

Public

Neath Port Talbot County Borough Council
Cyngor Bwrdeistref Sirol Castell-nedd

Democratic Services
Gwasanaethau Democrataidd

Chief Executive: Steven Phillips

Date: 24th August 2016

Dear Member

PLANNING COMMITTEE - WEDNESDAY, 24TH AUGUST, 2016

Please find attached the following amendment sheet for consideration at the next meeting of the **Planning Committee - Wednesday, 24th August, 2016.**

Item

- a) Amendment Sheet (Pages 1 - 6)

Yours sincerely

Chief Executive

Encs

This page is intentionally left blank

PLANNING COMMITTEE

24TH AUGUST 2016

AMENDMENT SHEET

ITEM 5

<u>APPLICATION NO:</u> P2015/1128	<u>DATE:</u>
PROPOSAL:	Integrated transport hub including new highway arrangement, bus canopy, staff facility building, kiosk building (Class A1 and A3), taxi area, hard and soft landscape works and pedestrian areas
LOCATION:	Port Talbot Parkway Railway Station, Cramic Way, Port Talbot SA13 1RU
APPLICANT:	NPTCBC - Mr Brian Biscoe
TYPE:	Full Plans
WARD:	Port Talbot

Network Rail has responded further confirming that they are working with and will continue to liaise with Neath Port Talbot Council on this proposal.

ITEM 7

<u>APPLICATION NO:</u> P2016/0271	<u>DATE:</u> 16/03/2016
PROPOSAL:	Demolition of two storey building and construction of one dwelling together with the conversion of a window to a door and 1 no. additional window to 1 Cambrian Place on the ground floor elevation fronting Abbey Road.
LOCATION:	1 Cambrian Place & 45 Abbey Road, Port Talbot SA13 1HD
APPLICANT:	Mr A Holden
TYPE:	Full Plans
WARD:	Port Talbot

The **Head of Engineering (Highways)** has responded with additional representations which recommend an additional condition is imposed requiring the existing vehicular access fronting onto Abbey Road to be constructed as footway to include a tactile pedestrian crossing to the rear lane.

In response, it is considered that the dropped kerb should be reinstated to footway, but the request for a tactile crossing to the rear lane, while of note, cannot be requested from this development since such a request would not pass the appropriate legal tests.

The following condition is therefore added * : - (**subsequent conditions re-numbered*).

(8) Prior to first beneficial occupation of the dwelling hereby approved, the existing vehicular access (dropped kerbs) fronting onto Abbey Road shall be removed and re-constructed as footway in accordance with the Authority's Specification for the Construction of Roads for Adoption.

Reason:

In the interest of highway and pedestrian safety

In addition, it has been noted that the Environmental Health Officer requested a condition covering the need for a Noise & Dust Management Plan to be submitted to the Authority prior to commencing the development in order to minimise the noise during construction on the nearby residential site. Accordingly, in order to protect the amenities of nearby properties, the following additional conditions are recommended * : -

(4) No development shall commence, including any works of demolition, until a Noise & Dust Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Plan shall be adhered to throughout the demolition / construction period. The Plan shall address the construction phase of the proposed development and will include the noisiest phases arranged in terms of loudness, the duration of the phases and details of mitigation measures to be employed to minimise the noise during construction on nearby residential properties.

Reason: In the interest of residential amenity

Having regard to the above, it is also considered that the following condition should be attached to protect the amenity of nearby properties during construction: -

(14) Demolition or construction works shall not take place outside the hours of 07:00 hours to 19:00 hours Mondays to Fridays and 08:00 to 13:00 hours on Saturdays and at no time on Sundays or Public Holidays.

Reason: In the interest of residential amenity

Additional representations have also been received on behalf of the adjacent residential dwelling. These are summarised below: -

- A Members site visit is requested on grounds including that a presentation and photos cannot show the full impact of the proposed development on their adjacent property, which is considered to be over-bearing, over-development and not proportionate for the site.
- Effects on parking problems and highway safety for drivers, pedestrians and children walking to the local school, including poor visibility from Cambrian

place to Abbey Road (videos have been provided but cannot be provided for Members)

