGAM SA132PG  
Decision Approval with Conditions



37 App No. P/2001/1361 Type App under TPO  
Proposal CUTTING OF OVERHANGING BRANCHES OF TREES  
WHICH ARE COVERED BY TREE PRESERVATION ORDER NO  
T30  
Location Trees at rear of, 11 Heol Y Ffynon, Cimla, NEATH  
SA113BJ  
Decision Approval with Conditions

38 App No. P/2001/1363 Type Full Plans  
Proposal EXTENSION TO SIDE OF PROPERTY TO PROVIDE  
KITCHEN AND BATHROOM  
Location 41 OAKHILL PARK, SKEWEN, NEATH  
Decision Approval with Conditions

39 App No. P/2001/1376 Type Full Plans  
Proposal ROLLER SHUTTER DOORS  
Location 41 HEOL JIWBILI, CWMAFAN, PORT TALBOT  
Decision Approval with Conditions

40 App No. P/2001/1378 Type Full Plans  
Proposal MEANS OF ENCLOSURE - ERECTION OF WALLS  
Location 17 Heol Glynderwen, Neath SA107RS  
Decision Approval with Conditions

41 App No. P/2001/1381 Type Full Plans  
Proposal EXTENSION TO DWELLING AND GARAGE  
Location 28 Graig Newydd, Ystalyfera, Swansea SA9 2DG  
Decision Approval with Conditions

42 App No. P/2001/1382 Type Advertisement  
Proposal SLIM -LINE ATM SIGNAGE BOX  
Location SHELL SWANSEA BAY, JERSEY MARINE, NEATH,  
Decision Approval with Conditions

- 43 App No. P/2001/1386 Type Full Plans  
 Proposal CONSTRUCTION OF A SINGLE STOREY SIDE  
 EXTENSION  
 Location 28 Meadow Road, Melyn, Neath SA112AB  
 Decision Permitted Development
- 44 App No. P/2001/1388 Type Full Plans  
 Proposal FINISHED GOODS STORAGE WAREHOUSE  
 Location Staffordshire Warehouse, Canal Road, Neath SA111LJ  
 Decision Approval with Conditions
- 45 App No. P/2001/1389 Type Full Plans  
 Proposal EXTENSION TO DWELLING  
 Location 17 Waun Sterw, Rhydyfro, PONTARDAWE SwanseaSA8  
 4NF  
 Decision Permitted Development
- 46 App No. P/2001/1392 Type Full Plans  
 Proposal PROPOSED RESITING OF THE GARAGE SERVING  
 PLOTS 426 & 427.. (PLANNING APPLICATION 00/1330)  
 Location COED HIRWAUN, MARGAM VILLAGE, MARGAM,  
 PORT TALBOT SA132SU  
 Decision Approval with Conditions
- 47 App No. P/2001/1407 Type Discharge of Cond.  
 Proposal DETAILS UNDER CONDITION 3 (LANDSCAPING) OF  
 CONSENT 2/3/95/0035/03  
 Location Tyllwyd Newydd, Tyllwyd Road, Bryncoch, Neath  
 SA107DX  
 Decision Approval
- 48 App No. P/2001/1408 Type Discharge of Cond.  
 Proposal DETAILS UNDER CONDITION 6 (SOAKAWAYS) OF  
 CONSENT 2/3/95/0035/03  
 Location Tyllwyd Newydd, Tyllwyd Road, Bryncoch, Neath  
 SA107DX  
 Decision Approval

49 App No. P/2001/1417 Type Full Plans  
Proposal TWO STOREY EXTENSION TO SIDE OF HOUSE,  
KITCHEN/LIVING ROOM GROUND FLOOR - 2 BEDROOMS FIRST  
FLOOR - DETACHED GARAGE  
Location 19 Park Road, Lower Brynamman, AMMANFORD  
SA181TF  
Decision Approval with Conditions

