



PLANNING COMMITTEE

2.00 PM - TUESDAY, 24TH FEBRUARY, 2015

COMMITTEE ROOMS 1/2 - PORT TALBOT CIVIC CENTRE

PART 1

1. To receive any declarations of interest from Members.
2. To receive the Minutes of the previous meeting held on 3rd February, 2015 (*Pages 1 - 4*)
3. To receive the Minutes of the previous Special meeting held on 17th February, 2015 (*Pages 5 - 10*)
4. To Request Site Visit(s) from the Applications Presented

Report of the Head of Planning

SECTION A - MATTERS FOR DECISION

Planning Applications Recommended for Approval

5. **Application No: P2014/0739** (*Pages 11 - 26*)
Former Llandarcy Oil Refinery, Llandarcy, Neath
Application under S106A of the Town and Country Planning Act 1990
(As Amended) to vary the legal agreement associated with Planning
Permission P2005/0393 (Approved on the 08/02/08)
Wards Affected: Coedffranc West
6. **Application No: P2014/0913** (*Pages 27 - 54*)
Phase 2a Coed Darcy, Llandarcy, Neath
Reserved matters for 79 residential dwellings plus 5 retail units (Class
A1) plus associated infrastructure, public open space and landscaping

including details pursuant to the discharge of conditions 10 (Town Code Addendum for Phase 2 only) 40 & 41 (Means of Enclosure temporary/permanent), 42 (Cycle/footpaths), 49 (Retaining structures), 50 (Drainage), 54 (Lighting), 61 (Detailed road/footway/cycleway design), 75 (Highway retaining structures), 77 (Noise Assessment), 87 (Phase Landscaping) & 92 (Phase 1 Habitat Survey) of outline planning permission P2005/0393 (Approved on the 08/02/08)
Wards Affected: Coedffranc West.

SECTION B - MATTERS FOR INFORMATION

7. Appeals Received (*Pages 55 - 56*)
8. Appeals Determined (*Pages 57 - 64*)
9. Delegated Applications Determined Between the 24th January and 15th February 2015 (*Pages 65 - 72*)
10. Any urgent items at the discretion of the Chairman pursuant to Section 100B(4)(b) of the Local Government Act 1972.

S.Phillips
Chief Executive

Civic Centre
Port Talbot

Wednesday, 18th February 2015

Committee Membership:

Chairman: Councillor R.G.Jones

Vice Chairman: Councillor E.E.Jones

Members: Councillors Mrs.A.Chaves, D.W.Davies,
Mrs.R.Davies, Mrs.J.Dudley, S.K.Hunt, D.Keogh,
Mrs.S.Paddison, Mrs.S.M.Penry, R.Thomas and
Mrs.L.G.Williams

**Cabinet UDP/LDP
Member:** Councillor A.J.Taylor

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PLANNING COMMITTEE

(CIVIC CENTRE - PORT TALBOT)

Members Present:

3rd February, 2015

Chairman: Councillor R.G.Jones

Vice Chairman: Councillor E.E.Jones

Councillors: Mrs.A.Chaves, D.W.Davies, Mrs.R.Davies,
Mrs.J.Dudley, S.K.Hunt, Mrs.S.Paddison,
Mrs.S.M.Penry, R.Thomas and Mrs.L.G.Williams

UDP/LDP Member: Councillor A.J.Taylor

Local Member: Councillor A.Llewelyn

Officers In Attendance: S.Ball, I.Davies, J.Griffiths, Miss.C.Davies and
Mrs.T.Davies

1. **MEMBER'S DECLARATIONS**

The following Member made a declaration at the commencement of the meeting:-

Councillor Mrs R.Davies

Report of the Head of Planning –
Demolition of existing 2/3 storey
teaching block and construction of
new 2/3 storey teaching block at
Ysgol Gyfun Ystalyfera, Ystalyfera –
as she is a Member of the Governing
Body.

2. **MINUTES OF THE LAST MEETING**

RESOLVED: that the Minutes of the Planning Committee held on the
13th January, 2015, as circulated, be confirmed as a true
record.

Report of the Head of Planning

3. PLANNING APPLICATION APPROVED SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Application No: P2012/0087

Hydroelectric scheme including new upstream weir, stepped concrete water channel, hydroelectric screw, raising weir crest, excavation works, fish pass, detached power building, tail race, reinstatement of car parking space and associated works, at Land Adjacent to 67 Gurnos Road, Ystalyfera.

RESOLVED: that the above mentioned application be approved, subject to the conditions contained in the circulated report, and subject to the signing of a Section 106 Agreement to secure a community benefit contribution of £2,760.00 and the provision of £4,950.00 to cover decommissioning and restoration of the site (should the local Planning Authority have to carry out these works).

4. PLANNING APPLICATIONS DEFERRED

Application No: P2014/0739

Application under S106A of the Town and Country Planning Act 1990 (As Amended) to vary the legal agreement associated with Planning Permission P2005/0393 (Approved on the 08/02/08), at Former Llandarcy Oil Refinery, Llandarcy, Neath.

Application No: P2014/0913

Reserved matters for 79 residential dwellings plus 5 retail units (Class A1) plus associated infrastructure, public open space and landscaping including details pursuant to the discharge of conditions 10 (Town Code Addendum for Phase 2 only) 40 & 41 (Means of Enclosure temporary/permanent), 42 (Cycle/footpaths), 49 (Retaining structures), 50 (Drainage), 54 (Lighting), 61 (Detailed road/footway/cycleway design), 75 (Highway retaining structures), (Noise Assessment), 87 (Phase Landscaping) & 92 (Phase 1 Habitat Survey) of outline planning permission P2005/0393 (Approved on the 08/02/08), at Phase 2a Coed Darcy, Llandarcy, Neath.

RESOLVED: the Chair acceded to the Officer's request to defer the above mentioned applications to a future meeting of the Planning Committee.

5. **PLANNING APPLICATIONS APPROVED**

Application No: P2014/1128

Extension to existing Caegarw Gypsy and Traveller Site to include 11 new pitches plus amenity blocks with associated drainage works, improvements to the internal access road together with the creation of 2 new informal play areas, and associated access path, at Caegarw Gypsy and Traveller Site, Margam.

Members noted a typographical error in that there were currently 27 pitches for caravans and not 21 as mentioned in the report.

Application No: P2014/1175

(Councillor Mrs R.Davies reaffirmed her interest in this item, and left the room for the discussion and voting thereon).

Demolition of existing 2/3 storey teaching block and construction of new 2/3 storey teaching block, at Ysgol Gyfun Ystalyfera, Glan Yr Avon, Ystalyfera.

RESOLVED: that the above mentioned applications be approved, subject to the Conditions contained in the circulated report.

6. **APPEALS RECEIVED**

RESOLVED: that the following Appeal received be noted, as detailed in the circulated report.

Appeal Ref: A2015/0001 – Erection of 5 no. Wind turbines with a max. height to tip of 100m and associated works, access tracks, substation and ancillary equipment. (Amended application site boundary, Supplemental Environmental Information including additional in relation to transport, mining, ecology, location of borrow pits and access tracks), at Land at Mynedd Brombil, Brombil Farm, Margam.

7. **DELEGATED APPLICATIONS BETWEEN THE 7TH JANUARY
AND 23RD JANUARY 2015**

Members received a list of planning applications which had been determined between the 7th January and 23rd January 2015, as contained in the circulated report.

RESOLVED: that the report be noted.

CHAIRMAN

PLANNING COMMITTEE (SPECIAL)

(CIVIC CENTRE - NEATH)

Members Present:

17th February, 2015

Chairman: Councillor R.G.Jones

Vice Chairman: Councillor E.E.Jones

Councillors: Mrs.A.Chaves, Mrs.R.Davies, Mrs.J.Dudley,
S.K.Hunt, D.Keogh, Mrs.S.Paddison,
Mrs.S.M.Penry and Mrs.L.G.Williams

UDP/LDP Member: Councillor A.J.Taylor

Officers In Attendance: S.Ball, I.Davies, T.Davies, Miss C.Brettle and
Mrs.T.Davies

Report of The Head of Planning

(Note: An amendment sheet – attached and agreed – was circulated at the meeting, as detailed in Appendix A hereto).

1. **MYNYDD BROMBIL WIND FARM APPLICATION**

Erection of 5 no. Wind turbines with a max. height to tip of 100m and associated works, access tracks, substation and ancillary equipment. (Amended application site boundary, Supplemental Environmental Information including additional information in relation to transport, mining, ecology, location of borrow pits and access tracks) at Land at Mynydd Brombil, Brombil Farm, Margam, Port Talbot.

Members were advised that an appeal had been lodged by the applicant against non-determination of the Application by Neath Port Talbot County Borough Council, which would be heard at a Public Inquiry scheduled to commence on Tuesday 12th May, 2015. The report sought authorisation from Members for the stance the Authority would have taken, had it been in a position to determine the Application.

RESOLVED: that, had Neath Port Talbot County Borough Council been in a position to determine the Application, planning

permission would have been refused on the following grounds - as the proposed development would result in the introduction of incongruous, dominating, and visually prominent structures which would:-

- a) have an unacceptable impact on the character and value of the Mynydd Margam/Margam Mountain registered landscape of special historic interest;
- b) have a visually dominant impact that would have a significant harmful effect on the setting of the Scheduled Ancient Monument Ergyd Isaf Round Barrows (GM160);
- c) have unacceptable adverse landscape and visual impacts, primarily on the settlements of Margam and Goytre, and on the setting of the Grade I Registered Park and Garden at Margam.

Having regard to the location of the site outside of the boundary of the Strategic Search Area F, both as defined by TAN 8 and by the refined boundary within the Authority's approved Interim Planning Guidance: Wind Turbine Development (2008), and the unacceptable landscape and visual impacts, and impacts on historic assets, it was considered that the proposal would cause a degree of harm that would not be outweighed by the benefits of the scheme in terms of wind energy generation. As a consequence the development would be contrary to Planning Policy Wales (2014), TAN8: Planning for Renewable Energy (2005), Policies 1, 5, 6, 19, GC1, GC2, ENV1, ENV3 and IE6 of the Neath Port Talbot Unitary Development Plan, and the Neath Port Talbot Interim Planning Guidance: Wind Turbine Development (2008).

(Note: with regard to the amendment sheet referred to above and attached as an Appendix, on which the Chair had allowed sufficient time for Members to read, in respect of an application item on the published agenda, the Chairman had permitted urgent circulation/consideration thereof at today's meeting, the particular reasons and the circumstances being not to further delay the planning process, unless the Committee itself wanted to defer any applications and to ensure that Members take all extra relevant information into account before coming to any decision at the meeting).

PLANNING COMMITTEE

17TH FEBRUARY 2015

AMENDMENT SHEET

APPEAL AGAINST NON-DETERMINATION: STANCE REPORT
LAND AT MYNYDD BROMBIL

It has been noted by Officers that the data in respect of the current position in SSA F has mistakenly included 'Llynfi Afan Renewable Energy Park' (6 MW) in addition to the Mynydd y Gelli / Llynfi Afan wind farm (24MW), even though it forms part of the larger 24MW windfarm. Accordingly to ensure the report does not 'double count' that part of the Llynfi Afan wind farm which lies within Bridgend CBC, Tables 1 and 2 in the report (and the text thereafter which refers to the capacities) is amended as follows to omit that scheme from the table and update relevant figures by ± 6 MW to reflect its omission: -

Current Position in respect of SSA F

Based on the WG 2014 Update (but with figures adjusted to reflect the current position in February 2015 based on additional information available from NPT and other surrounding Authorities), the current position in SSA F is as follows:-

	Development	Max. Capacity (MW)
Built / operational (built capacity)	Ffynnon Oer	32 (included in WG 2014 update but now noted to be Pre-TAN8 so should not be counted)
	Maerdy	24
	PYW: Pant-y-wal	25
	PYW: Mynydd Pwllyrheb / Fforch Nest (BCBC)	10
	PYW: Fforch Nest (RCT)	17.5
	Ferndale (5km buffer)	6.4
	Taff Ely (5km buffer)	9
	Mynydd Portref (5km buffer)	9.35
TOTAL BUILT/ OPERATIONAL		101.25MW (76.5MW exc. sites wholly within 5km buffer)
Consented (maximum capacity)	Mynydd y Gelli / Llynfi Afan	2424
	Pen y Cymoedd	228MW (299 max but under construction so 228MW counted by NPT)
	Hirwaun (Mynydd Bwllfa) * under construction	22.5
TOTAL CONSENTED		280274.5MW
TOTAL BUILT/ OPERATIONAL AND CONSENTED		381375.75MW 357MW 351MW (excluding 5km buffer)

Table 1: Strategic Search Area ‘F’ Developments and Capacities – Built/Operational and Consented

From Table 1, it is clear that the Built and Consented Output of 375.75MW is already greater than the indicative capacity (290 MW) in TAN 8 for SSA F and is closing in on the maximum capacity (430 MW) identified in the Ministerial Letter dated July 2011.

The **375.75MW** of capacity which has been approved or is operational (and this takes Pen y Cymoedd as contributing 228MW not the maximum 299MW which was approved) equates to **87.2%** of the 430MW overall capacity for SSA F. Even if you discount the wind farms which lie within the ‘5km buffer’ (24.75MW total) – which it is considered is not appropriate but is nevertheless often argued by the energy companies - **351MW** of capacity has been approved or is operational, which equates to **81.6 %** of the 430MW overall capacity for SSA F.

