



## ***PLANNING COMMITTEE***

***2.00 PM - TUESDAY, 7TH JULY 2015***

***COUNCIL CHAMBER - 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 16th June 2015  
(Pages 5 - 24)
3. To Request Site Visit(s) from the Applications Presented

### **Report of the Head of Planning**

#### **Section A Matters for Decision**

#### **Planning Application subject to Members Site Visit Leaving Port Talbot Civic Centre at 10.00am - Recommended for Refusal**

4. Application No: P2014/1137 - Land to the Front 23 Heol Wenallt, Cwmgwrach, Neath SA11 5PT (Pages 25 - 32)

Detached Dormer Bungalow with associated Car Parking.

#### **Planning Application Recommended for Approval**

5. Application No: P2015/0531 - 35 Mayberry Road, Baglan, Port Talbot SA12 8DG (Pages 33 - 34)

Certificate of Lawful Development (Proposed) – Single Storey rear extension

**Planning Application Recommended for Refusal**

6. Application No: P2014/0468 - Land adjacent to Fairview Bungalow, Main Road, Aberdulais, Neath SA10 8LE (*Pages 35 - 48*)

One detached three bedroom Single Storey bungalow with associated parking.

**Section B - Matters For Information**

7. Appeals Received Between 9th June and 29th June 2015 (*Pages 49 - 50*)
8. Delegated Applications Determined Between 9th June 2015 and 29th June 2015 (*Pages 51 - 64*)
9. 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, 1st July 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, H.N.James,  
D.Keogh, Mrs.S.Paddison, R.Thomas,  
Mrs.L.G.Williams

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

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## PLANNING COMMITTEE PORT TALBOT CIVIC CENTRE

**Members Present:**

**16th June, 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, H.N.James,  
Mrs.S.Paddison, R.Thomas and Mrs.L.G.Williams

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

**Local Member:** Councillor A.L.Thomas

**Officers In Attendance:** Mrs.N.Pearce, S.Ball, C.Davies, I.Davies and  
Miss.G.Cirillo

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### 1. **MEMBERS' DECLARATIONS**

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

Councillor Mrs. L.G.Williams	Report of the Head of Planning - Urgent Item No.8 - East Pit Open Cast Site Update - as Councillor Williams is a member of the OCS Liaison Committee.
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### 2. **MINUTES OF THE LAST MEETING**

**RESOLVED:** That the Minutes of the Planning Committee held on the 28<sup>th</sup> April 2015, as circulated, be confirmed as a true record.

## **Report of the Head of Planning**

(Note: An Amendment Sheet, attached and agreed, was circulated at the commencement of the meeting, as detailed in Appendix A hereto).

### 3. **SITE VISIT(S) REQUESTED FROM THE APPLICATIONS PRESENTED**

**RESOLVED:** That the following application recommended for refusal, as detailed within the circulated report, be deferred for a site visit by the Planning Committee:

Application No: P2014/1137

Land to the Front of 23 Heol Wenallt, Cwmgwrach, Neath SA11 5PT

Detached Dormer Bungalow with associated Car Parking

Reason:

To allow Members to assess the impact of the development upon the street scene.

## **Planning Application Approved**

### 4. **APPLICATION NO: P2015/0418 - PLOT ADJACENT TO GWALIA HOUSE, 1B NEW ROAD, CILFREW, NEATH SA10 8LL**

**RESOLVED:** that the above Application be approved with no Conditions, (Non Material Amendment S96A) in accordance with the Officer recommendation, as detailed within the circulated report.

**Planning Application Refused and authorisation secured to pursue a prosecution against the failure to comply with the terms of the extant Enforcement Notice**

5. **APPLICATION NO: P2014/0333 - HENDRE LAS FARM, PENTWYN ACCESS ROAD, RHOS, PONTARDAWE, NEATH PORT TALBOT, SA8 3JT**

**RESOLVED:**

that the above Application be refused in accordance with the Officer recommendation, as detailed within the circulated report, and in accordance with the circulated amendment sheet, on the following grounds:

1. The removal of conditions 1 and 2 of Planning Permission P2009/0406 would allow for the unrestricted use of this building as a residential dwelling, which is considered to amount to an unjustified form of residential development within the countryside which, by virtue of its remote location, also results in it being heavily dependent on motor cars and therefore unsustainable. Furthermore the applicant has failed to demonstrate that he has made every reasonable attempt to secure (or retain) a suitable business re-use for the building. The continued residential occupation of the property is therefore contrary to Planning Policy Walesa and Policies ENV1, ENV8b and T1 of the Neath Port Talbot Unitary Development Plan.

That Members authorise prosecution action against the failure to comply with the terms of the extant Enforcement Notice.

- (a) in the event that an appeal against this decision is not validated by the Planning Inspectorate within one month of the date of this decision; or

- (b) in the event that an appeal is dismissed by the Planning Inspectorate that the Notice is not complied with within a further agreed compliance period of six months.

(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).

6. **DELEGATED APPLICATIONS DETERMINED BETWEEN THE 21ST APRIL AND 8TH JUNE 2015**

Members received a list of Planning Applications which had been determined between the 21<sup>st</sup> April and 8<sup>th</sup> June, 2015.

**RESOLVED:** that the report be noted.

7. **URGENT ITEMS**

Because of the need to deal now with the matters contained in Minute Nos.8 and 9 below, the Chairman agreed that these could be raised at today's meeting as an urgent item pursuant to Section 100B (4)(b) of the Local Government Act 1972.

Reason

- (a) In order to ensure that Members were made fully aware of the current status of the East Pit and Margam Open Cast Coal Sites.
- (b) For Members to have the opportunity to submit opinions/feedback regarding the effectiveness of the re-structuring of the Planning Committee in November 2014, following the agreed six monthly review.



8. **UPDATE REPORT - EAST PIT AND MARGAM OPEN CAST COAL SITES**

**RESOLVED:** that the report be noted and that Cllr. R.Jones be the nominated Member in his capacity as Ward Member for Margam to sit on the proposed working group which is to be established to consider the next steps regarding the restoration of the former Margam Open Cast Coal Site.

9. **RE-STRUCTURE OF THE PLANNING COMMITTEE**

Members were advised by the Head of Planning that following the restructuring of the Planning Committee in November 2014, and the introduction of Public Speaking rights etc, it was agreed that a review would take place within approximately six months to establish the effectiveness of the re-structure. Opinions and feedback were therefore sought from Members to include within the report which will be prepared as part of the review process.

The feedback from Members was very positive where Members were in agreement that the restructured Committee was conducting formal business in a more informal format, which was less intimidating and encouraged/stimulated everyone to contribute to the debate. As a consequence, the quality of the decision making process had improved. The venue and seating arrangements were also more conducive to better decision making.

Members were informed that this feedback would be included within the report which will be prepared as a consequence of the review. Members were also asked to submit any suggestions which they may have to further improve the way we operate the decision making process by the week ending 26<sup>th</sup> June, 2015.

**RESOLVED:** That the verbal update concerning the Review of Planning Committee by the Head of Planning, be noted, and that any further improvement suggestions by Members be submitted by 26<sup>th</sup> June, 2015.

**CHAIRMAN**

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**PLANNING COMMITTEE**

**16<sup>TH</sup> JUNE 2015**

**AMENDMENT SHEET**

**ITEM 5**

<b><u>APPLICATION NO:</u> P2014/0333</b>	<b><u>DATE:</u> 11/04/2014</b>
<b>PROPOSAL:</b>	Removal of Conditions 1 and 2 of Planning Permission P2009/0406 approved on the 21/07/09 to allow the property to be used as a residential dwelling house.
<b>LOCATION:</b>	HENDRE LAS FARM, PENTWYN ACCESS ROAD, RHOS PONTARDAWE, NEATH PORT TALBOT SA8 3JT
<b>APPLICANT:</b>	Mr Jonathan Jones
<b>TYPE:</b>	Vary Condition
<b>WARD:</b>	Rhos

The agent has submitted a letter which also includes a lengthy response from the applicant to the report. The letter is available to view in full on the file, and in any event has been circulated by the agent to all Members of the Planning Committee by email, but given the circumstances of this case a copy is attached to the amendment sheet for Members to read in full.