50 App No. P/2001/1424 Type Advertisement  
Proposal PROPOSED ATM (AUTOMATED TELLER MACHINE)  
INSTALLATION.  
Location SHELL SWANSEA BAY, SHELL MEX HOUSE, JERSEY  
MARINE, NEATH SA106JL  
Decision Approval with Conditions

**THE BUILDING REGULATIONS 1991 (FOR INFORMATION ONLY)**

**List of Applications for Building Regulations Decisions which have been authorised by The Director of Environment and Consumer Services.**

**Between 08 December 2001 and 11 January 2002**

**App No**                      **Applicant**                      **Decision**  
EW 2001 1070 EW                      Peter Sexton Accepted

**Desc of Work**              Catering Facility

**Site Address**              Abbey Auto Dismantlers    Taibach Port Talbot

**App Address**              24 Tan y Groes St    Port Talbot SA13 1EL

**Date Received**              11-Dec-01

**App No**                      **Applicant**                      **Decision**  
EW 2001 1084 EW                      Ms.E.A.Morgan  
Accepted

**Desc of Work**              Repairs to drainage

**Site Address**              63 Dulais Road    Seven Sisters NEATH SA109ER

**App Address**              63 Dulais Road    Seven Sisters NEATH SA109ER

**Date Received**              18-Dec-01

**App No**                      **Applicant**                      **Decision**  
EW 2001 1107 EW                      Air Architecturre  
Accepted

**Desc of Work**              Sculpture

**Site Address**              Sculpture at Baglan Energy Park Phase 2 Baglan Port Talbot

**App Address**              1 Brynmill Terrace    Swansea SA2 0BA

**Date Received**              24-Dec-01

**App No**                      **Applicant**                      **Decision**  
EW 2002 0015 EW                      Mr C Whitehead  
Accepted

**Desc of Work**              Conservatory

**Site Address**              40 Lingfield Avenue Sandfields Port Talbot SA126NX

**App Address**              40 Lingfield Avenue    Sandfields Port Talbot  
SA126NX

**Date Received**              10-Jan-02

**App No**                      **Applicant**                      **Decision**  
RA 2001 1092 RA    Mrs F M Rees                      Accepted