Moreover, as can be seen from Table 2 below, whilst the Griffiths maximum capacity has yet to be reached, and the proposed development will make a positive contribution in this regard, opportunities exist elsewhere within the SSA to meet the 54.25MW shortfall (or 79MW shortfall if you exclude sites wholly within the 5km buffer).

In Planning (maximum capacity)	Pant-y-Wal Wind Farm extension (BCBC)	36MW
	Foel Trawsant (Pennant Walters)	39MW
	Abergorki (RCT)	7.5MW
	Melin Court	18MW
	Mynydd Brombil (subject of current appeal) (5km buffer)	12.5 MW
	Mynydd Portref Extension (5km buffer) *RCT resolution to approve Dec 2014	12MW
	Headwind Taff Ely (5km buffer) * RCT resolution to grant April 2013 (awaiting s106)	17.5MW
SUB-TOTAL IN PLANNING		142.5MW (101.5 excluding 5km buffer)
Total POTENTIAL	EXCLUDING 5KM BUFFER	452.5MW (351 + 101.5MW)
	INCLUDING 5KM BUFFER	518.25MW (375.75 + 142.5)

Table 2: Strategic Search Area ‘F’ Developments ‘In Planning’ and Capacities, plus total overall potential capacity

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SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2014/0739	<u>DATE:</u> 31/07/2014
PROPOSAL:	Application under S106A of the Town and Country Planning Act 1990 (As Amended) to vary the legal agreement associated with Planning Permission P2005/0393 (Approved on the 08/02/08)
LOCATION:	Former Llandarcy Oil Refinery, Llandarcy, Neath
APPLICANT:	BP & Department Of Economy & Transport
TYPE:	Outline
WARD:	Coedffranc West

Planning History:

P2005/0393- Outline application for an urban village comprising approx. 4,000 dwellings, 41,200sq m of B1 Business Uses; up to 3,800 sq m of retail (gross) and 8,000 sq m of other commercial, education, community facilities, highways, drainage services, infrastructure, car parking and landscaping. – Approved, subject to a s106 on the 8th Feb 2008.

P2011/0880- 302 residential dwellings and associated infrastructure and landscaping (Reserved matters following outline planning permission granted on the 8/2/08)- Approved, subject to a S106 – 30/05/12

P2014/0913- Reserved matters for 79 dwellings plus 5 retail units (Class A1) plus associated infrastructure, public open space and landscaping including details pursuant to the discharge of conditions 10 (Town Code Addendum for phase 2 only) 40 & 41 (Mean of enclosure temporary/permanent), 42 (Cycle/Footpaths), 49 (Retaining structures), 50 (Drainage), 54 (Lighting), 61 (detailed road/footway/cycleway design), 75 (Highway Retaining Structures), 77 (Noise Assessment), 87 (Phase landscaping) & 92 (Phase 1 habitat survey) of outline planning permission P2005/0393 (Approved on the 08/02/08). – Undetermined at this time.

Publicity and Responses if applicable

The application was advertised in the press and on site.

In addition the Planning Department has met with the relevant internal consultees to discuss the principles proposed by the suggested changes to the

clauses within the S106 provided. A consultation in writing has also been undertaken. Whilst discussions have been supportive of the proposed changes we have not yet received any written responses.

Background information:

As members will be aware outline planning permission was granted under planning application reference P2005/0393 in August 2008, subject to conditions and a S106 agreement, for the development of an Urban Village comprising approx. 4,000 dwellings; 41,200sq.m of business use; up to 3,00sq.m of retail (gross) and 8,000sq.m of other commercial, education, community facilities, highways, drainage, services, infrastructure, car parking and landscaping.

The S106 agreement covered a wide range of topics, including remediation obligations, highways and transport improvements and infrastructure, the provision of on site education provision, provision of affordable housing and older persons accommodation, on site health facilities, open space sports and playing fields provision, provision of a community building, and controls and procedures in relation to urban design and habitat protection.

This agreement was signed in February 2008, and is legally binding over the lifetime of the development of this new urban village. It is a complex and wide ranging agreement, that is meant to secure the majority of the planning gain and community facilities on the site, providing key triggers for the delivery of strategic infrastructure in line with the progress of residential development on the site.

Since this agreement was signed in 2008, the progress of the initial phases of development were delayed due to a number of external factors, including the wider economic downturn faced by the area, and the country as a whole. As such the first phase of residential development, subject to this outline planning permission was not commenced until 4 years later in 2012.

Ongoing discussions have taken place with the site owners and relevant consultees to ensure that the site continues to develop in a form that maintains the vision for a sustainable urban village model, and that all of the requirements of the existing S106 are maintained, but all parties are aware that these need to be amended to reflect current needs and changes to proposed development phasing, and to provide more of a review structure going forward over the lifetime of this development.

Both parties have discussed the experiences from the first phase of the scheme, in terms of development impact and financial performance. An assessment of the enabling works that have been required to deliver this first phase suggests that some of the obligations required re-examination in order to deliver and support additional phases of development in a timely manner.

The main purpose of this report is to assess the robustness of the legal agreement in supporting further residential development in the north of the site, where the initial phase of residential development has commenced, and its ability to allow for the commencement of a second front of development in the southern area. The acceleration of development within the Southern area will not only increase the delivery rate of new homes at Coed Darcy, (as required under the emerging LDP) but will also increase income to facilitate the delivery of key infrastructure and community requirements.

The following section sets out the key requirements to be secured for this site in-addition to the recommended changes to the existing S106 requirements. It should be noted that up to the signing of any new S106 agreement, all consultees will continue to have an input into these changes.

Principles and Suggested Heads of Terms.

Southern Access road and strategic highways link. - *The Southern Access Road , Southern Highway Link and associated matters (Schedule 3, Part 1, 1.6)*

The southern access road (SAR) is the strategic highway link (SHL) to the south of the site that links the development with the Amazon link road, that runs parallel with Fabian way. This road is a key infrastructure requirement to allow further development on the site, as it ensures a public transport link to Fabian Way, and facilitates a through route between Junction 43 of the M4 to Fabian Way for public transport, and the general public.

The main changes concern a revision to the timing of the delivery of this Southern Access Road and the strategic highways link connecting the northern and southern parts of the site. Members may be aware that planning permission for the SAR was recently renewed, and that an application to discharge the pre-commencement conditions has been submitted. At this time the applicant is also in discussion with the Authority on the adoption agreements for these works.

The current legal agreement requires the SAR to be delivered before the occupation of more than 300 homes and the proposal is to allow this figure to increase, and to amend the timing of the SAR and strategic highway link . This will allow the development of the second phase of development to proceed (as referred to above) and let the authority consider revisions to the next phases of the development, in terms of their location and the timing of their delivery.

It will also enable the developers to open up a second front door in terms of the Southern area, the delivery of which is prevented without the SAR. Allowing the development of Coed Darcy on two fronts will enable for an increase in the number of house builders on the site, and a consequent increase in the delivery of residential units for occupation. Such delivery rates are also important to demonstrate that the Councils house building trajectory as defined within the emerging LDP is deliverable.

The need to make these adjustments provides an opportunity to review and update other topic areas within the S106 agreement which reflect and respond to changes realised through the passage of time. This acknowledges that developing a site of this scale and complexity is an iterative process which needs constant monitoring and evaluation, with all parties being able to respond to changing needs and demands. These other adjustments mainly concern a re-packaging of improvements to Junction 43, thus increasing capacity on Junction 43 to allow an increase in development served off this access, prior to the delivery of the SAR and SHL.

A revised trigger for the delivery of the SAR will be inserted to require completion of the SAR before July 31st 2017 or prior to the occupation of the 501st dwelling on the site as a whole (linked to capacity of the improvements to J43 and the site access) whichever is the sooner.

The figure is over and above that requested by the applicant, allowing an additional 7 months over that requested, and is linked to both the J43 improvements that are about to take place, together with the projected build rates provided by the applicant, and set out within “Phasing & Delivery of New Housing Provision (January 2015) document, supporting the emerging Local Development Plan, but also ensuring that this strategic piece of infrastructure is delivered without any further delays.

New or adjusted clauses will also be inserted;

- **A Highways Agreement to be technically approved, signed and legally sealed before any works to the viaduct and highway can commence, these shall include the highway network from the existing junction onto Ffordd Amazon to the boundary of the southern development area of Coed Darcy (which will allow housing to be constructed). The agreement will be signed and legally sealed with a surety/guarantor agreement for the costs of completion of the development prior to occupation of any dwelling beyond that approved under planning application P2011/0880 (or the land that it covers)**
- **Evidence provided to the Local Authority that a signed contract between St Modwen and an arms length contractor clearly identifying a start and completion date for the whole of the SAR Infrastructure has to be submitted to the Local Authority, and written confirmation of compliance with this clause given by the Local Authority to St Modwen prior to 1ST January 2016 or prior to the occupation of any more than 300 dwellings on the site as a whole, whichever is the sooner.**
- **No more than 300 houses shall be occupied on the site as a whole until construction work commences on the SAR infrastructure (Not site clearance or demolition works)**
- **The SAR must be complete and available for public use before the occupation of the 501st house or 31st July 2017 whichever is the sooner.**

This amended clause will ensure that the provision of the SAR is secured, and that there is financial security in place to ensure its completion, should the developer fail to deliver in accordance with these clauses. It will also prevent occupation of any development within the southern part of the site before the SAR is completed and opened, given that the SAR will be required to provide access to these properties, and at that time will be the sole means of access. Following the opening of the SAR, a restriction will still continue whereby;

- **No more than 50 dwellings in the southern area can be occupied prior to a public transport link is provided and operational connecting the northern and southern areas of the development together.**

This will ensure that a public transport link between the two halves of the site is secured, in addition to creating the essential public transport link between

J43 and Fabian Way at an early stage of the development of the site as a whole. The amendment to the trigger point will allow for development to commence in the south prior to the creation of the link, but will limit the number of units to be occupied until its provision, thus incentivizing the developer to deliver at an early stage.

- **To limit occupation to no more than 350 homes in the southern area, or 800 on the site as a whole until such time that the strategic highway link (SHL) through the site, connecting the north and south development areas is completed and open and unrestricted for general public use.**

This will be a publicly accessible route that will allow not only public transport, but also private transport by the public, including cycle and walking provision.

These linkages are very important to the connectivity and sustainability of the site as a whole, especially as the first community facilities, such as the first primary school, are to be located in the northern part of the site, and those living in the early phase of development within the southern area will need access to this and other facilities in the north until such a time as they are replicated in the south.

Junction 43 improvement works and phasing.

Phasing of Works to Junction 43 of the M4 Motorway (Schedule 3, Part 1, 1.1 to 1.5)

The existing section 106 agreement requires a series of improvements to Junction 43 of the M4, and the road connecting the scheme to the Junction which is known as the Northern Access Road (NAR). A revision to these requirements is proposed to reflect the revised phasing of the development of the site and projected build rates in the north area of Coed Darcy.

In basic terms, the changes will re-phase the delivery of the improvement works to increase potential capacity for additional traffic from the site onto J43 earlier, and therefore allow a greater number of residential dwellings to be constructed prior to the construction of the strategic highway link connecting J43 to Fabian way, via the southern access road. I.e. a larger proportion of traffic will be directed to enter and leave the site via the north in the shorter term and the phasing of the highway improvements are to be re-profiled to accommodate this. In addition, that sufficient capacity is provided prior to the strategic highway link being upon for public use, as once this internal link is

created, the approved Traffic Impact Assessment estimates that up to 85% of traffic in the south will travel out of the site via J43, and an estimated 15% of traffic in the north will travel out of the site via the Southern Access Road. i.e. 30% of total traffic will go south via the SAR and Fabian Way, and 70% will use J43.

Public Transport Subsidy

To phase and/or amend the provision of the “Transport Subsidy Sum” (Schedule 3, Part 1, 2.1)

The S106 currently secures the phased payments of £1,430,000.

The revisions to the site phasing, and expected delivery rates, will trigger changes to the staging of the Transport Subsidy Sum which will be used to fund public transport to and from the site. The total figure, and the phasing of its payment to the Authority, will be amended to reflect the actual cost and timing for subsidising a service through the site at this time.

It is clearly evident that changing the timing of the provision of a strategic highway link through the site, and providing public transport linkages, either via tank farm road or through Llandarcy village, in the short term, will incur different costs. There are also differing costs to diverting existing bus services, and providing additional routes or services. As a result there will be a need to amend the phasing of the payments to address the actual need in line with the phasing and delivery of development on the site. In addition to amending the phasing of the payments, there may also be a consequential increase in the overall sum required. At this time these discussions are ongoing.

Affordable Housing

To adjust the provision for Affordable Housing (Schedule 3, Part 3)

Phase 1 of the development (302 residential units, approved under planning permission P2012/0880) provided no affordable housing, as the applicant (Persimmon/St Modwen) provided a viability assessment to support their application. It was made clear by the Local Planning Authority at the time that whilst this would be acceptable on the initial phase to enable work to commence on site, all future phases would be required to deliver affordable housing on a phased basis.

Affordable housing provision on such a strategically important site as Coed Darcy is an essential requirement. However it is also acknowledged that the economics associated with delivering such large scale complex sites will change over time and have changed since the original S106 agreement was signed. Nevertheless it is the policy of this Authority, as set out within the existing Unitary Development Plan, and Supplementary Planning Guidance, together with the emerging Local Development Plan, that these strategic sites deliver for all sections of the community.

At present the S106 requires;

- No reserved matters application to be submitted until the affordable housing phasing plan for that part of the site is approved.
- No less than 20% affordable housing to be provided on the site.
- The units will be offered to an approved Registered Social Landlord (RSL) at 42% open market value.
- For the first 5 years 75% of these units shall be social rented, 25% intermediate housing.
- There are limits placed on grouping, ensuring “pepper potting”.
- The affordable units have to be provided along with the open market houses within that phase at set stages.