This amendment sheet therefore seeks to respond in general terms to the submissions.

**Agents Covering Letter**

The agents letter considers the officer's report to contain “significant errors of fact that are capable of misleading the Committee in a material way” and claims that it has been written in such a way as to suggest that there is a “predetermined view giving rise to apparent bias”. Accordingly they have “grave concerns as to whether the officer has correctly applied the statutory test enshrined in section 38(6) of the Planning and Compulsory Purchase Act 2004, which would render any decision by the Committee as *Wednesbury* unreasonable”.

In response, Officers do not consider the report to have significant errors or to mislead the Committee, and are satisfied that there has been no

‘predetermination’ or ‘bias’ in the Officers assessment. It is factual, however, to note that there has been a considerable planning and enforcement history associated with this property, which is a material planning consideration.

In respect of the legal concerns implied by the agent, Members are advised that legal advice has been taken, and it is not considered that there are grounds to justify that any decision taken would be *Wednesbury* unreasonable<sup>1</sup>.

Mr Jones (applicant) letter

The applicant has submitted a letter which seeks to respond to the Officer’s report, and highlight “numerous errors and misinformation” in the report and requests, to ensure this application has a fair hearing, that the application be deferred from the planning committee. The basis for his request is identified in 27 points within his letter.

In response to these representations (which should be read in full as attached), the following points are made (after a brief summary): -

*Planning application P2011/0553 was not subject to a site visit by the Planning (Site Visits) sub-committee.*

- It is accepted that the Sub-Committee site visit was undertaken in 2009, not on application P2011/0553 (point 1).

*The applicant has never set out to 'abuse' the planning system through repeated appeals covering the same issue. The applicant has endured 6 years of significant distress and their aim is to safeguard the family's future.*

- While it is noted that the applicant has been distressed by the ongoing planning issues at the site, these are as a result of unauthorised development, with the Council being consistent in applying and enforcing the policies governing such new development in the countryside. In this respect it has not been stated that the applicant has been seeking to abuse the planning system, although Officers were initially seeking to decline to determine the application to prevent further delay in enforcing the terms of the Enforcement Notice previously upheld by an independent Inspector. (point 2)

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<sup>1</sup> A standard of unreasonableness used in assessing an application for *judicial review* of a public authority's decision. A reasoning or decision is *Wednesbury* unreasonable (or irrational) if the Authority has not called its attention to matters which it is bound to consider and/or it has considered matters which are irrelevant and the Authority must not reach a decision so unreasonable that no reasonable Authority could ever come to it (*Associated Provincial Picture Houses Ltd v Wednesbury Corporation (1948) 1 KB 223*).

*Policy ENV8B states that applicants proposing to convert rural buildings to dwellings should provide a statement explaining the marketing efforts made over a period of 2 years and at a price reflecting the market for such business use. There are no requirements for specific marketing modes i.e. selling and/or letting. The appeal considered in April 2013 was not based upon the marketing exercise at the property as the appeal was based upon the grounds of the structural instability of the original building and the subsequent re-building. The applicant did not propose any formal evidence on marketing. Therefore, the material consideration to assess is as a result of the ongoing marketing exercise that has been ongoing since January 2012. It is plainly wrong to state that the Inspector has considered any marketing exercise undertaken by the applicant.*

- The 2013 Inspector made it clear that the marketing considered at that time was insufficient (para 19 of his report), and also that there had been no attempt to let the Building as holiday accommodation. While the level of evidence now before the Council is greater than that heard at the previous appeal, nevertheless the appeal Inspector did consider and conclude on such matters. In this respect, a detailed analysis of the submissions has been made within the Committee report and appropriate conclusions reached on the basis of an assessment against UDP. (points 4 and 5)

*The applicant is concerned that the planning officers deem the refusal of Savills to market the property as being of no significant relevance.*

- The report deals with the involvement of Savills in appropriate detail, but places different weight upon such evidence, with the applicant considering their failure to market the property as being of relevance. (point 7)

*The property can only be solely considered for sale as it is held within different legal ownership to the nearby holiday cottages.*

- The report does not state that the property should be sold as part of a group of cottages, given acknowledged different ownership (albeit in the same family), but instead emphasises that the property should not be considered in isolation from the ‘group’ of cottages. (point 8)

*Commercial properties are marketing on various circumstances and include 'new builds', 'investments' and 'business sales'.*

- Valuation of commercial property can be based on a number of things , however it is maintained that the absence of any letting history would only result in the value of the property being significantly reduced, while in a case like this - where the owners are claiming that such a use is unviable – this can only further reduce the likelihood of someone taking a risk on purchasing the property. (point 10)

*The applicant did not instruct Wyndham vacation Rentals as referred in the officer's report. The agents inspected the property and provided comments, however, they have not marketed the property.*

- It is noted that the applicant advises that the property was never placed on any website operated by Wyndham Vacation Rentals, and that this decision was (it appears) due to the %age of letting income/sales that any letting agent would retain. A small percentage of some revenue, however, is better than 100% of no revenue. In addition, the applicant has not covered why other less expensive options of using well-known companies/ websites to supplement private websites have not been considered. (point 11)

*The reference to offering accommodation for 'larger parties or just individual bookings' is relating to the applicant's father's holiday cottages which comprise of 3no. smaller units nearby. The flexibility promoted by the letting agent and Visit Wales does not exist at the subject property*

- Discounting the adjacent 3 no. holiday units and the opportunity for combined marketing, just because they are owned by the applicant's father, is considered to undermine the applicant's case, especially since these were themselves justified on the basis of tourism need, and the applicant himself is stated within the supporting documentation as being involved in that business (which is to be run by his sister). (point 12)

*Pricing information on the property website has been available for over 12 months*

- Although dates or evidence of the same has not been provided, it is accepted that the availability of information on pricing has been available longer than stated in the report. Nevertheless, while the applicant considers this is misleading and 'goes to the heart of the issue' as to whether the applicant has made all reasonable attempts to let the property,

it is considered that the quality and information on the website is but one part of a much bigger picture, and this does not materially affect the conclusions within the report. (point 14)

*The marketing of the property has not been compromised by the occupation of the building and the marketing material is clear, concise, open and honest. The report sets out to openly attack the applicants character and integrity which may cloud the judgement of the Committee.*

- Officers have not, in any respect, sought to “openly attack the applicant’s character and integrity”, rather the report has sought to assess the submissions and come to a balanced planning judgement. Officers remain of the view that the continued occupation of the building has undermined the applicant’s submissions that all reasonable efforts have been made to let the property as holiday accommodation. The report is therefore not ‘manifestly inappropriate’, nor could it reasonably be considered to cloud the judgement of the Committee such that their view on the application will be predetermined. (point 15)

*The reference to Swansea Valley Holiday Cottages is factually incorrect.*

- The comments and statements included in the report relating to Swansea Valley Holiday Cottages remain material to this application. Allegations in respect of a ‘fifth cottage’ will be reviewed as part of recent submissions at that property. (point 18)

*The basis of any construction work would be the same be it as holiday cottages or as dwellings. The applicant is willing to request a further quote or a detailed quote from the builder.*

- Availability of additional quotation(s) for building work for conversion of 2 units would not materially affect the conclusions within the report, which are based on the submissions made by the applicant. (point 20)