**Desc of Work**              Provision of shower

**Site Address** 13 Clwyd Road Gwaun Cae Gurwen Ammanford  
SA181HU

**App Address** 13 Clwyd Road Gwaun Cae Gurwen Ammanford  
SA181HU

**Date Received** 21-Dec-01

**App No** **Applicant** **Decision**  
RA 2002 0008 RA Mrs I Morris Accepted

**Desc of Work** Alter bathroom to shower room

**Site Address** 9 Golden Avenue Port Talbot SA127RR

**App Address** 9 Golden Avenue Port Talbot SA127RR

**Date Received** 04-Jan-02

**App No** **Applicant** **Decision**  
D 2001 1003 FP Mr.L.Thomas Approval

**Desc of Work** Disabled shower room

**Site Address** 121 March Hywel Cilfrew NEATH SA108ND

**App Address** 121 March Hywel Cilfrew NEATH SA108ND

**Date Received** 16-Nov-01

**App No** **Applicant** **Decision**  
D 2001 1056 FP Mr E E Cole Approval

**Desc of Work** Disabled shower room extension

**Site Address** 28 Meadow Road Pencaerau Neath SA112AB

**App Address** 28 Meadow Road Pencaerau Neath SA112AB

**Date Received** 04-Dec-01

**App No** **Applicant** **Decision**  
D 2001 1079 FP Mr.G.Vaughan Approval

**Desc of Work** Disabled shower facilities

**Site Address** 1 Dalrymple Street Port Talbot SA126DY

**App Address** 1 Dalrymple Street Port Talbot SA126DY

**Date Received** 14-Dec-01

**App No** **Applicant** **Decision**  
FP 2001 1042 FP Mr.J.George Approval

**Desc of Work** Shopfront & structural alterations

**Site Address** 17 Windsor Road Neath SA111NA

**App Address** WestWind Cilfrew Neath SA10 8LN

**Date Received** 29-Nov-01

**App No** **Applicant** **Decision**  
FP 2001 1078 FP Mr.P.Black Approval

**Desc of Work** Kitchen Extension

<b>Site Address</b>	3 Llys Nedd Bryncoch Neath SA107PH	
<b>App Address</b>	3 Llys Nedd Bryncoch Neath SA107PH	
<b>Date Received</b>	12-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1080 FP	Mr.T.Probert	Approval
<b>Desc of Work</b>	shower/utility room extension	
<b>Site Address</b>	9 Bramblewood Close Baglan Port Talbot SA128EG	
<b>App Address</b>	9 Bramblewood Close Baglan Port Talbot SA128EG	
<b>Date Received</b>	14-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1087 FP	Mr P Gill	Approval
<b>Desc of Work</b>	Two storey kitchen & bathroom extension	
<b>Site Address</b>	95 Llewellyn Street Port Talbot SA128SG	
<b>App Address</b>	95 Llewellyn Street Port Talbot SA128SG	
<b>Date Received</b>	14-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
D 2001 1055 FP	Mr P L Isaac	Conditional Approval
<b>Desc of Work</b>	Provision of disabled shower	
<b>Site Address</b>	57 Cimla Common Cimla Neath SA113SU	
<b>App Address</b>	57 Cimla Common Cimla Neath SA113SU	
<b>Date Received</b>	05-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
D 2001 1060 FP	Mrs.P.E.Hughes	Conditional Approval
<b>Desc of Work</b>	Disabled shower facilities	
<b>Site Address</b>	35 Bwlch Road Cimla Neath SA113RU	
<b>App Address</b>	35 Bwlch Road Cimla Neath SA113RU	
<b>Date Received</b>	07-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 0972 FP	Mr.D.F.Duffy	Conditional Approval
<b>Desc of Work</b>	Two Storey Extension	
<b>Site Address</b>	Derwen Pontardawe Road Rhydyfro PONTARDAWE SA8 4SX	
<b>App Address</b>	Derwen Pontardawe Road Rhydyfro PONTARDAWE SA8 4SX	
<b>Date Received</b>	06-Nov-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1025 FP	Paddle Ltd	Conditional Approval
<b>Desc of Work</b>	New Dwelling - P1 type	

<b>Site Address</b>	Plot 46 Thorney Road Baglan Port Talbot	
<b>App Address</b>	45 Preston New Road Blackburn Lancs BB2 6AE	
<b>Date Received</b>	22-Nov-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1038 FP	Mr.N.Livingstone	Conditional Approval
<b>Desc of Work</b>	New Dwelling	
<b>Site Address</b>	Plot 31 Ocean View Jersey Marine Neath	
<b>App Address</b>	9 Beverley Close Ravenhill Swansea SA5 5DS	
<b>Date Received</b>	28-Nov-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1041 FP	Mr.N.Jones	Conditional Approval
<b>Desc of Work</b>	Kitchen/bedroom/bathroom/utility extension	
<b>Site Address</b>	238 Swansea Road Trebanos Swansea SA8 4BY	
<b>App Address</b>	238 Swansea Road Trebanos Swansea SA8 4BY	
<b>Date Received</b>	28-Nov-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1043 FP	Ms.D.Bennett	Conditional Approval
<b>Desc of Work</b>	Rear single storey extension	
<b>Site Address</b>	21 Elfed Avenue Little Warren Port Talbot SA126AS	
<b>App Address</b>	21 Elfed Avenue Little Warren Port Talbot SA126AS	
<b>Date Received</b>	29-Nov-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1047 FP	Mr R M Hallesy	Conditional Approval
<b>Desc of Work</b>	New dwelling & garage	
<b>Site Address</b>	Plot adjacent to 75 Penyralltwen Alltwen Pontardawe	
<b>App Address</b>	41 Derwen Road Alltwen Pontardawe SA8 3AU	
<b>Date Received</b>	29-Nov-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1049 FP	Mr.K.Leonard	Conditional Approval
<b>Desc of Work</b>	Extension and alterations	
<b>Site Address</b>	Allister Chambers 2 Allister Street Neath SA111EN	
<b>App Address</b>	Herons Watch Riverside Gardens Brecon Road Penycae Swansea SA9 1YR	
<b>Date Received</b>	04-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1050 FP	Directorate of Education	Conditional Approval
<b>Desc of Work</b>	Refurbishment of dilapidated grade 2 listed glasshouse	
<b>Site Address</b>	The Vine House Margam Park Margam Port Talbot	