In discussion with our Housing Strategy colleagues and with our partner RSL’s, the Authority has suggested to the applicant an alternative model to secure the total number of units across the site but at different densities throughout the site. Such provision will be based on the different character areas throughout the site in addition to the need as evidenced within the most up to date local Housing Market Assessment (2013) data that the Authority holds.

As a consequence affordable housing provision across the site will be revised to reflect a spatial zoning approach to delivery over the lifetime of the scheme. Whilst overall provision will be retained at 20% across the site as a whole, this will differ across different phases, whereby some higher density phases may well have greater ratios of affordable housing than within the lower density areas. Each phase will be required to deliver a specified level of affordable housing, in addition to tenures, types and sizes. These will be specified within phase development briefs. The amount and type of affordable housing in each area will be based on the Local Authority’s Local Housing Market Assessment, and other relevant evidence, and when read as a whole will deliver the objectives of the original section 106 which is to secure a mixed sustainable community.

Therefore the proposed changes to the S106 will provide;

- A minimum of 740 affordable housing units across the site. (equating to 20% of the remaining 3698 units)
- Ensure a mix of 70/75% (518-555 units) social rented properties, and 25/30% (185-222 units) intermediate housing. (With a review mechanism to ensure actual need is re-assessed)
- Using the Local Housing Market Assessment LHMA (2013) ensure that the mix of unit type provides for the actual need identified. (With a review mechanism to ensure actual need is re-assessed)

Therefore at this time the following criteria would be relevant;

The table below is taken from the Local Housing Market Assessment LHMA (2013) and based on the overall LDP Housing Requirement.

Housing Size	Number of Dwellings Required			Total	% of overall housing need	% of overall affordable need
	Market Housing	Affordable Housing				
Net Requirement 2010-2026		Intermediate	Social			
1 bedroom	500		900	1,400	17.2%	29%
2 bedroom	1,400		1,100	2,500	31%	35.5%
3 bedroom	2,600		1,000	3,600	44.4%	32.3%
4+ bedroom	500		100	600	7.4%	3.2%
Total	5,000		3,100	8,100	100%	100%

The unit numbers, based on these figures would require the provision of;

1 Bedroom Units 29% = 210 Units (of which 100% can be apartments)

2 Bedroom Units 35.5% = 260 Units (of which 30% can be apartments)

3 Bedroom Units 33% = 240 Units (Houses)

4+Bedroom Units 4% = 30 Units (Houses)

This approach provides clarity on the types of units required over the development as a whole, based on known data from the LHMA to ensure that the real need is addressed. A review of this “need per unit type” can be built into the revised agreement to ensure that it is reviewed every 5 years, or when a revised LHMA is adopted, whichever is the sooner.

In terms of where and when these units are to be provided, the existing S106 is very prescriptive of the number of units that can be grouped together. This is to ensure that the units are “pepper potted” amongst the open market housing. Whilst this is still an important factor, recent evidence suggests that in certain circumstances the management of these properties by an RSL is easier when the properties are grouped together.

It is this approach that the revised S106 will take, and the details of this will be subject to further discussion with the relevant consultees.

Healthcare Facilities

To amend the timing and provision of temporary and permanent Health care facilities on site (Schedule 3, Part 4)

The S106 requires the provision of a temporary health care facility prior to the occupation of the 101st dwelling, and the provision of a permanent primary health care centre on the occupation of no more than 451 dwellings.

Due to the length of time which has passed since the original S106 was signed the current Health Board requirements have altered significantly. The primary health care centre at Baglan has been constructed, and the new Briton Ferry primary health care facility has been granted planning permission, and is currently under construction. In addition, the capacity at the existing surgeries in the area has altered.

This means that the timing of the temporary health care facility will need to be reconsidered. Current discussions suggest that provision will need to be made for a dentist and a branch surgery/practice.

It may be the case that the permanent primary healthcare facility is no longer required. If this is confirmed, then it is likely that a building for a dental practice will be needed by the occupation of the 500th home, and a branch GP surgery/practice will need to be delivered before the occupation of the 1,500th home. The final details will be agreed in consultation with the health board.

Local Shop facilities (Schedule 3, Part 7 (5), 1.2)

The S106 requires the provision of a local shop facility in the village centre prior to the occupation of no more than 300 residential units on site.

This requirement is to remain, but due to the fact that the delivery and phasing is to be amended to provide a separate development phase to the south area earlier than originally expected and potentially prior to the construction of the Strategic Highway link between the northern and southern areas, a facility to serve those residents also needs to be secured. This change will ensure that the sustainability of the site is maintained, and that the holistic approach to a mixed development can be promoted.

Education Provisions (Schedule 3, Part 2 and Definitions)

At present the S106 requires the provision of three primary schools, and a secondary school on site. These are again triggered by the number of dwellings occupied on site.

It requires;

- 1st Primary School to be provided before the occupation of the 400th dwelling.
- 2nd Primary School to be provided before the occupation of the 1341st dwelling.
- 3rd Primary School to be provided before the occupation of the 2681st dwelling.
- Phase 1 Secondary school to be provided before the occupation of the 600th dwelling.
- Phase 2 Secondary school to be provided before the occupation of the 2001st dwelling.

The delivery of education at both primary and secondary levels has evolved since the section 106 agreement was signed. The developer and the Council are considering modern forms of provision which may see different types or sizes of primary school and revised triggers for the provision of secondary education for children living at Coed Darcy.

The main changes proposed are to provide two sites for primary education rather than the three originally proposed, together with the phasing of the size of these schools. At present there is uncertainty regarding the current economic viability of two specific development areas within the site as a whole. If these areas are not developed it would reduce the overall site capacity down to approximately 3000 dwellings. Whilst these sites could be developed at some point in the future, it is considered that the scale of the education provision should reflect this reduction in house numbers but should be designed to allow expansion should the need arise. This phased approach will ensure that the school provision caters for the children living on the site

only, thus ensuring sustainable delivery of education without detrimentally impacting upon the viability of existing schools within the surrounding area.

The education provision for the site is not to replace existing provision with the area, but to serve the needs of the population of this urban village as it expands. As such, taking into account current projected build rates, and phasing the current proposal is being tested and considered as follows;

- a) The first primary school will be built as one construction project but will be available for use (or fitted out) in two phases. The first phase will be ready for use by the occupation of the 400th home (as set out in the current obligations). The second phase of this school will be fitted out for use before the occupation of the 1000th home on the site as a whole.
- b) The second “southern” primary school (currently timed for the occupation of 1341 homes) will also be delivered in two phases. To reflect wider development progress, the first phase will be delivered before 500 homes are occupied in the southern area or 1500 homes are occupied on the site as a whole. The second phase will be available before 1,000 homes are occupied in the south or 2000 on the site as a whole, whichever is sooner. This school will be constructed to allow for future expansion to a three form entry school
- c) Secondary school provision on the site will be reduced from 900 to 600 spaces to reflect the reduction in house numbers on the site as a whole to 3000 units. This will be accommodated within one school which will be constructed/occupied in two phases as per the original agreement. The first phase was originally to be delivered before the occupation of 600 homes, and the second by house 2001. The trigger for the first phase is to be amended to be delivered prior to the occupation of the 1000th dwelling, but there will be no change to the second phase trigger.
- d) Provision is to be made to add a third form to the southern primary school and to extend the capacity of the secondary school (to add accommodation for an extra 300 pupils, should the number of residential units increase beyond 3000 as per the allowances within the existing planning permission). The trigger for both projects will be before the occupation of the 3001st home.

These changes have been discussed with colleagues in the Education Directorate, as such the principles have been agreed, and the detail will be subject to further discussions. The triggers for the provision of the schools and

their phasing are based on the build rates, together with the estimates on child ages and numbers within these properties. These take into consideration both statistical data used by Education for this purpose and that used by the Planning Department, in relation to its LDP evidence.

A Community Building (*Schedule 3, Part 6*)

The existing section 106 agreement requires provision of a community building in the main village centre by the occupation of the 451st home. Revisions to the way facilities are delivered and managed, means that this facility may not be required until later in the scheme. If the (above) revisions to primary education provision are accepted, the second phase of the first primary school will be used as a temporary community facility until the completion of the community building or the occupation of 1000 homes (whichever comes first).

Town Architect (*Schedule 3, Part 7*)

The original S106 requires the employment of a “Town Architect” by “CDL” (Coed Darcy Limited). Both the role of the Town Architect and how the Town Architect is financed needs to be considered going forward, in light of the fact that this role is linked to reporting directly to “CDL”.

The Town Architect provides expert advice on both the Masterplan and Town Code. Their current role includes reporting to the CDL board on Town Code compliance and to contribute towards the preparation of Development Briefs by St Modwen. The post also supports the Local Planning Authority in relation to design and layout issues on reserved matters applications, both at pre-application and application stage. This key role is significant in ensuring ongoing quality in the design process as this site goes forward, and offers a consistent voice and approach to design principles, on a site where multiple developers will be submitting schemes. It also ensures that the design detail required to deliver an exemplar development is secured independent of the normal regulatory planning function, otherwise the planning function will be overwhelmed with detail over and above that normally controlled under the planning process.

As an independent role, the Town Architect can look objectively at these issues, with a view to adding value to the development without compromising deliverability. The Town Architect has significantly raised quality within the first phase of this development, by influencing the design of the development in addition to monitoring build quality throughout the construction process. This has resulted in review meetings taking place where all parties can assess

outcomes, both good and bad, to ensure that the development improves as it progresses forward. However it is acknowledged that the strategic role of the post has been overshadowed by the detail associated with the build quality within phase 1. This role needs to be more balanced going forward to ensure that the right development is identified at the right location. The contribution of the Town Architect to achieving this goal is critical.

Given the importance of the role of the Town Architect, it is proposed to secure the retention of this post within the revised S106 agreement, to be financed by CDL or St Modwen. The Town Architect role will in future report directly to the Local Planning Authority, and a requirement will be built into the S106 requiring quarterly reports to be prepared by the Town Architect in relation to progress on site and compliance with the Masterplan and Town Code. Should issues be identified within that report, which need addressing by the developer(s) then such mitigation will be required to be submitted within a set time frame. As a consequence of the aforementioned, added weight will be given to the role of the Town Architect.

Site Monitor (Schedule 2)

The original S106 requires the employment of a firm of “Environmental Consultants” appointed by “CDL” for the purposes of monitoring compliance with the remediation obligations and reporting such findings to CDL, the Authority and any other relevant Environmental Authority.

The monitor reports directly to “CDL” as a company relating to the remediation action plan works and strategic remediation progress. It is important on a site that will be developed in a piecemeal fashion over up to 25 years, that there is a consistent approach to remediation. There has been a significant amount of remediation and site preparation work undertaken on site up to this point, and this has all been overseen and signed off by the existing independent “Monitor”. It is accepted that the level of work associated with such monitoring may reduce over time once the majority of the strategic remediation works has been completed. However such remediation is only being carried out up to a certain level i.e. to a level whereby the site can be used for public open space. Parcels of land which will accommodate more sensitive land uses will require additional remediation and given the scale of this development site it is essential that a strategic approach to remediation is maintained. It is also important to demonstrate due diligence in the remediation and sign off associated with this site, to ensure that public confidence in its future use is maintained. This can only be achieved via the retention of resources to secure an independent “sign off” by means of the independent Monitor. This post will be financed by “CDL” or St Modwen ,

until such time that the local Planning Authority is satisfied that monitoring of the remediation is no longer required.

CONCLUSION

The above sets out the basic proposals or heads of terms for the modifications proposed to the section 106 agreement. As confirmed above further discussions between the Planning Authority and the developer, and where appropriate, with other internal and external Consultees will be required to add detail to the Heads of Terms, in order to agree the amended S106 for this site.

Sections of the agreement will provide inbuilt review mechanisms in order that the Authority can react to changes in the market thus ensuring that any changes to the wider needs of this site can be accommodated at a future date.

RECOMMENDATION

APPROVE the proposed changes to the principles within the S106 Agreement as outlined above, and grant delegated powers to the Head of Planning for any further minor amendments to these terms, subject to the agreement of the relevant consultees, on condition that the amendments do not undermine the principles/objectives as described above.

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SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2014/0913	<u>DATE:</u> 09/10/2014
PROPOSAL: Reserved matters for 79 residential dwellings plus 5 retail units (Class A1) plus associated infrastructure, public open space and landscaping including details pursuant to the discharge of conditions 10 (Town Code Addendum for Phase 2 only) 40 & 41 (Means of Enclosure temporary/permanent), 42 (Cycle/footpaths), 49 (Retaining structures), 50 (Drainage), 54 (Lighting), 61 (Detailed road/footway/cycleway design), 75 (Highway retaining structures), 77 (Noise Assessment), 87 (Phase Landscaping) & 92 (Phase 1 Habitat Survey) of outline planning permission P2005/0393 (Approved on the 08/02/08)	
LOCATION: Phase 2a Coed Darcy, Llandarcy, Neath	
APPLICANT: Mr Ben Cook	
TYPE: Reserved Matters	
WARD: Coedffranc West	

Planning History:

- P2005/0393 Outline application for an urban village comprising approx. 4,000 dwellings; 41,200sq.m of business use; up to 3,000sq.m of retail (gross) and 8,000sq.m of other commercial, education, community facilities, highways, drainage, services, infrastructure, car parking and landscaping. Planning permission granted 8th February 2008.
- P2010/0282 Junction and highway works- Approved- 3/11/10
- P2011/0880 302 residential dwellings and associated infrastructure and landscaping (Reserved matters following outline planning permission granted on the 8/2/08)- Approved, subject to a S106 – 30/05/12
- P2014/0739 Application under S106A of the Town and Country Planning Act 1990 (as amended) to vary the legal agreement associated with Planning Permission P2005/0393 (Approved on the 08/02/08)- To be considered elsewhere on this agenda.