*The applicant wishes to clarify that the proposed retention of the building as a holiday let in 2009 was not put forward by him*

- It is noted that the retention of the building as a holiday let in 2009 was not put forward by the applicant. It is not accepted that this was “aggressively proposed by the planning officer at the time as the planning officer threatened to ‘up the ante’ ”. It was suggested by the planning officer that the Applicant may wish to consider it as a preferable option to

the alternative which would have been the demolition of a wholly unauthorised building. (point 21)

*The agent who provided the report to the applicant has 30 years experience in commercial property in this area.*

- The applicant's views in respect of marketing for other commercial uses are noted. However, the report is factually correct in identifying that the property has not been marketed for such an alternative use, albeit also acknowledging that the demand for such uses *may* not be great. (point 22)

*The applicant fails to understand that the Highways department is now objecting, having not raised any objection in the past 6 years.*

- Although the highway Officer has raised some issues in respect of additional movements and the impact on the local highway network, there is no reason for a deferral, with the application not being recommended for refusal on highway safety grounds (although it is on sustainability grounds, having regard to appeal Inspector's previous decisions). Copies of consultations and responses are available to view on file. (point 23)

*Whilst the personal circumstances of the applicant and family have been discussed, there appears to be no reference made to discussions held between the applicant and the authority's housing officer*

- The applicant refers to the lack of comment on the discussions held between the applicant and the authority's housing officer held on the 6th June 2014. In response it is noted that these discussions were suggested by officers as part of ongoing discussions over the requirement for the applicant to comply with the terms of the Enforcement Notice. These included his concerns over an ability to fund alternative accommodation, following which it was suggested that he contact the Housing Department to discuss potential housing solutions. (point 25)

Following these discussions, the Housing Officer advised that he was finding barriers to all the potential housing solutions, and got the impression that the applicant I didn't really want to consider the options to remaining where he was.

While it is acknowledged that such discussion took place, they are only considered material to this application insofar as they relate to the continued occupation of the property. Members may, however, wish to consider them also as part of their consideration of the enforcement element of the report.



The Housing section remain open, however, to further discussions in the event that the applicant is unsuccessful with either this application or any subsequent appeal (if members refuse), and the Enforcement Notice

*The applicant fails to understand why the proposed S106 agreement fails to meet the criteria listed in the officer's report since it is in draft form and would, with the input and agreement of the Local Planning Authority, overcome any planning harm occasioned by the application and be legally sound.*

- The views expressed in the report in respect of the Section 106 legal agreement remain factually accurate, and the lack of discussions on this point relate to the inability of such an agreement to overcome the clear planning objections (such a view having been expressed to the applicants agent prior to submission of a draft s106 agreement). (point 26)

*The appeals should be properly considered and afforded significant weight.*

- All planning applications should be considered on their own merits. Accordingly, the views expressed in the report in respect of the submitted planning appeals cannot be deemed to be perverse. (point 27)

In light of the above, it is considered that the report amounts to a reasonable and fair assessment of the submitted information, having regard to all material considerations, and that it has reached an appropriate conclusion based upon the relevant Development Plan Policies in force. Accordingly, there are no reasonable grounds on which to defer this application, and moreover, in the event Members choose to accept the Officer's recommendation, all of the matters raised can in any event be considered at appeal by an Independent Planning Inspector, should the applicant choose to appeal the decision.

THRINGS

For the attention of Steve Ball

Neath and Port Talbot County Borough Council  
DX 135228  
Port Talbot 2

Also by email

12 June 2015

Your Reference: P2014/0333  
Our Reference: AM/lcl/J2334-1

Direct Line: 0117 9309575  
Direct Fax: 0117 9293369  
Email: amadden@thrings.com

Dear Sirs

**Our Client/Applicant: Mr Jonathan Jones of Coed y Nant Barn, Hendrelas Farm, Rhos, Pontardawe, Swansea SA8 3JT**

**Application Ref: P2014/0333 - Removal of Conditions 1 and 2 of Planning Permission P2009/0406 approved on the 21/07/09 to allow the property to be used as a residential dwelling house (the "Application")**

**Town and Country Planning Act 1990**

We refer to the above Application.

Having considered the officer's report we are extremely disappointed to note that it contains significant errors of fact that are capable of misleading the Committee in a material way.

Moreover, the officer's report is written in such a way as to suggest that he has approached the merits of the Application with a predetermined view giving rise to apparent bias.

Furthermore, we have grave concerns as to whether the officer has correctly applied the statutory test enshrined in section 38(6) of the Planning and Compulsory Purchase Act 2004, which would render any decision by the Committee as *Wednesbury* unreasonable.

The report also raises the issue of a Highway objection to the Application, that has neither been properly assessed, nor has the Applicant had the opportunity to address the Council's concerns. Although this is unsurprising given the Council has singularly failed to engage with either the Applicant or this firm (as agents) at all.

Whilst writing, we enclose a copy of our client's unsigned letter of 11 June 2015 which further expands upon the points we have identified above.

The Paragon • Counterslip • Bristol • BS1 6BX • Tel: 0117 930 9500 • Fax: 0117 929 3369 • DX: 7895 Bristol  
Email: [solicitors@thrings.com](mailto:solicitors@thrings.com) • [www.thrings.com](http://www.thrings.com) Also in London, Bath and Swindon

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In the circumstances, we respectfully request that the Application be deferred until such time that all of the above issues have been addressed.

Please do not hesitate to contact the writer, Alex Madden, on 0117 930 9575 should you have any queries.

Yours faithfully

*Thrings LLP*

Thrings LLP

Enc.

cc: Nicola Pearce, Steve Jenkins, Iwan Davies and Committee Members via email only

Mr J Jones  
Coed Y Nant Barn  
Rhos  
Pontardawe  
Swansea  
Castell-nedd Port Talbot  
SA8 3JT

11 June 2015

Neath Port Talbot County Borough Council  
Civic Centre  
Port Talbot  
Neath Port Talbot  
SA13 1PJ

Dear Sirs

**Planning Application Ref: P2014/0333**

**Site Address: Hendrelas Farm, Rhos, Pontardawe, Swansea, SA8 3JT**

**Proposal: Removal of Conditions 1 and 2 of planning permission P2009/0406 approved on the 21/07/2009 to allow the property to be used as a residential dwelling house**

I refer to the above and to the officers report which was published yesterday afternoon (10th June 2015). I must highlight the numerous errors and misinformation that has been identified in the said report and request that to ensure this application has a fair hearing, that the application be deferred from the planning committee to be held on the 18th June 2015 until such time that the errors within the report are properly addressed. The basis for this proposal is highlighted in the points below -

1. Planning application P2011/0553 was not subject to a site visit by the Planning (Site Visits) sub committee. To suggest otherwise is simply misleading. A site visit by the sub committee occurred in 2009 but there has not been one since.
2. The applicant has never set out to 'abuse' the planning system through repeated appeals covering the same issue. This is disingenuous and simply untrue. Such a suggestion is grossly misleading. The applicant has endured 6 years of significant distress and their aim is to safeguard the family's future.
3. The challenge submitted in respect of the Authority's decision to decline to determine the application in April 2014 was based upon solid legal grounds and highlighted the errors of the local planning authority. As a result, the Authority were liable for the applicants legal fees in the sum of £10,000. This in the view of the applicant is a mis-use of local tax payers money and would be better allocated to the provision of local facilities.
4. Policy ENV8B states that applicants proposing to convert rural buildings to dwellings should provide a statement explaining the marketing efforts made over a period of 2 years and at a price reflecting the market for such business use. The applicant has undertaken this exercise through the advertising of the property as a holiday cottage at an asking price supported by professional agents. There are no requirements for specific marketing modes i.e. selling and/or letting.
5. The appeal considered in April 2013 was not based upon the marketing exercise at the property as the appeal was based upon the grounds of the structural instability of the original building and the subsequent re-building. The applicant did not propose any formal evidence upon marketing. Therefore, the material consideration to assess is as a result of the ongoing marketing exercise that has been ongoing since January 2012. It is plainly wrong to state that the Inspector has considered any marketing exercise undertaken by the applicant.
6. The reference to the marketing of Plas, Cilybebyl, is relevant as the previous Planning Officer - Robert Bowen, made specific reference to this property during the appeal inquiry in 2012 and classed the applicant's property to be similar to the Plas. As such, the Plas has been marketed for several years with little interest in its previous use as holiday accommodation.