<b>App Address</b>	NPTCBC Civic Centre Port Talbot	
<b>Date Received</b>	05-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1052 FP	Mr A Davies	Conditional Approval
<b>Desc of Work</b>	1st floor bedroom extension	
<b>Site Address</b>	68 Prior Court Bryncoch Neath SA107RZ	
<b>App Address</b>	68 Prior Court Bryncoch Neath SA107RZ	
<b>Date Received</b>	04-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1054 FP	Mr & Mrs Johns	Conditional Approval
<b>Desc of Work</b>	Loft conversion	
<b>Site Address</b>	47 Prior Court Bryncoch Neath	
<b>App Address</b>	47 Prior Court Bryncoch Neath	
<b>Date Received</b>	05-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1062 FP	Mr.D.Morgan	Conditional Approval
<b>Desc of Work</b>	Erection of 3 Flats	
<b>Site Address</b>	3 Flats adj to Crossways Parc Newydd Briton Ferry Neath	
<b>App Address</b>	Crossways Parc Newydd Briton Ferry Neath SA11 2UP	
<b>Date Received</b>	11-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1063 FP	Mr.E.C.Humphreys	Conditional Approval
<b>Desc of Work</b>	Disabled bedroom & new bathroom	
<b>Site Address</b>	4 Ynys y Nos Avenue Glynneath NEATH SA115LS	
<b>App Address</b>	4 Ynys y Nos Avenue Glynneath NEATH SA115LS	
<b>Date Received</b>	11-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1064 FP	Paddle Ltd	Conditional Approval
<b>Desc of Work</b>	30 new dwellings	
<b>Site Address</b>	Plots 24-39 inc,61-71inc, 67a,68a,& 70a Heol y Nant Baglan Port Talbot	
<b>App Address</b>	45 Preston New Road Blackburn Lancs BB2 6AE	
<b>Date Received</b>	11-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1071 FP	D.G.James & Son Builders	Conditional Approval
<b>Desc of Work</b>	15 New Dwellings	



<b>Site Address</b>	15 New Dwellings Barrons Court Neath Abbey Neath	
<b>App Address</b>	2 Penlan Grove Treboeth Swansea	
<b>Date Received</b>	12-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1073 FP	Mr.V.V.Griffith	Conditional Approval
<b>Desc of Work</b>	Two storey extension	
<b>Site Address</b>	4 Deeley Road Ystalyfera Swansea SA9 2LW	
<b>App Address</b>	10 Deeley Road Ystalyfera Swansea SA9 2LW	
<b>Date Received</b>	12-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1081 FP	Mr.E.Taylor	Conditional Approval
<b>Desc of Work</b>	Dining Room Extension	
<b>Site Address</b>	86 Victoria Road Aberafan Port Talbot SA126AD	
<b>App Address</b>	86 Victoria Road Aberafan Port Talbot SA126AD	
<b>Date Received</b>	14-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1086 FP	Ms J Willis	Conditional Approval
<b>Desc of Work</b>	Ground floor alterations & 1st floor extension	
<b>Site Address</b>	33 Sandown Road Sandfields PORT TALBOT SA126PR	
<b>App Address</b>	33 Sandown Road Sandfields PORT TALBOT SA126PR	
<b>Date Received</b>	14-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1090 FP	Mr.D.Williams	Conditional Approval
<b>Desc of Work</b>	Extension, alterations and garage	
<b>Site Address</b>	43 Treforgan Road Crynant NEATH SA108PW	
<b>App Address</b>	43 Treforgan Road Crynant NEATH SA108PW	
<b>Date Received</b>	20-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1098 FP	Mr.D.Evans	Conditional Approval
<b>Desc of Work</b>	Garage	
<b>Site Address</b>	7 Mill Race Cafn y Felin Parc Nedd Neath	
<b>App Address</b>	7 Mill Race Cafn y Felin Parc Nedd Neath	
<b>Date Received</b>	19-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1099 FP	Mr.S.Jones	Conditional Approval
<b>Desc of Work</b>	Erection of Garage	