Publicity and Responses if applicable:

The application was advertised on site and in the press.

Head of Engineering and Transport (Highway Section)- No Objection, subject to conditions.

Head of Engineering and Transport (Drainage Section)- No Objection, subject to conditions.

NRW- No Objection.

Biodiversity Unit- No Objection, subject to conditions.

Coedffranc Community Council- No Objection.

Town Architect- Report provided on Compliance with Town Code and Masterplan.

Architectural Liaison Officer (SW Police)- Offer comment in relation to security, including crime prevention, security and natural surveillance.

Description of Site and its Surroundings:

Outline planning permission was granted under planning application reference P2005/0393 in August 2008, subject to conditions and a S106 agreement, for the development of an Urban Village comprising approx. 4,000 dwellings; 41,200sq.m of business use; up to 3,00sq.m of retail (gross) and 8,000sq.m of other commercial, education, community facilities, highways, drainage, services, infrastructure, car parking and landscaping.

This reserved matters application seeks approval of the details for 79 residential units and 5 retail units (Use Class A1) and associated infrastructure on Phase 2 of the Coed Darcy Urban Village Development, together with the discharge of a number of pre-commencement conditions imposed upon the outline planning permission. The site lies to the west and south of the existing Phase 1 residential development, approved under planning permission P2012/0880. It is accessed via the main site access from the B4290 (Alterations to which were approved under Planning Application P2010/0282, Approved on the 3rd November 2010),

The application site is split into two distinct areas, separated by a section of temporary highway. The western section lies adjacent to the existing apartment block constructed as part of Phase 1. The eastern section lies to the south of the existing rock faced cliff running east west, and it will infill a section of the site bounded by phase 1 to the east and south.

The existing rockface feature provides the southern boundary of the site, and the site slopes down to the north and west, linking to the main spine road running through the site, and proposed village centre.

The site has undergone significant remediation and clearance as part of the ongoing site wide remediation following the closure of the refinery. Apart from the rockface, there are no existing areas of vegetation or any buildings or structures present.

The outline planning permission for this site has a number of strategic planning condition, that have previously been discharged by the Local Planning Authority. Phase specific conditions follow, requiring compliance with the overarching strategic conditions. Where these impact upon this application and development, reference is made within the report.

Brief description of proposal:

The application seeks reserved matters approval for 79 dwellings, and 5 commercial units, together with the associated infrastructure and public open space. In addition the details submitted address the requirement of conditions imposed on the outline planning permission, including;

Condition 10- Town Code.

Condition 40- Permanent Boundary Details.

Condition 41- Temporary means of enclosure.

Condition 42- Cycle and Pedestrian Routes,

Condition 48- Existing and Proposed Ground Levels.

Condition 49- Existing and Proposed Retaining Structures.

Condition 50- Phase Specific Drainage.

Condition 54- External Lighting scheme.

Condition 61- Detailed road/footway/cycleway design.

Condition 72- Pedestrian Crossing Facilities.

Condition 75- Highway retaining works.

Condition 77 – Noise assessment

Condition 87- Phase specific landscaping.

Condition 92- Extended phase 1 habitat survey.

The site as a whole has an approved Masterplan, and a Town Code. The Masterplan defines this area for residential development, and mixed use commercial development, where the site bounds the main strategic link road as it enters the main town square. The Town Code sets out design and layout related issues, together with detailed matters such as external materials, finishes and boundary treatments, scale and proportion.

As part of the approved Town Code, an addendum, allowing a relaxation in the external material was approved for Phase 1 only. This primarily related to the roofing material, where the use of a specified artificial slate would be allowable. The applicant again wishes to allow a variation in the Town Code (Condition 10 of outline planning permission P2005/0393) to allow an addendum to be used for this Phase 2 development. The main changes again relate to roofing materials, but also includes the use of Upvc windows.

The development can be split into two distinct sections, the first proposes a continuation of the commercial development along the main strategic road leading to the proposed village centre, which will accommodate residential apartments on the upper floors, and a residential area, to the west, linking into the existing phase 1 residential development.

Apartment blocks/Commercial units. (Blocks D & E)

The apartment blocks propose two, three storey buildings, linked via single storey sections, to provide a continuous means of enclosure along this strategic link road, and reflecting the connectivity provided by the existing apartment block that can be seen as you enter the site. They are linear in form, and will incorporate projecting rear wings. At ground floor these buildings will accommodate 5 retail units, and on the upper 2 floors a total of 19, two bedroom apartments are proposed. All of these apartments are to be managed by a Registered Social Landlord as affordable housing units.

The commercial units range in scale from 74 sqm to 89.9sqm, and it is considered that a mix of retail (Class A1), office use (Class A2), and limited hot food/café uses (Class A3) may be appropriate. All but one of the residential units are located on the upper floors, and these units can be accessed via the front, and rear. To the rear, due to changes in level across the site, these buildings appear two storey, in scale. Car parking areas will be located to the rear of each block and will be accessible via the rear elevation of the building, together with a link to the strategic highway to the north.

The apartment block E (Plots 70-79) incorporates a traditional appearance, being rendered, with an artificial slate roof, with a ridged design. Gables are

proposed on the front elevation, together with a slight variation in the building line to break up the massing of the elevation, and providing a more vertical emphasis along this prominent frontage. This reflects the design of the apartment block approved under phase 1 of this development, to which it will adjoin. At ground floor the use of large glazed “shopfronts” and a blue engineering brick provides a more robust and commercial aesthetic, and reflects the progression along this frontage towards the town square and village centre.

Apartment block D (Plots 61-69) proposes a similar form of development, again offering a three storey frontage, with a two storey elevation at the rear. The projecting rear wing, wraps around the corner of the plot, and provides enclosure to the rear car parking and amenity areas, The eastern end of this block connects to Block E, with a single storey ridged roof section, thus maintaining a strong connected means of enclosure to the street. The remainder of the front elevation maintains a traditional design, again providing glazed “shopfronts” to the ground floor.

The western end of this block provides a variation in the design, including a full height glazed section, rising three floors, and serving the internal stairwell. Beyond this, the ground floor includes a residential unit in addition to those on the upper floors, and the use of natural pennant stone to this corner at ground floor level, wrapping around the corner of the building and rising up to chimney level provides a distinct and strong corner feature which includes a projecting wood clad bay window. This ensures that this visually prominent corner is sufficiently articulated.

Thirty one off street car parking spaces are proposed to the rear of blocks D & E, for occupiers of the apartments (1 per unit) plus spaces for staff and visitors. In addition to this dedicated parking provision lay-bys will be incorporated into the highway fronting the two blocks, which will provide loading and parking opportunities for the operators and customers respectively. Indicative locations for a pedestrian crossing point and bus stop locations are also proposed fronting these blocks.

Residential development (Plots 1-60)

This phase of the development comprises a total of 60 residential units, and a section of public open space. A total of 9 house types are provided within this phase, and these range from 2 bed FOG (Flat Over Garage) units to large detached 4 bedroom units. A total of three, 2 bed houses are again provided within this area as affordable housing units.

House types

H3B706 (17 No. 2 Bed units on Plots 2, 9-14, 16, 17, 24, 25, 32, 33, 58 & 59)

A two storey dwelling, measuring 5.3m wide, by 8.8m deep, with a ridged roof to a height of 8.4m, some of which incorporate a chimney detail to the side gable. The front door is recessed, providing a screened internal bin storage area. The ground floor projects forward from the first floor, with a flat, parapet roof. The dwellings are painted rendered, and have artificial slate roofs. Windows are to be grey Upvc, while rainwater goods are to be black, and fascias will be white. These house types are proposed as semidetached pairs, or link units with other house types.

H3B839 (18 No. 3 Bed units on Plots 3-7, 27-29, 40, 41, 52, 51, 53- 56, 57 &

60) A two storey dwelling, measuring 5.1m wide, by 9.7m deep, with a ridged roof to a height of 8.8m. The dwellings are painted rendered and have artificial slate roofs. Windows are to be grey Upvc, while rainwater goods are to be black, and fascias will be white. The front elevations to these properties have simple flat projecting canopies over the front doors, and large full height glazing to the first floor. These house types are proposed as detached, semidetached pairs, or link units

H3B938 (2 No. 3 Bed units on Plots 30 & 39)

A two storey detached dwelling, measuring 9m wide, by 6m deep, with a ridged roof to a height of 8.5m. The dwellings are painted render and have artificial slate roofs. Windows are to be grey Upvc, while rainwater goods are to be black, and fascias will be white. The front elevations to these properties have simple flat projecting canopies over the front doors, and integrated engineering brick enclosures to the frontage for bin storage. A variation of this house type (H3B938B) is provided on plots 1, 15, 20 & 31. This has the addition of a large gable feature to the side elevation, incorporating a chimney. These are located on key corner plots within the site, and feature a bolder colour to the render.

H4B1099 (2 No. 4 Bed units on plots 36 and 37)

A two storey detached dwelling, measuring 6.3m wide, by 10m deep, with a ridged roof to a height of 8.6m. The dwellings are painted render and have artificial slate roofs. Windows are to be grey Upvc, while rainwater goods are to be black, and fascias will be white. The front elevations to these properties have a gable front featuring a bold colour render, and full height glazing to the ground floor.

H4B1475 (11 No. 4 Bed Units on Plots 35, 38 & 42-50)

A two storey dwelling, measuring 9.7m wide, by 9.3m deep, with a ridged roof to a height of 8.7m. The dwellings are painted render and have artificial slate roofs. Windows are to be grey Upvc, while rainwater goods are to be black, and fascias will be white. The front elevations to these properties have projecting gable features, incorporating chimneys, and a projecting single storey bin store in stone work, with a flat roof projecting to form a canopy over the front door. A full height glazed window feature is built into the front elevation. These are proposed as single units and semi-detached pairs.

Fog 1 (2 No. 2 bed apartments over garages on Plots 8 & 34)

A first floor unit, within a two storey block incorporating 2 ground floor garages, but allowing vehicular access beneath the unit. It measures 12.5m wide by 6.6m deep, and has a ridged roof to a height of 7.8m. It is externally finished in blue engineering brick at ground floor, with colour coated wood cladding to the first floor. Again the roof is finished in artificial slate, with white fascia and black rainwater goods. These are proposed as detached buildings or adjoining other house types. A variation on this type (Fog 2) proposes three garages at ground floor, this is located on Plot 26.

DQR2B (3 No. 2 Bed Units on Plots 21-23)

A two storey link property, measuring 5.8m wide by 8.3m deep, and with a ridged roof to a height of 8.4m. The dwellings are painted render and have artificial slate roofs. Windows are to be grey Upvc, while rainwater goods are to be black, and fascias will be white. The front elevations to these properties have simple flat projecting canopies over the front doors, and full height glazing to the ground floor.

Layout

The eastern section of the site fronts onto the section of public open space provided as part of this phase. This area of land slopes steeply down towards the north and east, and will be landscaped to provide intermittent level areas and intersecting walkways, together with stepped walkways, linking the roadway in the north to the upper levels of the site. This provides “desire line” pedestrian access from the upper plateaus to the lower levels where pedestrian crossing and bus stops are provided, together with access to the proposed primary school site and village centre.

Plots 42 to 48 are large 4 bedroomed semi-detached properties, fronting onto a shared drive that are afforded views over this open space. These properties are two storey, and are designed to be symmetrical matching pairs, with projecting gable features to the front elevations. Garages are set back between these

properties, to provide parking and the openings between these pairs of properties are narrowed through the provision of pillars and walls to ensure a sense of private space and enclosure. Again these properties are traditional in appearance, offering good proportioned glazing, rendered elevations, chimneys and artificial slate ridged roofs. Projecting flat roof canopies, enclose bin storage areas to the frontages making them an integral part of the design, they are to be finished in stonework, and the front garden areas are enclosed by low walls and pillars, again to match the dwellings.

To the south, backing onto these plots, 14 further dwellings (Plots 39-41 & 50-60) are proposed, creating a perimeter block. Vehicular access will be directly off the secondary access road to the east of this block, adjacent to the public open space and runs up to the southern boundary, where it continues east, running parallel to the existing rock face.

The properties along this frontage provide a mixture of detached and semi-detached two storey houses, and again are provided with off street car parking, to the front, sides, and within garages. On the corner plots of this perimeter block properties are designed to be dual aspect, to ensure that there are no blank elevations to public vantage points.

In addition to the public open space a strategic pedestrian link is to be provided linking phases 1 and 2 by providing a set of steps down over the rock face. This access creates an important sustainable link between the residential areas and the proposed village centre and associated community uses, including the proposed primary school, which is to be located on the lower level. The link will enable residents to access these community and complementary uses on foot without having to rely on either private or public transport. The applicant has provided a plan detailing the proposed pedestrian and cycle linkages and connectivity as part of this application, in accordance with the requirements of Condition 42 of the Outline Planning permission.

The steps have been designed to reflect the character of the immediate area, and the rock face within which they sit. As such they are to be finished in natural stonework, and will have low level integrated lighting for security. A suitably worded condition will be imposed ensuring that this link is delivered as part of the phased delivery of the residential units within this phase, and that full construction details are provided.