7. The applicant is concerned that the planning officers deem the refusal of Savills to market the property as being of no significant relevance. Savills are an international firm of residential, commercial and rural agents and they would not simply accept instructions with little prospect of obtaining any sales for their client. This is a clear sign of their professionalism and their comments cannot be simply dismissed.
8. The property can only be solely considered for sale as it is held within different legal ownership to the nearby holiday cottages. The applicant is actively marketing the property for sale in an attempt to both secure a business re-use and to recoup funds to support any alternative accommodation.
9. As mentioned above, the appeal considered in April 2013 was not based upon a marketing exercise i.e. ENV8B.
10. Commercial properties are marketing on various circumstances and include 'new builds', 'investments' and 'business sales'. The values of commercial properties can be assessed through an assessment of the likely income that could be generated and not any history of income. This is relevant to such a scenario where an office building is converted to a retail unit and thereafter is marketed for sale. Obviously, there would be no history of income as the building had been in use as an office.
11. The applicant did not instruct Wyndham vacation Rentals as referred in the officers report. The agents inspected the property and provided comments, however, they have not marketed the property. The applicant is conscious that the % of letting income/sales that any letting agent would retain would have a detrimental impact upon their income, sustainability and objectives of the business. This has heavily influenced the development of their own websites rather than instructing a letting agent.
12. The reference to offering accommodation for 'larger parties or just individual bookings' is relating to the applicant's father's holiday cottages which comprise of 3no. smaller units nearby. The flexibility promoted by the letting agent and Visit Wales does not exist at the subject property.
13. Thresholds Property Management were appointed to attract long term corporate lets. They are not holiday cottage agents and the idea was to market within a different market to secure some income.
14. Pricing information on the property website has been available for over 12 months and not only very recently. Such a statement is wholly misleading in a material way and goes to the heart of the issue as to whether the applicant has made all reasonable attempts to let the property as a holiday let.
15. The marketing of the property has not been compromised by the occupation of the building and the marketing material is clear, concise, open and honest. The applicant is concerned that the planning officers report sets out to openly attack the applicants character and integrity which is manifestly inappropriate on any view and is capable, in my view, of clouding the judgement of the Committee such that their view on the application will be predetermined.
16. Within the business assessment, the projected income in August is not based upon 96% occupancy as this would be very difficult to achieve due to the size of the accommodation and limited market i.e. large parties. Once again, the officers report indicates a dishonest approach by the applicant which is unacceptable and I repeat my concerns set out in paragraph 15 above.
17. The running costs such as oil and electric are fixed prices agreed with the suppliers. It cannot be expected to agree varying monthly payments with suppliers as this is not the basis of their accounts. The outgoings would need to be covered by the applicant if the property was occupied or not.
18. The reference to Swansea Valley Holiday Cottages is factually incorrect. The owner have developed the business to provide 4no. holiday cottages and as mentioned, following planning application P2015/0355, approval exists for the conversion of additional holiday accommodation. However, within the supporting information submitted with the said application, reference is made to 5no. existing holiday cottages. However, clearly only 4no. cottages are marketed via their website. I would suggest the local planning authority investigate the basis of the fifth holiday cottage as it appears that they have been misled by the business owners and therefore, all reference to the comments and statements included in the officers report should be afforded no weight by the Committee members. And are, in any event, not accepted by the applicant.
19. Any business must have an objective or business plan and it can be assumed the majority of such objectives is to be financially sustainable. Business operators have outgoings to meet and the applicants business is no different in having its aims and objectives to be sustainable and to support the applicant financially.

20. Conversion to 2no. units - The contractor simply called the conversion as 'two separate dwellings' as the basis of any construction work be the same be it as holiday cottages or as dwellings. The builder is experienced in the conversion of buildings and the separation of such items as oil supply, electrical supply and external staircase are seen as essential to develop 2no. units to meet an expected standard. The applicant is willing to request a further quote or a detailed quote from the builder.
21. The applicant wishes to clarify that the proposed retention of the building as a holiday let in 2009 was not put forward by him and was aggressively proposed by the planning officer at the time as the planning officer threatened to 'up the ante' at the time. I strongly suspect that the recommendation to refuse the application stems from the Local Planning Authority's historic view and that the application has not been considered in a fair and reasonable manner.
22. The agent who provided the report to the applicant has 30 years experience in commercial property in this area. The applicant considers the views of the Local Planning Authority to be unreasonable in light of this and the fact that the Local Planning Authority accepted that there was no market for office, retail or industrial in the initial planning application in 2008. The applicant suggest that the local authority's Estates team may wish to comment on the viability of the property for an alternative commercial uses. In addition, the applicant only legally owns a limited parking/yard area and this would impact upon the suitability for any alternative business.
23. Highways - The applicant fails to understand that the Highways department is now objecting, having not raised any objection in the past 6 years. The applicant requests a copy of the formal consultation undertaken between the planning and highway department for clarity. The basis of the impact that 2no. cars would have on an existing junction is totally unreasonable. The council road known as Tyn Y Cwm lane is heavily used by 9no. dwellings with circa 1- 6 cars per property plus a haulage yard with heavy vehicles. The impact of 2no. cars and possible visitors vehicles would have little impact upon the current traffic flow. Perhaps the council may wish to assess the impact other properties have through undertaking a full highways assessment of the junction. The applicant would be willing to defer the application to allow the said assessment to be completed. As the highway objection is a new objection to this matter, it would be very sensible that this is fully investigated and discussed between the parties. Otherwise, it simply gives the unhelpful impression that such an objection is not based on sound argument.
24. The applicant considers the property to support social inclusion as the applicant and family are active walkers and regularly walk the public footpaths to undertake social activities in Rhos and beyond.
25. Whilst the personal circumstances of the applicant and family have been discussed previously, there appears to be no reference made within the officers report of the discussions held between the applicant and the authority's housing officer held on the 6th June 2014. The applicant submitted a file note as part of this submission and this seems to have been ignored. It should be noted that the meeting was arranged by the planning department,, therefore, the applicant fails to understand why this point has been ignored. Again, the applicant would be willing to defer the application for this point to be addressed.
26. The S106 agreement is incomplete as the applicant submitted to assist with ongoing discussions with the planning department. The planning department have totally failed to consult with the applicant/and or it agent in relation to the submitted application and updated supporting information. This approach flies in the face of the principles enshrined in the Measure set out in at paragraph 1.3.3 of PPW (Edition 7) dated July 2014 which acknowledges that planning authorities are to consult with applicants and that participation is an essential part of the planning process . This has clearly not be done in this matter as the applicant despite numerous phone calls to the planning officer has not been asked to clarify any of the points now raised in this report. Surely, if the planning department had discussed the relevant points, this report would be fully in order and would provide a balanced report even if the same recommendation were to be reached. As it stands, the report has a clear negative undertone towards the efforts of the applicant leading to the inescapable conclusion that the through the officer's behaviour he had a predetermined view as to the merits of the application that has resulted in apparent bias. The applicant fails to understand why the proposed S106 agreement fails to meet the criteria listed in the officers report since it is in draft form and would, with the input and agreement of the Local Planning Authority, overcome any planning harm occasioned by the application and be legally sound. To suggest it does not satisfy the legal test set out at Regulation 122 of CLR 2010 is disingenuous (even more so where the Local Planning Authority has categorically failed to engage with my agent) and demonstrates a fundamental misunderstanding of the procedure by which section 106 agreements are negotiated. Again, the applicant would be willing to defer the application to allow detailed discussions to be held between the parties.
27. The applicant submitted the said appeals as they were in his view relevant to the application and included relevant considerations such as sites being considered within sustainable locations despite

being located further from settlements than the applicant's property. On this basis the appeals should be properly considered and afforded significant weight. Any other approach would be perverse.