<b>Site Address</b>	8 Bosworth Road Skewen Neath SA106BU	
<b>App Address</b>	8 Bosworth Road Skewen Neath SA106BU	
<b>Date Received</b>	21-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1106 FP	Createability Ltd	Conditional Approval
<b>Desc of Work</b>	Refurbishment of gymnasium and squash court	
<b>Site Address</b>	Pontardawe Leisure Centre Parc Ynysderw Pontardawe Swansea SA8 4EL	
<b>App Address</b>	Unit 2 Woodlands Business Village Coronation Road Basingstoke Hants RG21 4JX	
<b>Date Received</b>	24-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2001 1108 FP	Mr L Gladwin	Conditional Approval
<b>Desc of Work</b>	Two storey extension	
<b>Site Address</b>	57 Bwlch Crescent Cimla Neath SA113RY	
<b>App Address</b>	57 Bwlch Crescent Cimla Neath SA113RY	
<b>Date Received</b>	28-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2002 0006 FP	A.J.Sheppard	Conditional Approval
<b>Desc of Work</b>	Single storey extension	
<b>Site Address</b>	Ty Llwyd Farm Tyllwyd Road Neath SA107DX	
<b>App Address</b>	Ty Llwyd Farm Tyllwyd Road Neath SA107DX	
<b>Date Received</b>	03-Jan-02	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
FP 2002 0013 FP	Mr D Cockings	Conditional Approval
<b>Desc of Work</b>	Kitchen, bedroom, bathroom, dining room, en-suite extension.	
<b>Site Address</b>	146 Maes Ty Canol Baglan Port Talbot SA128US	
<b>App Address</b>	146 Maes Ty Canol Baglan Port Talbot SA128US	
<b>Date Received</b>	09-Jan-02	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
PS 2001 1069 PS	Swansea NHS Trust	Conditional Approval
<b>Desc of Work</b>	New clinical research unit (partnership scheme)	
<b>Site Address</b>	Morrison Hospital Morrison Swansea	
<b>App Address</b>	Singleton Hospital Swansea SA2 8QA	
<b>Date Received</b>	12-Dec-01	
<b>App No</b>	<b>Applicant</b>	<b>Decision</b>
RS 2001 1097 RS	Mr.A.Tranter	Conditional Approval

**Desc of Work** New Dwelling  
**Site Address** Plot off School Road Jersey Marine Neath  
**App Address** The Crest New Road Jersey Marine Neath SA10 6JT  
**Date Received** 20-Dec-01

**App No** **Applicant** **Decision**  
FP 2001 1022 FP Mr A Tranter Rejected

**Desc of Work** New dwelling  
**Site Address** Plot of land off School Road Jersey Marine Neath  
**App Address** The Crest New Road Jersey Marine Neath SA10 6JT  
**Date Received** 21-Nov-01

**App No** **Applicant** **Decision**  
FP 2001 1033 FP Express Reinforcements Rejected  
**Desc of Work** Remodelling works to bays 2, 3, 4 & office area  
**Site Address** Eaglesbush Works Milland Road Neath  
**App Address** Eaglesbush Works Milland Road Neath  
**Date Received** 26-Nov-01