To the west of this block, two further residential perimeter blocks are provided, separated by a mews style courtyard, through which pedestrian access is provided to the north and the secondary access road leading to the village centre. These blocks again provide strong frontages onto the highway and

public vantage points, with strong corner buildings, utilising the design of the dwellings at these locations, and also a bolder colour render to provide key visual markers and focal points within the development.

The public realm area within the mews incorporates a shared surface arrangement and maintains both permeability through the phase whilst also maximising natural surveillance of parking areas, and incorporating landscaping to provide an accessible yet safe and pleasant environment.

Material Considerations:

The material issues in the determination of this application are slightly different than those considered on typical residential developments, as there are matters which relate to the compliance of the proposals with the approved Masterplan and Town Code for the Coed Darcy Urban Village. These matters have been considered at both pre-application stage and during the consultation process. Reference to these issues are, where appropriate, set out within the following appraisal. In addition, design and visual amenity, highway and pedestrian safety, biodiversity and ecology, sustainability, affordable housing, and viability are all considered.

Policy Context:

Neath Port Talbot Unitary Development Plan.

Policy LL1- Llandarcy Urban Village.

The site is allocated under Policy LL1 of the Neath Port Talbot Unitary Development Plan. The site has the benefit of outline permission, and an approved Masterplan and Town Code.

- ENV4 Proposals affecting international and national sites for Nature Conservation and Species protected by European or UK legislation.
- ENV5 Nature Conservation.
- ENV16 Contaminated Land.
- ENV17 Design.
- H4 Affordable Housing.
- T1 Location, layout and accessibility of new proposals.
- RO3 Provision of open space to serve new residential developments.

The site is allocated as part of the larger LL1: Llandarcy Urban village Policy, and accord with the masterplan with regard to land uses. As such the proposals accords with the broad objectives of the development plan, in terms of land uses. Specific reference to policy where relevant is made within each section of the following report.

Habitat Regulations, and Environmental Impact Assessment Regulations.

The proposed development is a reserved matters application for a phase of development on a much larger outline permission. The outline planning permission was supported by an Environmental Statement. As required by the EIA Regulations, the reserved matters application has been screened under the Environmental Impact Assessment Regulations 1999. This screening concludes that the proposed development does not require the submission of an Environmental Statement.

The application has also been considered under the Habitat Regulations. A test of likely significance has been undertaken due to the potential impacts of any decision upon Crymlyn Bog. Such assessment has concluded that an appropriate assessment is not required.

Masterplan and Town Code Compliance

Coed Darcy urban village has an approved Masterplan. Within the Masterplan, land uses, strategic infrastructure, densities, and overarching strategic issues are set and defined. The location of community development such as schools, community buildings and other requirements of the S106 legal agreement are also defined and indicative locations set out.

This application site lies within an area designated for residential use part of which adjoins the entrance to the proposed town square, which will lie to the north and east of the site boundary. As such it provides an important link between the residential areas and the commercial heart of the emerging village.

The approved Town Code sets out the design principles for the site as a whole, (limited to residential development only at this time), and offers guidelines on the design of development including highways, public realm, scale, character and materials. As previously stated, the applicant proposes an addendum for this phase, to allow for the use of alternate materials. These are considered in the Town Architects report.

The Town Architect has submitted a report on the compliance of this phase of development with the approved Masterplan and Town Code. This report has been considered in full by the Coed Darcy Ltd Board, which has voted to agree for the application, subject to conditions, to be formally determined by the Local Planning Authority. This is a requirement of the S106 legal agreement for the site, and part of the Town Architect's function and role.

The Report highlights areas where this phase of development would not comply with the Town Code. This report is summarised as follows;

Non-compliant design

PVC (upvc) windows – These are included within the Town Code. The Town Code position is based on two principle concerns, sustainability, and frame sizes. The first of these cannot be overcome. The second can be overcome if the casement details are thin enough, as most windows do not have transoms. Samples have been provided, and these need to be seen in more detail.

PVC rainwater goods, soffits and fascias – again these do not conform. However these match those used within Phase 1 and they have been used reasonably successfully.

Timber cladding to FOG units – Non-compliant. However this can be acceptable, subject to samples being provided.

Aluminium windows to retail units – Non-compliant, though there is no objection given the use and location.

Retail unit ground floors – No confirmation has been provided on the potential of adaptability for conversion to other uses in the future.

GRP doorway canopies – Non-compliant. Similar proposals have been included in phase 1, but not successfully. Samples are to be provided.

Front boundaries – The major problem in phase 1 is handled far more confidently in this phase. A number of differing treatments are suggested, including railings and low rendered walls. The latter is non-compliant, but these are acceptable.

Parking courtyards – We need to ensure they all include landscaped strips viewed from the public realm.

The development of such a large site in phases requires an iterative process, where lessons learned from previous phases are taken forward into the design of the next. It is clear from discussions with the Town Architect, and the developers of this phase, that this scheme has taken on board and aims to address some of the key issues identified under phase 1. These include window sizes and boundary treatments, and the need for on site quality control to ensure build quality is seen as paramount.

A condition is to be imposed requiring sample panels of key elements of the construction, together with additional samples associated with the upvc windows to ensure that the proportions and the finish are acceptable, and to ensure that the concerns raised by the Town Architect are addressed. In addition, and outside of this process, on site meetings will be held with the key stakeholders, to ensure that levels of quality are maintained, and where necessary improvements considered.

Visual Amenity:

As clarified previously, the site holds a relatively unique position within the County Borough, having an approved Masterplan and Town Code. These overarching documents form a level of control over important elements of the development proposals, which are subsequently submitted to the Authority for determination. In addition, there is an independent Town Architect overseeing these submissions, who is employed by the Coed Darcy Board to ensure that the Masterplan and Town Code are adhered to. As such, through a number of pre-application workshops, the design and layout of the development has been considered and refined, taking into consideration those comments provided by both the Local Planning Authority, other consultees, and the Town Architect.

It is considered that through the consultation process, and a number of iterations, the development has reached a point where it substantially complies with the Town Code. As such the overall character, design and external appearance of the site is considered to be acceptable, and certain elements of the scheme provide a unique form of development within the County Borough.

The external materials broadly match those set in the Town Code, and a previously approved addendum. Artificial slate will be used for all roof finishes, render is the predominant finish for dwellings. Brickwork is used sparsely, and comprises of a blue engineering brick. Pennant stone feature elements are also incorporated as a design feature to break up the render and add further visual interest. Means of enclosure are provided to front elevations, and these generally match the dwelling to which they serve. The use of walls and railings provide a mixture of formal and informal areas, ensuring that a

more formal character is maintained along the primary street frontages, and a more informal character defined within the secondary and tertiary streets.

The provision of three storey apartment block buildings as a continuation of the main route into the town square, providing commercial units at the ground floors, builds upon the strong frontage to this strategic route, that will ultimately lead through the entire site.

The use of high quality surfacing materials for the public realm, and control over signage and street lighting will ensure that not only the buildings themselves are designed well, but that the public realm is of a distinct quality to ensure that a sense of place and character are achieved over subsequent phases.

The inclusion of an area of public open space, provides a soft edge to the development, and the landscaping and pedestrian route created through this area will provide important linkages but also an area of informal amenity space.

Overall the proposals generally conform to the requirements of the Town Code and reference is made within this section of the report dealing with this specifically. Also in general design and visual amenity terms it is considered that the proposals are acceptable. Suitable conditions would be imposed upon any permission issued in respect of these external materials, including the requirement for test panels and details of these materials to be approved for both the dwellings, and the hard surfacing elements of the public realm.

Residential Amenity:

The development due to its high quality design and layout will ensure that a safe, pleasant and sustainable place to live and work is created thus securing high levels of residential amenity for potential occupiers. Furthermore due to its location within the early phases of this development, there are limited impacts upon the amenity of adjoining properties.

The properties currently under construction to the south are located at a higher level on the top of the rock face, and set back off this elevation, beyond the shared drive. The proposed staircase link will provide a strategic pedestrian access between these phases. To the east, the existing dwellings front a highway and section of green space, through which a pedestrian link drops down to the public open space. The properties in the vicinity of this boundary face north and south, and as such there are no overlooking issues, and due to these properties being at a lower level no overbearing or overshadowing issues.

Within the site generally any front garden areas are small, providing strong frontages to the highway, but with means of enclosure to create defensible spaces to front windows. Rear gardens are generous, and due to the creation of perimeter blocks, will benefit from natural light. Those properties in the mews areas are of a higher density, but with the inclusion of landscaping the outlook to these properties is not dominated by car parking.

As such, it is considered that the proposed development will create a high quality environment for future occupiers whilst also safeguarding the residential amenities of existing occupiers.

Highway Safety (e.g. Parking and Access):

The highway layout and design are to be assessed against the level of control and design requirements set out within the Masterplan, and the Town Code. These set out specific design principles to ensure a self regulating 20mph zone once you enter the Coed Darcy Development. This is to be achieved without the need for signage beyond the commencement of this zone, and without the requirement for speed bumps and other obvious traffic calming measures. This is achieved through the use of horizontal highway deflection, use of the built form to reduce onward visibility, and provision of on street parking to control speeds along the primary and secondary highway networks. The tertiary roads are designed as shared “mews” type zones, where the speeds of vehicles are reduced through built form and design.

Parking is controlled via a condition placed upon the outline planning permission for the site as a whole, which restricts parking to an average of 1.5 spaces per residential unit for the site as a whole. Parking on this phase averages 1.5 spaces per unit.

In addition the following conditions of the outline planning permission are relevant;

- Condition 42 - Cycle and Pedestrian Routes
- Condition 54 - External Lighting scheme
- Condition 72 - Pedestrian Crossing Facilities.
- Condition 75 - Highway retaining works.

This phase of development includes the primary and secondary highway network which will in time link into the wider site wide public transport network. In addition a temporary section of the primary network, where it runs through the main town square is proposed. The alignment of this section may be amended under future applications.

This phase connects to roads within phase 1, which have already been provided with bus stops. This phase will also result in the creation of a looped route which will further facilitate accessible and efficient public transport links through the site.

The Head of Engineering and Transport, Highway Section offers no objection, subject to conditions.

As Members are aware there is currently a S106 agreement in place for this site that requires the provision of the Southern Access Road, and a strategic link road through the site prior to the occupation of the 301st dwelling. This application, if approved, will increase the number of dwellings with reserved matters approval in excess of this number. Members will also be aware that there is an application before you requesting changes to this S106 agreement, and part of this requests a change to the delivery of the SAR and the strategic link road.

The revised triggers will allow for up to a maximum of 500 units to be occupied on site, prior to the opening of the SAR, and the applicant would need to ensure that this was delivered by July 2017 in order to achieve their projected build rates for the site as a whole.

To ensure that the SAR is delivered, and that this application corresponds to the revised commitments from the developer in the proposed S106 revisions, it is considered relevant and necessary that the developer enter into a supplemental legal agreement to secure a Highways Agreement for these works prior to the issue of this planning permission.

This will secure the works to construct the viaduct and highway network which comprises the SAR, and which will extend from the junction off Ffordd Amazon to the boundary of the southern development area of Coed Darcy (which will allow housing to be constructed in the southern area of the site). The agreement will be signed with a surety/guarantor agreement prior to the occupation of any dwelling.

This surety will provide the Authority with more confidence that the provision of this critical infrastructure will not be renegotiated post-decision, and after the development of further housing on this site has been granted. At this time, due to the transition between the existing S106 and proposed changes, there is a need for certainty on delivery.

Therefore the planning permission should only be issued once this legal agreement has been signed, to secure the delivery of this strategic infrastructure.

Ecology (including trees & protected species):

There are no areas of specific ecological interest within the development phase which has been remediated up to a level to allow for development to take place. This development phase does however provide an area of open space which is to be planted in accordance with a submitted scheme. In addition it is proposed to undertake planting within each plot, and within the public realm including street trees. The applicant has provided a Landscape Strategy, and a Landscape Compliance Statement (Rev 2) which sets out how the proposals comply with the previously approved strategic landscaping for the site as a whole.

Affordable Housing

Policy H4 of the Neath Port Talbot Unitary Development Plan refers to affordable housing provision. The Authority has also adopted Supplementary Planning Guidance for the provision of affordable housing. In this case the matter is further defined by the S106, signed as part of the outline planning permission for the site. There are no conditions imposed upon the outline permission, but the requirement for affordable housing is set out within the aforementioned legal agreement.

Members may be aware that phase 1 of this development did not provide affordable housing, but was subject to a viability assessment, and a S106 agreement to assess viability on an annual basis. It was made clear by the Authority at that time that this position would not be repeated on future phases, and that affordable housing provision on this site was essential to achieve a sustainable development, but also to address the needs of the population within the Borough.

Members will also be aware that the authority is currently considering changes to the existing S106 that include a proposed change to the way in which affordable housing is delivered on this site. These changes do not affect the total number of affordable units to be delivered, and this remains as a minimum of 20% of the units developed.

In this phase the applicant is providing 27.8% affordable housing which is over and above the 20% requirement. This includes 3, two bed houses, and 19, two bedroom apartments. Discussions have taken place with Housing Strategy and the Registered Social Landlords (RSLs) who operate in this Borough, and they

consider the provision acceptable, and are eager to enter into further discussions to be represented on this phase. These units will be provided to the appointed RSL at 42% open market value, in line with the current S106 requirements.

A condition will be imposed ensuring the delivery of these affordable housing units, as the open market housing is developed.