On the basis of the significant points raised above which would require clarification in advance of the planning committee and the information that is missing from the report, the applicant requests the application be deferred from the planning committee to allow for discussions to be held between the parties in respect of the report as there has been no communication from the planning department to request clarification and additional information which is clearly essential in this matter.

I look forward to receiving your agreement to defer the planning application.

Yours faithfully

J.O.Jones

**ITEM 6**

<b><u>APPLICATION NO:</u> P2014/1137</b>	<b><u>DATE:</u> 16/02/2015</b>
<b>PROPOSAL:</b>	Detached dormer bungalow with associated car parking.
<b>LOCATION:</b>	LAND TO THE FRONT OF 23 HEOL WENALLT, CWMGWRACH, NEATH SA11 5PT
<b>APPLICANT:</b>	Mr Craig Taylor
<b>TYPE:</b>	Full Plans
<b>WARD:</b>	Blaengwrach

The following email has been received from Councillor Alf Siddley: -

Dear Planning committee Members;

This letter is in regard to the above application for a three bedroom bungalow at Heol Wenallt, Cwmgwrach, which is recommended for refusal at the Planning Committee to be held on 16<sup>th</sup>.June.

It has been recommended for refusal on the grounds of being out of keeping with the street scene as a contrived form of development.

The scheme has been well advertised around the village and no objections have been received, and there are no objections from Highways, Blaengwrach Council, Drainage, Welsh Water. the Biodiversity Unit, or the Coal Authority, nor have the neighbouring properties objected.

It is my contention Members, that in this instance the Planners have made a wrong decision, and it would be in the interests of fairness, if the Committee would undertake a site visit to familiarise themselves with the actual layout of the proposal.

I also believe that after viewing the site, the Committee would reverse the decision of the Planners.

I will not be able to exercise my right to attend the meeting due to my health, so I beg your indulgence.



## SECTION A – MATTERS FOR DECISION

### **Planning Applications Recommended For Refusal**

<b><u>APPLICATION NO:</u> P2014/1137</b>	<b><u>DATE:</u> 16/02/2015</b>
<b>PROPOSAL:</b>	Detached dormer bungalow with associated car parking.
<b>LOCATION:</b>	LAND TO THE FRONT OF 23 HEOL WENALLT, CWMGWRACH, NEATH SA11 5PT
<b>APPLICANT:</b>	Mr Craig Taylor
<b>TYPE:</b>	Full Plans
<b>WARD:</b>	Blaengwrach

### **Background Information**

Following the application being presented to a delegated panel, with a recommendation to refuse planning permission, Councillor Siddley requested on 2nd June 2015 that the application should instead be determined by Planning Committee, on the grounds that the proposal would not unacceptably affect the visual amenity of the street-scene.

At the Planning Committee on 16<sup>th</sup> June 2015, Members resolved that the application be deferred for a site visit, which will take place on 7<sup>th</sup> July 2015. The report which follows below is the same as that reported to the Planning Committee on 16<sup>th</sup> June 2015.

### **Planning History**

The site has no relevant planning history.

### **Publicity and Responses (if applicable):**

2 neighbouring properties were consulted and site notices were displayed on site. To date, no representations have been received.

**Blaengwrach Community Council:** No objection.

**Coal Authority:** No objection.

**Head of Engineering & Transport (Highways):** No objection, subject to conditions.

**Head of Engineering & Transport (Drainage):** No objection.

**Welsh Water:** No objection, subject to conditions.

**Biodiversity Unit:** No objection, subject to conditions.

### **Description of Site and its Surroundings:**

The application site is located on land at 23 Heol Wenallt, Cwmgwrach.

The application site is an irregular parcel of land measuring 0.0253 hectares in area. It is divided into two parts. The main part measures 14m wide by 17m in length, while the second part fronts onto Heol Wenallt and measures 5m long by 3m wide. It is relatively flat in profile and comprises a grassed area with Leylandii trees, and currently forms part of the front garden of the host property (Number 23). It is bounded by residential properties to the north, east and west. Heol Wenallt is located to the south, off which pedestrian and vehicle access to the site is gained. There is also pedestrian and rear access to Number 23 off Heol Nedd.

It should be noted that the access strip off Heol Wenallt is outside of the ownership of the applicant. As the owner is unknown, Certificate D has been completed and an advert placed in the local press.

The site is located within the settlement limits as defined by Policy H3 of the adopted Neath Port Talbot Unitary Development Plan (UDP).

### **Brief Description of Proposal**

This application seeks full planning permission for the erection of a detached dormer bungalow with associated car parking.

The proposed dormer bungalow would measure 9m wide by 8.6m in length, and would reach a height of 6.8m to ridge level. It is designed with a gable ended ridged roof running east to west. Two gabled dormers are proposed to the front elevation, and one to the rear. Windows and doors are proposed to the north, south and west elevations. The bungalow would provide a kitchen, bathroom, lounge and bedroom at ground-floor, together with two bedrooms and a bathroom within the roof-space.

Externally two car parking spaces are proposed to the west side of the property, accessed off Wenallt Road, with a small amenity space to the rear of the property.

A smaller front garden would be retained for the host property (Number 23), while access to the host property would need to be retained via Heol Nedd to the north. As previously stated, the owner of the access strip off Heol Wenallt is unknown and Certificate D has been completed. Furthermore, it should be noted that there would be a parcel of land between the front boundary of Number 23 and Heol Wenallt, which would be outside of the application site and outside of the control of the applicant.

### **EIA Screening/Scoping Opinion & Habitat Regulations:**

As the development is not Schedule 1 or Schedule 2 Development on the EIA Regulations, a screening opinion will not be required for this application.

### **Material Considerations:**

The main issues for consideration concern the principle of residential development at this site, together with the impact of the proposal upon visual and residential amenity, and also highway and pedestrian safety having regards to prevailing planning policies.

### **Policy Context:**

The Development Plan for the area comprises the Neath Port Talbot Adopted Unitary Development Plan within which the following policies are of relevance:

- GC1 New Buildings/Structures and Changes of Use
- ENV17 Design
- T1 Location, Layout and Accessibility of New Proposals
- H3 Infill and Windfall Development within Settlement Limits
- ENV5 Nature Conservation

As the application site is located within the settlement limits defined by Policy H3 in the UDP, the principle of a residential development at this location is generally acceptable, provided there are no overriding highways, amenity or environmental objections. Such matters are addressed below.

With regards to the issue of affordable housing, as this application relates to planning permission for one unit only, the developer would not be required to provide 20% affordable housing in this instance.

### **Visual Amenity**

This part of Cwmgwrach has a varied pattern of development, with the properties on the south side of Heol Wenallt, together with no's 24 and 25 on the northern side, directly fronting the street. In addition, the dwellings on Heol Nedd and Fothergill Road also largely front onto that street, including a relatively new detached dwelling located on the corner of Heol Wenallt, which fronts onto Fothergill Road. Within this context, the row of terrace dwellings at 15 – 23 Heol Wenallt are relatively unusual, insofar as they are located towards the rear of their large plots, behind 'front' garden in excess of 30m in length.