- Although there is planning permission for the outbuilding/garage(referred to as 45, Abbey Road) to be used as a builder's office, it is not currently in use, and had many restrictions including: - that the building should only be used between the hours of 0800 and 1800 Mon to Friday and between 0800 and 1300 on Saturday and at no time on Sundays and Public Holidays; no retail sales; office to be used solely for carrying out duties associated with the business and not as a general office for people to call into to arrange works or payment
- The proposed development of the site into a two bedroom residential dwelling, would increase the number of cars on the street by possibly 4 or more as against none currently, and if it were to be returned to a garage it would actually provide off street parking within the curtilage.
- lack of garden space for any prospective tenants which will set a dangerous precedent for the lowering of standards for tenants in the communities of Neath Port Talbot.
- 45 Abbey Road is not currently being used as a residential property as claimed by the applicant
- Only the Shop at the front of 1 Cambrian Place has ever had planning permission for retail, namely as a sweet shop and as an Estate Agents.
- 1997/1456 (1, Cambrian Place - Conversion of House into Two Flats and Rear Extension) excluded the change of use of the garage to any retail use "because the conversion of the garage to a retail premises is considered to be an over development of the site and detrimental to highway safety".
- The raising of the roof of the garage was illegal and done without proper building control.
- No scheme as required in condition 3 was ever submitted, but the issues with parking and highway safety have only increased in the intervening years. Suggest that only if this current application is passed with no conditions relating to the provision of parking spaces will this requirement for 3 parking spaces be superseded. Currently, it would be possible to incorporate 3 parking spaces within the curtilage of 1, Cambrian Place and what is now known as 45, Abbey Road (but was the garage).
- The Enforcement Notice was served (in summary) because the use had no parking and that it would lead to an increase in parking problems along Abbey Road.
- This site may be within the settlement limits as defined by Policy SC1 of the Neath Port Talbot Local Development Plan but it is not a site listed for development.
- Housing Need: The 2016 Joint Housing Land Availability Study (JHLAS) has confirmed that the current land supply figure for Neath Port Talbot is 5.0 years. It is therefore considered that there is no justification to approve the proposed development on the basis of insufficient land supply so why squeeze the development into what is far too small a site?
- Visual Appearance of Site: It has also been suggested that the visual appearance of the site might justify development. However, it is the responsibility of the landlord to maintain his own property like any other resident and if the condition of the site were to become worse, there are other

mechanisms available to address this issue including enforcement action under both the Planning and Environmental Health legislation to secure improvements.

- Categorically do not grant permission for the use of their wall or for the development to encroach upon the wall of their property.
- The current bin store shown is for rubbish from the first floor flat at 1, Cambrian Place and the shop. The proposed development will leave them with no rubbish or recycling facilities.

Response:

The Officers report is considered to adequately deal with the matters raised in the further correspondence which, while acknowledged, are not considered to introduce any additional matters which would lead to an alternate recommendation being made.

ITEMS 8 AND 9

<u>APPLICATION NO:</u> P2016/0117	<u>DATE:</u> 21/03/2016
PROPOSAL:	Road side service area comprising of Petrol Filling Station and kiosk, Drive-thru coffee shop, car parking, vehicular access and associated works
LOCATION:	Land At Glynneath Business Park , Adjacent To A465, Glynneath , Neath
APPLICANT:	Waterstone Estates Ltd
TYPE:	Full Plans
WARD:	Blaengwrach

<u>APPLICATION NO:</u> P2016/0254	<u>DATE:</u> 22/03/2016
PROPOSAL:	Proposed pub/restaurant, access, car parking, layout and associated works (Outline permission with means of access and layout to be agreed).
LOCATION:	Land at Glynneath Business Park , adjacent to A465, Glynneath, Neath
APPLICANT:	Waterstone Estates Ltd
TYPE:	Outline
WARD:	Blaengwrach

The applicants agent has submitted additional representations in response to the officer's report and reasons for refusal on the above two applications. These concerns are summarised as follows:

Reason for Refusal 1

- They do not agree that the site does not lie adjacent to the settlement limits, and consider they have demonstrated that the site lies adjacent to the settlement boundary where employment uses are permitted.
- To suggest that the site now represents an unsustainable location is perverse when in the previous iteration of the plan the site had been allocated for employment uses and has in the past been the subject of a number of planning permissions for built development.
- Remain of the opinion that Planning Permission P1199/445 remains extant based on legal submissions.

These issues have already been addressed in the officer report.

Reason for Refusal 2

- The Local Planning Authority has not provided any evidence to substantiate the assertion that the proposal will adversely affect the function together with the vitality and viability of the district shopping centre.
- As a proposal below 2,500 sq m, there is no policy requirement to undertake an assessment of impact. It follows therefore, that a proposal which does not require an assessment of impact, ought not to give rise to material impact concerns.
- With regard to the allocated regeneration site at Park Avenue, Glynneath the reports state that the proposal “could” undermine the delivery of the Council’s designated regeneration site yet goes on to state in reason 2 that it “will” also undermine. As above, the LPA has provided no empirical evidence to justify this position
- the report states that “the allocated regeneration scheme site is considered to be more appropriately located and the uses proposed within this application could be accommodated on that site” yet officers are saying that the application proposal will undermine the bringing forward of 150 houses and a 660 sq m convenience store. The LPA cannot have it both ways.
- Reiterate that a roadside service area by its very nature must be on a prominent roadside location
- the fact that a roadside service area is not what is envisaged by the LPA as being a catalyst for the regeneration of Glynneath will not undermine the Council’s aspirations.

Response:

Adopted LDP Policy VRS1 designates sustainable sites chosen following the LDP examination Process and Planning Policy Wales (PPW) clearly states in one of its objectives that you need to consider the development’s contribution to wider spatial strategies, for example the growth of regeneration in certain areas. Therefore, as explained in the report, the development does not comply with the objectives of PPW relating to economic development as the proposal at this location will affect a designated site chosen under adopted Policy VRS1.

The report also emphasises how the proposal fails to accord with Policy R3 insofar as the site is not within settlement limits

Finally, it is clear from the wording of reason 2 that Officers consider the proposal will undermine the sustainable growth of Glynneath and the Council's aspirations to deliver a comprehensive regeneration scheme on an allocated and more sustainably located site within Glynneath.