Drainage /Sewerage

The applicant has provided Technical Note reference TN-000145, Rev 1.1, including drawing 5041216-ENG-DWG-0001670, in order to comply with the requirements of Condition 50 of the outline planning permission. This scheme is in line with the strategic drainage strategy for this catchment. However, the applicant clarifies that further detail is required on some of the temporary drainage solutions in order to avoid constraining the build out of this phase. As such, whilst the principles set out are considered acceptable, a condition will be imposed requesting that these details are provided prior to the first occupation of any dwelling.

Conclusion

The proposed development provides both additional residential development at this site, and commercial development. The design and layout of the development substantially complies with the adopted Town Code, and subject to the submission of acceptable samples and the construction of sample panels, the proposed variations to the adopted Town Code can be considered acceptable. The proposals include the creation of commercial units that will start to allow for the introduction of retail and other supporting uses to provide a more sustainable and mixed use development, and will introduce another area of open space, and a key pedestrian link between phases 1 and 2.

As such it is considered that the proposed development is acceptable in terms of design, layout, visual amenity, residential amenity and highway and pedestrian safety. As such the development accords with Policies LL1, ENV4, ENV5, ENV16, ENV17, H4, T1 & RO3 of the Neath Port Talbot Unitary Development Plan.

RECOMMENDATION

Approve, subject to conditions, and upon the signing of a legal agreement with the following Heads of Terms:

A Highways Agreement to be technically approved, signed and legally sealed before any works to the Southern Access Road (SAR) viaduct and highway can commence, these shall include the highway network from the existing junction onto Ffordd Amazon to the boundary of the southern development area of Coed Darcy (which will allow housing to be constructed). The agreement will be signed and legally sealed with a surety/guarantor agreement for the costs of completion of the development prior to occupation of any dwelling within this phase of development.

CONDITIONS

(1) All dwellings shall be finished externally in accordance with Drawing No. PL005D, and all garages serving those dwellings shall be finished in materials in accordance with Drawing No. 7658-PL30B.

Reason

In the interests of clarity, design and visual amenity.

(2) All permanent boundary treatments shall be erected/constructed in accordance with the details as defined on Drawing No's 7658-PL06D & 7658-PL54C. These shall be erected/constructed in accordance with the approved details prior to the occupation of each associated dwelling, and retained as such thereafter.

Reason

In the interests of visual amenity, and security and to comply with the requirements of Condition 40 of outline Planning Permission P2005/0393.

(3) Notwithstanding conditions 1 and 2, and the details submitted, prior to the use of that material or construction of that detail on site, sample panels for the proposed brickwork, stonework, render, including windows, corner detailing and mortar joints, together with roof verge, eaves, chimney and canopy design and detailing shall be constructed on site, inspected by the Local Planning Authority and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interests of design and visual amenity and to ensure compliance with the approved Town Code.

(4) All public realm hard surfacing shall be carried out in accordance with those details and materials as set out on Drawing No's 7658-PL53C, and PL07G,

Reason

In the interests of design and visual amenity and to ensure compliance with the approved Town Code.

(5) Service meter boxes shall be located in accordance with Drawing No.s 7658 PL10 Rev F and PL60 Rev B. Bin store locations shall be provided in accordance with Drawing no. 7658 PL09 Rev F. These details shall be fully implemented prior to the occupation of the associated dwelling and retained as such thereafter.

Reason

In the interests of visual amenity, and to accord with the requirements of the adopted Town Code.

(6) The development hereby approved shall be undertaken in accordance with the proposed levels, as set out on Drawing No,s P13-268-303E and P13-268-305A

Reason

To accord with the requirements of Condition 48 of Outline Planning Permission P2005/0393, and in the interest of visual amenity and design.

(7) Notwithstanding the proposed levels, cross-sections, retaining works, and boundary treatments submitted and hereby approved, for all rear gardens with a gradient steeper than 1 in 12, a scheme shall be submitted to and approved in writing by the Local Authority, which shall demonstrate where a gradient of 1:12 cannot be achieved for the total length of garden area, how the relevant non-compliant section of garden shall be graded, screened and/or retained, to ensure that a 1:12 gradient is maximised. This scheme as approved shall be fully implemented in accordance with these approved details, prior to the first occupation of the associated dwelling.

Reason

In the interests of residential amenity, and design.

(8) No external flues, vents and utility boxes shall be located on the elevation of any dwelling fronting any highway or footpath, unless in accord with a scheme to be first submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of visual amenity and design and to accord with the adopted Town Code.

(9) Unless otherwise agreed in writing by the Local Planning Authority all street signage shall be fixed to buildings, or a means of enclosure in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling within that street.

Reason

In the interests of visual amenity, and design.

(10) Construction phasing shall be undertaken in accordance with Drawing No. SK17.

Reason

In the interests of clarity.

(11) The public open space shall be landscaped and open for public use no later than the first planting season following the first occupation of any dwelling located on Plots 42-49. The landscaping and layout of the public open space shall be completed in accordance with Drawing 1554/04F, and any trees or plants which within a period of five years from the completion of the development die, or 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 interests of visual and public amenity, biodiversity and sustainable connectivity within the site.

(12) Prior to the occupation of any dwellings within construction phase 3 (Plots 36-38 & 39-41) as defined on Drawing SK17. The cliff face staircase as set out on Drawing PL16 REV C shall be constructed in accordance with these approved details and shall be open for public use thereafter. Notwithstanding these details and prior to these works taking place full construction details, including external materials and integrated lighting details shall be submitted to and approved in writing by the Local Planning Authority. The stair case shall be constructed in accordance with these approved details.

Reason

In the interests of amenity, and to ensure that the connectivity of the site, and impacts of these works are fully integrated within the construction programme.

(13) No dwelling within this phase of development hereby approved shall be occupied until a binding contract is in place between the applicant and the selected RSL to transfer all of the affordable dwellings proposed within this phase of development, as identified on Drawing No. 7658-PL61 Rev B (Plots 61 to 79, and Plots 21-23) to that RSL. A copy of this signed contract shall be submitted to and approved in writing by the Local Planning Authority, prior to the first occupation of any dwelling.

No residential dwellings within construction phases 8, 9, 10 & 11, as identified on Drawing No. SK17, shall be occupied until such time that all of the affordable housing apartments located within blocks D & E (Construction Phase 7, Plots 61-70) are constructed, available for occupation and transferred to the selected RSL in accordance with the binding contract referred to above.

No residential dwellings within construction phases 10 and 11, as identified on Drawing No. SK17, shall be occupied, until such time that the dwellings on plots 21-23 are constructed, available for occupation and transferred to the selected RSL in accordance with the binding contract referred to above.

Reason

To accord with the provisions and requirements of Part 3 of the S106 agreement and to ensure that a percentage affordable housing units are provided together with the open market housing.

(14) Prior to the first occupation of any property it shall be connected to the main sewer.

Reason

In the interests of amenity.

(15) Surface water and land drainage shall be carried out in accordance with Drawings 5088491/R5080/500C, 510C, 520C & P13-268-301E, 302E, 304B & 306A.

Notwithstanding these details and in accordance with Technical Note 5041216-ENG-TN-000145, and drawing No. 5041216-ENG-DWG-0001670, prior to the first occupation of any dwelling a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the proposed temporary Phase 2 drainage solutions 'NSR' including;

- A hydraulic model assessment of the NSR, pre and post phase 2 temporary drainage solution catchment contribution.

- Proposed NSR pumping strategy and associated NSR water level considerations.

- Pre-NSR temporary attenuation solutions.

- Temporary surface water drainage network solutions.

- a programme of works or phasing.

This scheme as approved shall be fully implemented in accordance with the approved details, and timescales for implementation.

Reason

In the interests of amenity, clarity, and to ensure that the strategy hereby approved is fully implemented in accordance with condition 50 of outline Planning permission P2005/0393.

(16) The highways and associated drainage shall be completed in accordance with those details submitted on Drawing No's 5088491/R5080/100C, 500C, 510C, 520c, 530c, 700c, 710C, 720C, 730C, 740C, 750C, 760C, 770C, 1100C & P13-268 308 Rev A.

Reason

in the interests of clarity, and to accord with the requirements of Condition 61 of Planning Permission P2005/0393.

(17) Prior to the first occupation of that dwelling, or the first use of any commercial unit, the car parking to serve that property shall be constructed and available for use in accordance with the approved layout as set out on Drawing Number PL03 Rev P, and PL50 Rev F.

Reason

In the interests of highway and pedestrian safety, and amenity.

(18) The section of Highway and associated footways, as identified on Drawing No. 5088491/R5080/700 Rev C as 'enabling works' are temporary only, and shall not form a permanent alignment of this section of the strategic highway. These works shall be completed to binder course level as a minimum prior to the first occupation of any dwelling served off this highway, or any public access, whichever is the sooner.

Reason

In the interests of clarity, and to ensure that future phases of development can be considered that may affect the alignment of this strategic highway.

(19) Notwithstanding the details submitted the carriageway adjacent to Plot 15 shall be widened to a minimum of 5.5m in accordance with a scheme which shall first be submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of the rock feature/planting area, ensuring that this has a height no greater than 600mm. The approved scheme shall be fully implemented on site as part of Construction Phase 10, as defined on Drawing No. SK17.

Reason

In the interests of Highway and Pedestrian Safety.

(20) Prior to the occupation of any dwelling a scheme shall be submitted to prevent vehicles from parking on the footways on Road 50, fronting construction Phases 5, 6 & 8 and the un-named road adjoining the western boundary of Plot 1, as defined on Drawing SK17. This scheme as approved shall be fully implemented in accordance with these details prior to the first occupation of any dwelling fronting that section of footway, and retained as such thereafter.

Reason

In the interests of Highway and Pedestrian safety.

(21) Street lighting shall be fully implemented in accordance with Drawing No's 5088491/R5080/1300C, LE.1802/1300/01/C. Any variation on the location and specification for the lighting, if required at technical approval stage, shall be submitted to and approved in writing by the local Planning Authority prior to the implementation on site, and shall be retained as such thereafter.

Reason

In the interests of highway and pedestrian safety, and to accord with the requirements of conditions 54 and 61 of Outline Planning permission P2005/0393.

(22) All street lighting columns within a shared surfaced area shall be provided with column protection in accordance with the approved Town Code Specification.

Reason

In the interests of highway and pedestrian safety, amenity and design.

(23) Notwithstanding the details submitted and prior to the construction of any dwelling on Plots 3 & 4, Plots 20 to 23 and Plots 31 to 33, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing security lighting to be provided to the rear pedestrian access routes. This scheme, and the provision of lockable gates to these access routes, as approved, shall be fully implemented on site prior to the first occupation of any dwelling served off that access route and retained as such thereafter.

Reason

In the intertests of public safety and security, and the amenity of residents.

(24) The layout and design of the strategic cycle and pedestrian routes as defined on Drawing PL14C shall be fully implemented in accordance with the details hereby approved as part of the phased construction of the development.

Reason

To accord with the approved masterplan, strategic footway and cycle strategy, amenity and sustainability, and to accord with the requirements of Condition 42 of Planning Permission P2005/0393.

(25) All highway retaining works shall be undertaken in accordance with P13-268-305, 309 &310.

Reason

In the interests of clarity and to comply with the requirements of Planning Condition 75 of Outline Planning Permission P2005/0393.

(26)Unless otherwise agreed in writing by the Local Planning Authority all pedestrian crossing facilities and bus stop locations, as detailed on Drawing No. PL62A, shall be fully implemented on site prior to any occupation of any dwelling fronting that crossing facility or bus stop. If at technical approval stage the location of these facilities are amended, a scheme shall be submitted to and approved in writing by the Local Planning Authority for these revised locations prior to their implementation on site.

Reason

In the interests of highway and pedestrian safety, and to accord with the requirements of Condition 72 of Outline Planning Permission P2005/0393.

(27)The 5 commercial units located on the ground floor of blocks D and E as shown on drawing No's PL50F, PL51E & PL56E shall be used for A1, A2 or A3 Uses and for no other purpose including any other purpose in any other Class 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.

(28) No more than 2 No. hot food and drink (Class A3) uses shall be permitted within the 5 commercial units located on the ground floor of blocks D and E, as shown on drawing No's PL50F, PL51E & PL56E. Of these A3 uses no more than 1 unit can be a hot food takeaway use and these A3 uses shall not be located adjacent to each other.

Reason

In the interests of the amenity of neighbouring residential development, and the vitality, viability and attractiveness of the emerging village centre.

(29) Customers shall not be permitted entry to any hot food and drink (Class A3) premises between 23.00 hours and 07.00 hours and shall not be served or remain on the premises between 23.30 hours and 07.00 hours.

Reason

In the interest of the amenities of residents living in the vicinity of the application site.

(30) Prior to the first use of any commercial cooking facilities within any of the ground floor commercial units within Blocks D & E, a scheme shall be submitted to and approved in writing by the Local Planning Authority for the means of extraction and odour control. This scheme shall be wholly contained within the fabric of the building, and shall not require the installation of any additional external flues, and vents. The scheme shall provide full technical specification, including noise and vibration mitigation, together with odour control. The scheme as approved shall be fully implemented on site prior to the first use of the unit for which they serve, and shall be maintained as such, in accordance with the manufacturers specifications thereafter. Any replacement system shall be of a similar or better specification.

Reason

In the interests of the amenity of adjoining residential properties, and the visual amenity of the area as a whole.

(31) Prior to the first use of any commercial unit within Blocks D & E hereby approved, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing a signage/advertisement strategy for these units. All future advertisements on these premises shall comply with the approved signage/ advertisement strategy.

Reason

In the interests of visual amenity, and to ensure that the proposed signage across these units reflects the principles of the Town Code.