While a few of these (including 20 – 23) have some degree of vehicular and pedestrian access off Heol Nedd, all these two-storey terraced properties are designed so that their principal elevations / front doors face onto Heol Wenallt, behind their long front gardens, and with rear wings on the north-facing elevations. Notwithstanding the length of these gardens and the presence of some extensions to the principal elevations and, in some cases, outbuildings, they therefore nevertheless only properly *address* that street (which is also their postal address).

The application site comprises approximately 60% of the existing front garden of no. 23 Heol Wenallt, and would thus sub-divide the existing front garden of that property, with the proposed property located forward of the "principal elevation" of the host property, and separating that property from Heol Wenallt visually and physically.

While it could be considered to continue the frontage of no's 24 and 25 to the west, given that the front elevation would be in line with those dwellings, it is considered that the proposed new dwelling, given its siting to the front of the principal elevation, would result in the introduction of a contrived form of development, which would interrupt the relationship of properties on, and be out-of keeping with, the street-scene, to the detriment of the setting of the terraced row of properties and wider pattern of development in this area.

In addition, the fact that the property would be set back behind an area of land outside of the applicants control would also lead to an unusual situation where

boundary enclosures would themselves be set back from the highway, thus adding to the concerns that the new dwelling would appear out of context.

While it is noted that the relatively new property on the corner of Heol Wenallt and Fothergill Road (no. 5a) has been erected to the 'front' of this row of terraced dwellings (r/o 5 Fothergill Rd / 15 Heol Wenallt), that property has nevertheless been sited such that it fronts onto Fothergill Road and, due to its corner position, does not have the same degree of harm that would be caused by the proposed new dwelling to the front of this end of terrace dwelling.

Accordingly, by reason of the introduction of a new dwelling in the front garden of no. 23 Heol Wenallt, between the principal elevation of that property and the street, the development would appear contrived and out of keeping with the street-scene, to the detriment of the setting of the terraced row of properties. As such, it is considered that the proposal would have an unacceptable detrimental impact upon the character and appearance of the area, contrary to Policies GC1 and ENV17 of the Neath Port Talbot Unitary Development Plan.

### **Residential Amenity**

With regards to potential overbearing and overshadowing issues, it is noted that the proposed dwelling would reach a height of 6.8m to ridge level and the application site is relatively flat in profile. Furthermore, there would be a separation of 19m to the properties opposite to the south, 17m to Number 24 to the west and 18.5m to the host property (Number 23) to the north.

Having regard to the height of the property and distances above, it is considered that the proposed dwelling would not have an unacceptable adverse impact upon the neighbouring properties in terms of any overbearing impact or in terms of overshadowing.

In respect of potential overlooking issues, it is noted that the kitchen and lounge windows to the side and rear of the property could be screened by a suitable boundary treatment, to prevent any overlooking upon the host property or surrounding neighbouring dwellings. Similarly, it is acknowledged that the bathroom window proposed in the rear dormer could be fitted with non-opening, obscure-glazing, and a condition could be imposed to require the Velux roof lights to the rear to be relocated such that they would be high level, in order to prevent any unacceptable looking upon the neighbouring properties.

Turning to the windows to the front elevation, it is noted that there would be a separation distance of 19m between Numbers 13 and 14 opposite to the south.

As the ground-floor windows would be separated by Heol Wenallt, and the first-floor dormer windows would be higher than the bungalows opposite looking over the roof-space, it is considered that they would also not create unacceptable overlooking issues.

In terms of amenity space serving both dwellings, it is noted that the proposal would sub-divide the existing front garden, which given its length and layout acts as the primary amenity space serving no. 23. The scheme would, however, retain sufficient amenity space to serve the existing dwelling, while providing approximately 82 sq.m. of private rear amenity space to serve the new dwelling, both of which are considered acceptable.

Notwithstanding the above, the primary objections to the development on character grounds outlined above remain.

### **Highway Safety (e.g. Parking and Access)**

As the proposed development would provide off-road parking for two vehicles (with the potential to provide a third space if necessary), it is considered that there would be no detrimental impact upon highway or pedestrian safety.

The host property, no. 23, also has off-street car parking at present to the side of the dwelling, which is accessed off Heol Nedd. These spaces would also be retained, thus ensuring that both properties would be served by adequate off-street car parking spaces. It should also be noted that the Head of Engineering and Transport (Highways Section) offers no objection to the proposal, subject to conditions.

### **Ecology (including trees & protected species)**

As the Biodiversity Unit offer no objection to the proposal, subject to a condition in respect of bird boxes, it is considered that there would be no overriding issues in terms of ecology.

### **Others (including objections)**

None

### **Conclusion**

While it is considered that the proposed development would not have a detrimental impact upon residential amenity, and there would be no adverse impact upon highway and pedestrian safety, it is nevertheless considered that,

by reason of the introduction of a new dwelling in the front garden of no. 23 Heol Wenallt, between the principal elevation of that property and the street, the development would appear contrived and out of keeping with the street-scene, to the detriment of the setting of the terraced row of properties. As such, it is considered that the proposal would have an unacceptable detrimental impact upon the character and appearance of the area, contrary to Policies GC1 and ENV17 of the Neath Port Talbot Unitary Development Plan.

**RECOMMENDATION:      Refusal**

(1) The proposed development, by virtue of its siting forward of the 'principal elevation' of the host property and adjoining terraced dwellings would result in the introduction of a contrived form of development out-of keeping with the street-scene and to the detriment of the setting of the terraced row of properties. As such, it is considered that the proposal would have a detrimental impact upon the character and appearance of the area, contrary to Policies GC1 and ENV17 of the Neath Port Talbot Unitary Development Plan.

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## **SECTION A – MATTERS FOR DECISION**

### **Planning Applications Recommended For Approval**

<b><u>APPLICATION NO:</u> P2015/0531</b>	<b><u>DATE:</u> 24/06/2015</b>
<b>PROPOSAL:</b>	<b>Certificate of Lawful Development (Proposed) - single storey rear extension</b>
<b>LOCATION:</b>	<b>35 Mayberry Road, Baglan, Port Talbot SA12 8DG</b>
<b>APPLICANT:</b>	<b>Mrs Tammie Davies</b>
<b>TYPE:</b>	<b>Lawful Development Certificate - Proposed</b>
<b>WARD:</b>	<b>Baglan</b>

The following application is reported to Committee because the applicant is a specified member of staff defined in the delegated arrangements - Committee Clerk involved in the Development Management process.

#### **Planning History:**

None

#### **Publicity and Responses if applicable:**

Baglan Ward Members (for info only) – No responses received

#### **Description of Site and its Surroundings:**

The application property, 35 Mayberry Road, is a semi-detached property sited in a residential street. It has front and rear gardens with pedestrian access to the eastern side of the dwelling. An existing single storey extension is sited to the rear elevation and a detached garage and outbuilding are sited to the eastern side of the property.

#### **Brief description of proposal:**

A Certificate of Lawful Development (Proposed) has been submitted for a single storey rear extension which will tie into the existing single storey rear extension.

## **Assessment**

The proposed single storey rear extension will have a width of 1.5 metres, a length of 4 metres and a maximum height of 2.5 metres. It will be sited to the rear of the property, opposite the Principal elevation. The proposal is wholly within the curtilage of the dwelling house as it will be set off the boundary by 100mm. The property is not in a conservation area and the development is not to a Listed Building. Permitted Development Rights have not been removed for the property.

The proposal has been measured in association with the application site and existing property, extensions and outbuildings, which take up approximately 24% of the site, and, accordingly, the proposed extension and existing outbuildings will not exceed 50% of the total area of curtilage.

The proposed extension is within 2 metres of a boundary, however, it will not exceed the height of the main dwelling, it will not exceed an eaves height of 3 metres or a height of 4 metres as the maximum height of the extension will be 2.5 metres. The extension will have a maximum projection of 4 metres from the rear wall of the original dwelling and would have external materials that will match the existing property. It will not adjoin an outbuilding.

## **Conclusion:**

By virtue of the fact that the proposed development meets all of the Permitted Development regulations, it is 'Permitted Development' under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). As such, it does not require the benefit of planning permission.

## **Recommendation:**

To issue a Lawful Development Certificate.

**RECOMMENDATION:      Issue Lawful Development Certificate .**

By virtue of the fact that the proposed development meets all of the Permitted Development regulations, it is 'Permitted Development' under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). As such, it does not require the benefit of planning permission.

## **SECTION A – MATTERS FOR DECISION**

### **Planning Applications Recommended For Refusal**

<b><u>APPLICATION NO:</u> P2014/0468</b>	<b><u>DATE:</u> 20/02/2015</b>
<b>PROPOSAL:</b>	One detached three bed single storey bungalow with associated parking (Amended plans received 20/02/15)
<b>LOCATION:</b>	Land adjacent to Fairview Bungalow, Main Road, Aberdulais, Neath SA10 8LE
<b>APPLICANT:</b>	Mr David Morgan
<b>TYPE:</b>	Full Plans
<b>WARD:</b>	Aberdulais

### **Background**

This application is reported to committee at the request of the ward member, Councillor Doreen Jones, to assess the impact of the proposed access on highway safety grounds.

### **Planning History**

P2008/0429- 2 Dwellings- Approved- 04/08/2008 (relating to adjoining development)

P2010/0852 – One dwelling – Refused – 27/09/2011

### **Publicity and Responses (if applicable)**

Blaenhonddan Community Council – No objection

Head of Engineering & Transport (Highways) – No objection, subject to conditions

Head of Engineering & Transport (Drainage) – No objection, subject to conditions

South Wales Trunk Road Agency – No response

Welsh Water – No objection, subject to conditions

Biodiversity Section – No objection, subject to conditions

6 Neighbouring Properties were notified and a Site Notice displayed. In response, one letter of objection was received from an adjacent dwelling, followed by subsequent emails containing further points of objection and clarification of the original objections on grounds including: -.

- Scale and siting of the proposal, the proposal would cause overbearing and overshadowing impact on the objectors property
- Proposal is contrary to ENV5 (nature conservation) of the Neath Port Talbot Unitary Development Plan as bat and owl surveys have not been submitted for the proposal
- Contrary to Paragraph 5.54 of Planning Policy Wales Technical Advice Note 12: Design and has no relationship to a highway
- Access to the development is hazardous and of significant danger to pedestrians and children playing in the front gardens of 30a and 32a Ffynnon Dawel as vehicles emerge from the access drive between the two dwellings and only has vision over the front gardens of the two neighbouring properties when the vehicle emerges at their front gardens. This danger was pointed out during a previous refusal. In addition to this condition 10 of planning application P2008/0429 which was for the objectors dwelling stated that this access shall be usable only as a pedestrian access. This access has been blocked off until earlier in 2014 when the fence was taken down and a gate erected in its place. This gate was not used and the applicant parked his car in front of it.
- Access to the development would result in unacceptable noise and disturbance as vehicles would travel along the full length of the objector's dwelling to access the proposal.
- No provision for a vehicle turning area, therefore vehicles will need to reverse the full length of the entrance drive between two residential dwellings
- The objector has submitted a further letter of objection which gives examples of other similar applications which were refused as they were considered as backland development and had adverse issues on the residential amenity of neighbouring properties as vehicles would need to travel the full extent of the neighbouring property to access their proposal.

- The access does not meet minimum requirements of Part B of Schedule 1 of the Building Regulations 2000 (as amended).
- The objector has stated past decisions and appeals by different councils (some English councils) regarding planning decisions and appeal decisions in relation to backland development.
- The objector wishes to be provided with a copy of the agenda and officer report 5 days prior to the Planning Committee and he wishes to make representations at Committee

### **Description of Site and its Surroundings**

The application site is located within a residential area, and comprises a plot of land located to the north of two residential properties 'Fairview' and 'Sunnybank', and to the south of two modern detached dwellings at 32A and 30A Ffynnon Dawel. The area is unkempt and is partly occupied by a single storey, open sided, lean-to farm building. The site slopes gently upward in a north westerly direction towards Ffynnon Dawel.

The adjacent residential development, Ffynnon Dawel, is a modern development of predominantly detached dwellings which can be characterised by its modern volume house builder type character, however, the properties directly adjacent to the application site vary both in scale, appearance and design, and are of an older, traditional appearance.

The site is currently accessed off Main Road, with access available to the site bypassing adjacent to the existing dwellings 'Fairview' (the applicant's house) or 'Sunnybank' (with both dwelling's in the applicant's ownership). While an access lane exists between the modern detached properties to the north, 30A and 32A Ffynnon Dawel – which at its widest measures 3.3 metres and at its narrowest 3.2 metres (3.1 metres between the downpipes) - the use of this lane is restricted to pedestrian access only by condition 10 planning permission ref. P2008/0429 (The permission for 30a & 32a)

The site is located within the settlement limits as defined by Policy H3 of the Neath Port Talbot Unitary Development Plan. As such the principle of residential development, subject to material considerations and criteria can be acceptable.

## **Brief Description of Proposal**

This application seeks full planning permission for the erection of one detached dwelling, together with associated off street car parking and means of enclosure.

The dwelling will be a single storey 'L' shaped property which is proposed to be accessed off Ffynnon Dawel, via the existing (pedestrian-restricted) access lane running between 32A and 30A Ffynnon Dawel. Three parking spaces are proposed to the front of the dwelling.

The dwelling will be a gabled bungalow with a ridged roof which will run parallel to Ffynnon Dawel to the side of the dwelling and will have a gabled projection to the side elevation. There will be solar panels on the side elevation which faces the donor property, Fairview. With regard to the fenestration of the dwelling, on the ground floor serving the kitchen/dining room and lounge there will be three windows and a front door to the hallway, the rear elevation will have two windows serving two bedrooms, the side elevation facing No 32A Ffynnon Dawel will have just an obscurely glazed bathroom window and a side door and the side elevation facing the donor property will have a side facing bedroom window.

The bungalow will range between 5.6 metres and 6.6 metres in overall height depending on the ground level (3.1 metres to 2.6 metres to the eaves), will be 12.5 metres as the maximum width (4.1 metres minimum width) and 13 metres in depth.

The roof will be finished in concrete roof tiles, the front elevation will be finished in facing brickwork above a brickwork plinth and the other elevations will a spar render over a brickwork plinth. The fenestration will be Upvc. The colour of the finishes will be agreed at a later stage.

The dwelling is to be set 900mm of the boundary with 32a Ffynnon Dawel. The amenity area for the dwelling will consist of a 1 metre strip at the rear of the property which widens to 2.4 metres at the steps together with a side amenity area of 8.7 metres in depth and 5.35 metres in width. There will be a 1 metre wide path around the south side elevation and a parking/turning/hardsurfaced area at the front of the dwelling which has depth of 14.3 metres and a width of between 5 metres and 12 metres as there is a staggered boundary on this side of the application site.

The plans show that the boundary treatments will be 1.82 metre high close boarded fence along the frontage of the property and along the parking spaces

and boundary between the dwelling and the donor property. The boundary with 32A Ffynnon Dawel will remain as a close boarded fence.