(32) Notwithstanding condition 11, all planting, seeding or turfing comprised in the approved details of landscaping as set out on drawing No's 1554/03E, 1554/03D & 1554/06A shall be carried out in the first planting and seeding season following the occupation of the buildings within that construction phase, as set out on Drawing No. SK17, or the completion of the development hereby permitted, whichever is the sooner. 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, and Condition 87 of Outline Planning permission P2005/0393.

(33) All tree protection measures shall be in accordance with the approved town code specification. Where tree guards are to be provided, these shall be Marshalls, Ollerton flared top tree guards, coated black.

Reason

In the interests of clarity, visual amenity, and to accord with the approved town code.

(34) Notwithstanding the details submitted, and prior to the commencement of development on the superstructure of any dwelling. Revised parking and landscaping details including alterations to the hard surfacing, removing the Tegular Concrete Sets from the parking areas serving Plots 21 to 23, and revised hard landscaping proposals to the frontages of Plot 61 shall be submitted to and approved in writing by the Local Planning Authority. These schemes as approved shall be fully implemented in accordance with these approved details prior to the occupation of the aforementioned properties.

Reason

in the interests of the amenity of residents.

(35) Temporary means of enclosure shall be provided in accordance with Drawing No. PL63. These means of enclosure shall be provided on site prior to the occupation of any dwelling fronting that boundary.

Reason

In the interests of visual amenity, residential amenity and public safety and to accord with the requirements of Condition 41 of Planning Permission P2005/0393.

(36) Notwithstanding the details submitted in Technical note 5041216-ENG-TN-01318 Rev R1 and Drawing No. 5041216-ENG-DWG-001728 Rev D. Prior to the construction of the superstructure within;

a) Zone 1: Any dwelling on Plots 50 to 60, and Plot 39.

b) Zone 2 :Any dwelling on Plots 15-23 and Plot 38.

Full details of all works to the rock face shall be submitted to and approved in writing by the Local Planning Authority, including existing and proposed cross sections extending to the front face of those properties opposite the zone of work and the provision of sample sections of any retaining structures for approval which are to be constructed on site. These details as approved shall be fully implemented prior to the first occupation of any dwelling within that Zone, and shall be retained as such thereafter.

Reason

in the interests of visual amenity and the amenity of adjoining residents.

REASON FOR GRANTING PLANNING PERMISSION

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

The proposed development is acceptable in terms of design, layout, visual amenity, residential amenity and highway and pedestrian safety. As such the development accords with Policies LL1, ENV4, ENV5, ENV16, ENV17, H4, T1 & RO3 of the Neath Port Talbot Unitary Development Plan.

SECTION B – MATTERS FOR INFORMATION

APPEALS RECEIVED

a) **Trees – Appeal against conditions and service of Article 5 Notice**

Appeal Ref: A2015/0002 **Planning Ref:** P2014/0286

PINS Ref: 516055

Applicant: Mr Keith Thomas

Proposal: Fell 15 trees in garden of Swiss Cottage

Site Address: Swiss Cottage, Longford Road, Neath SA10 7AJ

Start Date: 10/2/15

Appeal Method: Written Representations

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SECTION B – MATTERS FOR INFORMATION

APPEALS DETERMINED

Planning Appeal

Appeal Ref: A2014/0006 **Planning Ref:** P2012/0999

PINS Ref: APP/Y6930/A/14/2215628

Applicant: RES UK & Ireland Ltd

Proposal: Installation of a Wind Farm comprising five wind turbines up to 126.5 metres to maximum blade tip height, with associated transformers, electrical sub-station and control building, 82 metre anemometry mast, underground cabling, access tracks, site entrance, river crossing and crane hard standings; and temporary construction compounds, storage area and two temporary 82 metre high anemometry masts

Site Address: Mynydd Marchywel, between Rhos and Cilfrew, north of Neath

Appeal Method: Public Inquiry

Decision Date: 2 February 2015

Decision: Dismissed

The main issues concerned:

- The landscape and visual impact of the proposed turbines on the character and appearance of the area;
- The effect of the proposal on the living conditions of the occupiers of nearby residential properties;
- The effect of the proposal on heritage assets and the cultural heritage of the area; and
- Whether any harm identified in relation to the foregoing is outweighed by the benefits of the scheme in terms of its contribution to renewable energy production.

Landscape and Visual Impact on Character and Appearance

The Inspector noted that the proposed turbines were not all within SSA E, with T4 and T5 are outside the SSA boundary on land that is more agricultural in appearance. However, the Inspector considered that there is no marked difference between the character of the areas within and just outside the SSA, other than their relative height and positions on the ridge. The site is all within the same landscape character area, and the broad brush nature of the boundary definitions of the SSAs and the fact that the proposed turbines would be in close proximity to the boundary lead the Inspector to conclude that their position outside the SSA was not a factor that carried significant weight in the determination of this appeal.

The Inspector considered the ARUP refinement study for SSAs E and F undertaken for a consortium of South Wales Valleys Authorities including Neath Port Talbot CBC, and noted that the area was split into a number of zones, which were then assessed and ranked according to their suitability for wind farm development. He also noted that Zone E5 was eventually excluded because of concerns regarding cumulative impact on Crynant arising from wind farms on both sides of the valley if Zone E3 were developed, and Zone E6 was the second worst in the ranking order of the acceptable zones.

Officers accepted at Inquiry that, as the size of the refined area within the Council's Interim Planning Guidance (IPG) was insufficient to meet the identified output capacity envisaged by national policy, this element of the IPG should be afforded little weight, which the Inspector accepted.

Landscape Impact

Following the LANDMAP methodology of landscape assessment endorsed in Planning Policy Wales, the three main character areas affected were noted to be those surrounding the site i.e. Character Area 25 – Mynydd Marchywel (LCA 25) which includes the site and the higher ridge and forest to the north; Character Area 24 – Dulais Valley (LCA 24) to the east and Character Area 39 – Clydach Valley, Cilybebyll and Cilfrew (LCA 39) to the south and west.

It was agreed that there would be significant landscape effects in the area extending to around 1 km from the proposed turbines.

Following a detailed analysis of impact on landscape character areas, the Inspector did not agree with the appellant's view that it is only effects on

key characteristics of the landscape character area that are important, noting that the characteristics of the more local area and the effect of large scale additions on the area should also be taken into account. In this respect he stated that the turbines if approved would become a key characteristic of the area, would be prominent features located on a narrow ridge between two valleys, and as such there would be significant adverse effects on the landscape within LCA 25.

He also concluded that there would be significant adverse effects on the landscape within LCA 39 and within LCA 24.

Overall, the scale position and prominence of the proposed turbines in relation to the landform will have a significant adverse impact on the landscape character of the surrounding area. There would be particularly harmful effects on the important ridgelines. These adverse effects must be weighed against the proposal.

Visual Impact

The evidence on the visual effects of the proposal concentrated on the main impacts on settlements and dwellings as well as the users of public rights of way (PROW), minor roads and open access land.

The Inspector mainly considered the settlements most affected i.e. those closest to the proposal, but acknowledged that other settlements will be adversely affected, just not to the same degree.

In summary he concluded that: -

- There would be a significant visual impact on residents in large parts of the village of **Rhos**. Turbines would dominate the ridge that forms the backdrop to the village and would be highly prominent. The parties all agreed that the turbines would be dominant in views from the village due to their proximity and relative elevation above the village.
- There would be similar effects on the small settlement of **Fforest Goch** to the south.
- The village of **Crynant** would be less affected. However, there would be significant cumulative effects with the proposed wind farm at Hirfynydd, were that to be approved. This is the very concern that led to Zone E5 being excluded from the refined SSA boundary in the Arup Study.

- The settlements of **Bryn Coch** and **Cilfrew** are close to the proposal at less than 2 km distance. Views of the turbines are possible from parts of the settlements and the visual impact would be significant in these areas due to this proximity and the position of the turbines on the ridge.
- Other settlements such as **Aberdulais, Pontardawe, Ynysmeudwy, Cilmaengwyn, Tonna and Neath** are further away (between around 2 km and 3.5 km) from the proposal and have views from some areas within the settlement of some of the proposed turbines. Overall, there will be adverse effects that the landscape expert witnesses considered to range from low to moderate to major/moderate.
- There are several Public Rights of Way in the area around the site including the longer distance named routes of St. Illtyd's Walk and Sarn Helen roman road. The effects of 5 large turbines with rotating blades would be negative on those seeking a quiet walk to get away from it all. The adverse effects on users of these PROWs and minor roads would be adverse and significant

He thus concluded that there would be a significant adverse visual impact on the residents of the settlements identified above. There would also be impacts on users of the PROW and minor roads in the area as identified. These adverse impacts must weigh against the proposal.

In concluding on the Landscape and Visual Impact on the Character and Appearance of the Area, he stated that the proposed turbines will have a significant adverse impact on the landscape character of the surrounding area for the reasons given above. There would also be significant adverse visual impacts on important visual receptors as described above. Overall, he concluded that there would be a harmful landscape and visual impact on the character and appearance of the area as a result of the proposed turbines

Impact on the Living Conditions of the Occupiers of Nearby Residential Properties

It was agreed at the Inquiry that the appropriate test in respect of residential living conditions is whether the presence of the turbines would be so unpleasant, overwhelming and oppressive, that the dwelling would become an unacceptably unattractive (albeit not uninhabitable) place in which to live (known as "the Lavender Test"). It was also agreed that the assessment should be made "in the round" taking account of separation

distance, orientation and layout of the dwelling and garden, arc of view, screening and differences in level.

The Inspector visited the four properties referred to by the Council in evidence. In respect of 'The Old Barn' at Gelli March Farm (to the south, around 920m away from the nearest turbine) he noted that there would be no screening and the proposed turbines would be at a higher level than the dwelling. He thus concluded that that the effect on the living conditions of this property would be severe due to the layout and orientation of the dwelling with all its windows facing the proposed turbines on the ridge above the dwelling. There would be no screening available. There would be no opportunity for residents to avoid views of the turbines from within the dwelling. The rotation of the blades would draw the viewer's eye away from the wider landscape. This would render the dwelling an unacceptably unattractive (albeit not uninhabitable) place in which to live and so the proposal **would fail** the residential living conditions test in respect of this property.

The council's concerns over three other properties were not upheld, the inspector considering for each of these individually that the effects on dwellings, while major and/or significant, would not fail the residential living conditions test.

He also considered there would be more limited effects on the remainder of the properties within 1.5 km of the proposed turbines. Although none would fail the residential living conditions test, the impact would still be significant on the dwellings and gardens. Whilst these effects would not constitute unacceptable harm to living conditions, they are significant visual impact considerations weighing against the proposal.

Noise and shadow flicker

Noise and shadow flicker were considered to be matters which could be satisfactorily addressed by condition.

Cultural Heritage and Effect on Heritage Assets

Although not put forward as objections by the Council, concerns were raised by Marchywel Protection Group (MHPG) and objectors regarding the impact of the proposal on heritage assets including scheduled monuments, several listed buildings, the Gnoll registered park and garden and the archaeological landscape of the area including features of community historical value.

Noting that PPW refers to the desirability of preserving an ancient monument and its setting as a material consideration in determining a planning application, the Inspector considered that the proposal would represent a very substantial visual addition within the setting of GM326 (two house platforms, immediately adjacent to the proposed wind farm), and considered there would be a significant adverse impact on its setting, which must weigh against the proposal.

The appeal site forms part of the setting of the Gnoll registered park but the proposal would not cause substantial harm to this heritage asset. The setting of the heritage assets would be preserved. The setting of the other listed buildings would not be affected because the site does not form part of the setting and the lack of available views.

Other Matters

In respect of **Tourism**, the Inspector noted that the Council withdrew their objection in the reason for refusal to the detrimental effect on tourism. Evidence was put forward by the MHPG, but the Inspector noted contrary conclusions were reached in a recent study on behalf of the Welsh Government into the potential effects of wind farms on the visitor economy within Wales which found no evidence of significant impacts either locally in areas where there are established wind farms or nationally. In these circumstances the objection on these grounds was not a significant consideration in this case.

In respect of **traffic and transport effects** of the proposal, the Inspector noted that there would be a dry run to ensure that the vehicles could traverse the intended route and establish appropriate times of day to minimise traffic disruption. He noted that he had received no convincing evidence that the agreed conditions would not adequately address this matter.

Need for the Proposal

The Inspector noted that the proposal will have an installed capacity of 11.5 MW (sufficient to supply electricity to almost 10,000 homes) which was a significant benefit of the scheme which must weigh heavily in its favour. Matters relating to capacities in SSA E were not considered to be determinative in this appeal.

He also noted that the Welsh Government has stated that good progress is being made towards meeting the 2015/17 targets, but that there is a clear need for further wind energy development nationally and in this area, which is a clear policy imperative of both the UK and Welsh Government.

The Overall Planning Balance

The benefits of the proposal in meeting the acknowledged need for further onshore wind energy, which is a policy imperative for Welsh Government, were set out by the Inspector in detail. He also attached considerable weight to the site's inclusion within and close to SSA E, and that the site is well-placed to contribute to the target for wind energy production, as well as the potential shortfall across Wales in achieving future Welsh Government targets in this respect.

While noting that Policy IE6 aims to deliver renewable energy, and that the proposal would meet this objective, nevertheless he stated that the site encompasses a particularly sensitive and prominent edge to the SSA. The particular relationship of the proposed development to its surroundings lead him to find that the landscape impacts, all the visual impacts on residents and users of PROWs, impacts on views from heritage assets and effects on living conditions when taken together, would cause a degree of harm that would not be justified by the benefit of the scheme in terms of wind energy generation.

There are no planning conditions which could be imposed to acceptably mitigate this harmful effect, such that he concluded that the scheme would conflict with Unitary Development Plan Policies 19, ENV1, ENV3, ENV19, GC1 and GC 2 and national planning policies. Thus, on balance, it would be in conflict with Policy IE6 and the development plan as a whole.

In reaching his conclusion he had regard to the long-term effects of climate change on the environment and that the proposed turbines would be dismantled after 25 years in operation, or sooner if not in use, but these considerations did not alter his findings on the unacceptability on the scheme.

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SECTION B – MATTERS FOR INFORMATION

DELEGATED APPLICATIONS

DETERMINED BETWEEN 24 JANUARY 2015 AND 15 FEBRUARY 2015

1	App No. P2014/0435	Type Householder
Proposal	Side extension and new roof to dwelling incorporating raised ridgeline and dormers front and rear to facilitate first floor accommodation.	
Location	10A Ormes Road, Skewen, Neath SA10 6SY	
Decision	Approval with Conditions	
Ward	Coedffranc North	

2	App No. P2014/0624	Type Full Plans
Proposal	Retention of stable block, timber shed, container and tractor store plus use of land for equestrian purposes.	
Location	Land to the south of, Hillside Secure Unit, Cimla, Neath	
Decision	Approval with Conditions	
Ward	Neath South	

3	App No. P2014/0742	Type Full Plans
Proposal	Detached Dwelling and Photo Voltaic array area (mining risk assessment received 17.11.14) (updated mining risk assessment received 02.12.14)	
Location	Site of Glyndwr Bungalow, Tynewydd, Seven Sisters, Neath SA10 9BP	
Decision	Approval with Conditions	
Ward	Onllwyn	

4	App No. P2014/0778	Type Full Plans
Proposal	Coach Depot comprising new maintenance and office building, parking areas, refuelling, washing facilities and associated works - amended plans to increase parking facilities for 50 coaches.	
Location	Plot 3 Aberavon Road, Baglan Industrial Estate, Port Talbot SA12 7BY	
Decision	Approval with Conditions	
Ward	Aberavon	

5	App No. P2014/0781	Type Full Plans
Proposal	Upgrading of existing football facility, infrastructure works to include new football stands, storage container, programme kiosk, pitch railings, boundary treatments and paths.	
Location	Parc Ynysderw, Fford Parc Ynysderw, Pontardawe SA8 4EG	
Decision	Approval with Conditions	
Ward	Pontardawe	

6	App No. P2014/0798	Type Householder
Proposal	Two side dormer extensions	
Location	45 Waun Penlan, Rhydyfro Pontardawe, Swansea SA8 3BB	
Decision	Approval with Conditions	
Ward	Pontardawe	

7	App No. P2014/0862	Type Full Plans
Proposal	Change of use of existing public house to facilitate extension to adjoining hotel, plus four storey rear extension and external alterations. Providing an additional 12 hotel rooms, ground floor restaurant, plus 4 off street car parking spaces	
Location	22 The Parade, Neath SA11 1RA	
Decision	Approval with Conditions	
Ward	Neath North	

8	App No. P2014/0889	Type Outline
Proposal	One two storey residential dwelling, and associated car parking, including car parking area to serve the proposed dwelling and No 7. (Amended parking layout)	
Location	Plot Between, 7 And 10 Compass Row, Pontardawe, SA8 4LS	
Decision	Approval with Conditions	
Ward	Pontardawe	

9	App No. P2014/1002	Type Discharge of Cond.
Proposal	Details pursuant to condition 6 (Construction method statement) & 20 (Surface water during construction method statement) of Planning Permission P2014/0466 (Approved on the 20/08/14)	
Location	83 Pen Y Dre, Neath SA11 3HF	
Decision	Approval with no Conditions	
Ward	Neath North	

10	App No. P2014/1006	Type Vary Condition
Proposal	Variation of Conditions 3 and 4 of Planning Permission P2009/1046 granted on 29/11/11 to extend the period of time for the submission of reserved matters by a further three years and for the commencement of development.	
Location	Plot at, Heol Herbert, Resolven, Neath SA11 4AG	
Decision	Approval with Conditions	
Ward	Resolven	

11	App No. P2014/1008	Type Full Plans
Proposal	Change of Use from Office (Class A2) to single dwelling (Class C3) plus installation of new door to rear elevation.	
Location	Gnoll Chambers, 4 Gnoll Park Road, Neath SA11 3BP	
Decision	Approval with Conditions	
Ward	Neath North	

12	App No. P2014/1034	Type Vary Condition
Proposal	Variation of Conditions 3 & 4 of Planning Permission P2012/0133 (Approved on the 15/6/12) to extend the period for the submission of reserved matters.	
Location	Wernddu Cottages, Tyllwyd Road, Bryncoch, Neath	
Decision	Approval with Conditions	
Ward	Bryncoch North	

13	App No. P2014/1060	Type Householder
Proposal	Demolition of single storey side extension, and construction of two storey side extension, two storey rear extension and single storey rear extension plus detached timber double garage.	
Location	26 New Road, Gellinudd Pontardawe, SA8 3DY	
Decision	Approval with Conditions	
Ward	Rhos	

14	App No. P2014/1070	Type Householder
Proposal	Two storey rear extension.	
Location	116 Cimla Road, Cimla, Neath SA11 3UD	
Decision	Approval with Conditions	
Ward	Neath South	

15	App No. P2014/1072	Type Full Plans
Proposal	Sub-division of existing first-floor Manager's Flat to provide 1 x 1-Bed Flat and 1 x 2-Bed Flat, plus glazed entrance canopy and insertion of 3 windows to front elevation, cycle store and recycling enclosures to rear elevation, plus detached clothes drying area at rear.	
Location	Ty Llansawel, Hunter Street, Briton Ferry, Neath SA11 2SH	
Decision	Approval with Conditions	
Ward	Briton Ferry East	

16	App No. P2014/1076	Type Full Plans
Proposal	Change of Use of existing storage area at ground floor level to a (Class A1) - Retail Use plus single-storey rear extension to provide ancillary storage and a reduction in the width of the roller shutter to the front elevation.	
Location	111-113 Briton Ferry Road, Neath SA11 1AS	
Decision	Approval with Conditions	
Ward	Neath East	

17	App No. P2014/1091	Type Change of Use
Proposal	Change of use of ground floor and basement from retail (Class A1) to café/restaurant (Class A3)	
Location	126 London Road, Neath SA11 1HF	
Decision	Approval with Conditions	
Ward	Neath North	

18	App No. P2014/1098	Type Householder
Proposal	Single storey rear extension	
Location	65 Gwilym Road, Cwmllynfell, SA9 2GN	
Decision	Approval with Conditions	
Ward	Cwmllynfell	

19	App No. P2014/1099	Type Householder
Proposal	First floor extension and porch on rear elevation.	
Location	Cwmbryn Farm, Lane Off Baran Road To Access Cwm Bryn, Pontardawe SA8 4RR	
Decision	Approval with Conditions	
Ward	Pontardawe	

20	App No. P2014/1126	Type Householder
Proposal	Single storey rear extension plus steps to lower garden level.	
Location	219 Heol Y Gors, Cwmgors, Ammanford SA18 1RF	
Decision	Approval with Conditions	
Ward	Gwaun-Cae-Gurwen	

21	App No. P2014/1130	Type Full Plans
Proposal	Construction of new sections of roof, erection of solar panels to roof slopes, replacement of external windows and doors, including insertion of additional windows, replacement and new entrance canopies, and recladding of parts of external elevations, plus hard standing areas for driveway, turning and additional car parking, and construction of refuse enclosures.	
Location	Mozart Court, Mozart Drive, Sandfields, Port Talbot SA12 7UG	
Decision	Approval with Conditions	
Ward	Sandfields West	

22	App No. P2014/1135	Type Householder
Proposal	Two storey side extension, and single storey side and rear extension.	
Location	71 Main Road, Bryncoch, Neath SA10 7TA	
Decision	Approval with Conditions	
Ward	Bryncoch North	

23	App No. P2014/1146	Type Householder
Proposal	Two storey side extension, new ridged roof with increased ridge height to dwelling incorporating dormers to front plane plus front porch.	
Location	50 Park Avenue, Lonlas, Neath SA10 6SA	
Decision	Approval with Conditions	
Ward	Coedffranc North	

24	App No. P2014/1147	Type LawfulDev.Cert-Exist
Proposal	Certificate of Lawful Development (Existing) for the siting of caravan for residential purposes.	
Location	Land Adjoining Oakfield House, Heol Y Glo, Bryndu, Pyle CF33 6RA	
Decision	Not to Issue Lawful Dev.Cert.	
Ward	Margam	

25	App No. P2014/1171	Type App under TPO
Proposal	Application for works to Beech tree covered by Tree Preservation Order 176-T2	
Location	56 Old Road, Baglan, Port Talbot SA12 8TT	
Decision	Approval with Conditions	
Ward	Baglan	

26	App No. P2014/1182	Type Householder
Proposal	Two storey side extension	
Location	62 Cefn Yr Allt, Aberdulais, Neath SA10 8HE	
Decision	Approval with Conditions	
Ward	Aberdulais	

27	App No. P2014/1187	Type Screening Opinion
Proposal	Request for a screening opinion under the EIA Regulations for the erection of a single wind turbine measuring 50m to the hub, and with a tip height of 77m.	
Location	Mynydd Dyffryn Farm, Bryncoch, Neath	
Decision	EIA Not Required	
Ward	Dyffryn	

28	App No. P2014/1188	Type Advertisement
Proposal	Retention of internally illuminated fascia and projection signs to front elevation	
Location	278 Margam Road, Margam, Port Talbot	
Decision	Approval with no Conditions	
Ward	Margam	

29	App No. P2014/1198	Type Change of Use
Proposal	Change of use from retail (Class A1) to cafe (Class A3)	
Location	1a Charlesville Place, Neath Neath Port Talbot SA11 1PY	
Decision	Approval with Conditions	
Ward	Neath North	

30	App No. P2015/0007	Type Householder
Proposal	Single Storey rear extension.	
Location	29 James Street, Port Talbot SA13 1AW	
Decision	Approval with Conditions	
Ward	Port Talbot	

31	App No. P2015/0019	Type Discharge of Cond.
Proposal	Details to be agreed in association with Condition 33 (Remediation Strategy) of P2014/0501 granted on 2/10/14	
Location	Western Avenue Playing Fields, Adjacent To Seaway Parade, Sandfields, Port Talbot	
Decision	Approval with no Conditions	
Ward	Sandfields West	

32	App No. P2015/0020	Type LawfulDev.Cert-Prop.
Proposal	Lawful development certificate (Proposed) for the conversion of a garage to associated living accommodation.	
Location	56 Railway Terrace, Cwmllynfell, Swansea SA9 2GP	
Decision	Issue Lawful Dev.Cert.	
Ward	Cwmllynfell	

33	App No. P2015/0032	Type Householder
Proposal	First-floor side extension.	
Location	9 The Hollins, Cimla, Neath SA11 3BQ	
Decision	Approval with Conditions	
Ward	Cimla	

34	App No. P2015/0044	Type LawfulDev.Cert-Prop.
Proposal	Lawful Development Certificate (proposed) for a single storey rear extension.	
Location	13 Ffordd Brynheulog, Pontardawe, Swansea SA8 4JG	
Decision	Issue Lawful Dev.Cert.	
Ward	Pontardawe	

35	App No. P2015/0046	Type LawfulDev.Cert-Prop.
Proposal	Lawful Development Certificate for a proposed single storey extension.	
Location	7 Llys Yr Afon, Godre'r Graig, Swansea	
Decision	Not to Issue Lawful Dev.Cert.	
Ward	Godre'rgrraig	

36	App No. P2015/0048	Type Discharge of Cond.
Proposal	Details to be agreed in association with condition 3 (existing and proposed ground levels) of application P2014/0501 granted permission on 2 October 2014.	
Location	Western Avenue Playing Fields, Adjacent To Seaway Parade, Sandfields, Port Talbot	
Decision	Approval with no Conditions	
Ward	Sandfields West	

37	App No. P2015/0052	Type Advertisement
Proposal	Non-illuminated sign at first floor level.	
Location	88 Windsor Road, Neath SA11 1NR	
Decision	Approval with Conditions	
Ward	Neath East	

38	App No. P2015/0055	Type LawfulDev.Cert-Prop.
Proposal	Scooter store - Certificate of Lawful Development Proposed Use	
Location	18 Southcross Road, Sandfields, Port Talbot SA12 7LG	
Decision	Issue Lawful Dev.Cert.	
Ward	Sandfields West	

39	App No. P2015/0070	Type Discharge of Cond.
Proposal	Details to be agreed in association with Condition 6 (Tree Planting Scheme) of Planning Permission P2014/1118 granted on 20/01/15.	
Location	13 The Oaks, Cimla, Neath SA11 3RJ	
Decision	Approval with no Conditions	
Ward	Cimla	

40	App No. P2015/0071	Type LawfulDev.Cert-Prop.
Proposal	Lawful development certificate for a proposed single storey rear extension.	
Location	1 Crimea Court, Graig Newydd, Godre'r Graig SA9 2DT	
Decision	Issue Lawful Dev.Cert.	
Ward	Godre'rgrraig	

41	App No. P2015/0093	Type Discharge of Cond.
Proposal	Details to be agreed in association with Condition 7 (Materials) of P2014/0118 granted on 2/1/15	
Location	13 The Oaks, Cimla, Neath SA11 3RJ	
Decision	Approval with no Conditions	
Ward	Cimla	