There are existing fence lines along the proposed access to a height of 2 metres on the north eastern side and 1.8 metres on the north western side, screening the existing rear gardens to 30a, and 32a.

### **EIA Screening/Scoping Opinion & Habitat Regulations**

As the development is neither Schedule 1 nor Schedule 2 Development on the EIA Regulations, a screening opinion will not be required for this application.

### **Material Considerations**

The main issues for consideration with regards to this planning application are the principle of development at this site, together with the impact of the proposal upon visual and residential amenity, and also highway and pedestrian safety having regards to prevailing planning policies.

### **Policy Context**

The adopted development Plan for the area comprises the Neath Port Talbot Unitary Development Plan, within which the following policies are of relevance:-

- GC1 New Buildings/Structures and Changes of Use
- ENV17 Design
- T1 Location, Layout and Accessibility of New Proposals
- H3 Infill and Windfall Development within Settlement Limits
- H4 Affordable Housing
- ENV5 Nature Conservation

As the proposed site is located within settlement limits defined in the Unitary Development Plan, the principle of a residential development is generally acceptable, provided there are no overriding highway, amenity or service objections. Policy H3 is therefore applicable when it states:

In addition to those sites contained in Policy H1, the development of “infill” and “windfall” sites within settlement limits, as defined on the Proposals Map, will generally be permitted for housing subject to the following criteria: -

- a) there is no unacceptable loss of open or green space that is important for its recreational, amenity or conservation value;
- b) proposals either individually or in combination with existing commitments would not create unacceptable impacts on existing or programmed infrastructure or community facilities;
- c) there will not be a significant detrimental effect on the amenity of the existing residents of the area; and
- d) there would be no unacceptable highway implications

With regards to the issue of affordable housing, and Policy H4, as the application site is only capable of providing one dwelling, therefore the developer would not be required to provide any affordable housing as the development would be under the threshold set in the Unitary Development Plan and Supplementary Planning Guidance.

In relation to Policies GC1, ENV17, H3 & T1 in relation to design, amenity and location, layout and accessibility specifically, these matters are considered later in this report.

### **Visual Amenity**

The properties located along Ffynon Dawel have been constructed fronting that highway, and appear part of the modern housing estate in both design and scale. To the rear of these, the existing farm and associated residential buildings form part of the older and more established farm that existed prior to the development of that housing site.

The proposed dwelling will be located in a cluster of dwellings of varying scales, appearance and design with no definable character and located behind the dwellings on Ffynnon Dawel. There will be limited sight of the proposal from the public realm. The proposed dwelling would be visible from a public footpath to the north of the site but views would be limited in duration and partially screened by an existing 2 metre high fence. It is therefore considered that this modest dwelling can be suitably accommodated on the site without have a significant impact upon the visual amenity, or character of the area.

The originally submitted plans showed a dwelling with the proportions of a two storey house with a high eaves and ridge level commensurate to a two storey property. A contrived half hip design to the over dominant roof structure attempted to give the appearance of a dormer bungalow, and to lessen the



potential impacts upon the adjoining properties. The scale and massing did not reflect this style of dormer property, and appeared contrived to provide a larger and in the Authorities view an overdevelopment of this restricted plot, to the detriment of visual amenity.

Objections were subsequently received with regard to the proportions of the dwelling.

The amended proposal, providing a bungalow with limited accommodation within the roof space is considered to address the initial concerns over the visual impact, scale and massing of the development upon the wider area, and upon the outlook of adjoining properties.

Whilst it is accepted that any development will have an impact, it is the level of impact upon the visual amenity of an area, and the character of that area that are material in the determination of any application. Due to the proposed access arrangements, the development would amount to 'backland' or 'tandem' development, however, the dwelling will sit within an area of already established properties, and will be substantially screened by other development in the surrounding area. Accordingly, the dwelling would be viewed in the context of other properties, such that no objections are raised to the development in terms of the character or pattern of development on visual amenity grounds.

It is therefore considered that the development would not result in any unacceptable impact upon visual amenity, due to the context and pattern of existing development, the location, and the scale and design of the property itself, as such it is considered that it would accord with Policies GC1 and ENV17 of the Neath Port Talbot Unitary Development Plan.

### **Residential Amenity**

In relation to the design of the dwelling, its siting and issues of impacts on residential amenity in terms of any overbearing impact, overlooking or overshadowing, it is considered that, notwithstanding its close relationship to all adjacent dwellings and their boundaries, that the proposed dwelling would not have an unacceptable impact given that it is single storey and limited in scale.

Whilst it is accepted that there will be an impact from a new dwelling at the rear of the existing gardens (of all nearby properties), taking into account the existing use of the land and the nature of the proposed development, it is

considered that these impacts are not sufficiently detrimental to justify a reason for refusal.

The application proposes, however, to access the new dwelling via an existing narrow access which runs between the two modern properties fronting Ffynon Dawel (30a and 32a) which is restricted to pedestrian access only by a condition imposed when granting planning permission for no's 30a and 32a.

The condition states that:

*10. Prior to the occupation of either dwelling, the access between Plots 1 and 2 which provides access to the land at the rear of the site shall be suitably fenced, walled or gated so that it is only useable as a pedestrian access, and shall be retained as pedestrian access only, unless otherwise agreed in writing by the Local Planning Authority.*

*Reason: In the interest of highway safety.*

It is of note that there is currently a breach of this condition, insofar as there is no fence, wall or gate provided, which will be addressed through planning enforcement.

Planning Policy Wales (at para 9.2.13) emphasises that “Sensitive design and good landscaping are particularly important if new buildings are successfully to be fitted into small vacant sites in established residential areas. ‘Tandem’ development, consisting of one house immediately behind another and sharing the same access, may cause difficulties of access to the house at the back and disturbance and lack of privacy to the house in front, and should be avoided”.

The proposal would therefore result in the very form of tandem development which PPW seeks to resist. In this regard, it is considered that the introduction of a new permanent access to a residential dwelling, whereby vehicles entering and leaving the site would travel along the length of the two properties and their rear gardens, would have adverse impacts on the amenity of the two dwellings at the front by reason of an increase in vehicular movements in very close proximity to the side walls (with likely noise echo from the side walls due to the narrowness of the driveway), windows to front and rear and rear garden area.

Such impacts are considered unacceptable in their own right, however the fact that the condition was imposed on the 2010 consent for these frontage dwellings reinforces the need to protect their amenity under this application, given that the occupants of those dwellings would have a reasonable

expectation for a degree of peaceful enjoyment of their properties and an expectation that the condition would be enforced.

In this regard, it is also notable that a previous application for a two storey dwelling was refused in 2011, with the report on that application stating that;

“It is considered that the construction of a dwelling on the application site represents an unacceptable form of infill development. It is considered that the proposed alignment of the driveway and its proximity to the existing adjacent dwellings would have an unacceptable impact upon the amenities of residents within the adjacent properties in terms of noise and disturbance. Furthermore it is considered that the scale and location of the proposed dwelling in close proximity to 32a Ffynnon Dawel would result in an unacceptable impact on upon the amenity of residents of that property by virtue of overshadowing and overbearing. The proposed development is contrary to Policies GC1, H3 and T1 of the Neath Port Talbot Unitary Development Plan and the principles of TAN 12 (Design).”

While it is accepted that the use of the land / building in question for farm related activities is a possibility, potential impacts from such historical use – which existed prior to the dwellings being built - are not considered to outweigh the harm that would arise from the unrestricted use of the access in question, the impacts of which could not be acceptably mitigated even by additional ‘more permanent’ enclosures or (due to absence of space) any landscaping.

In addition, it is notable that the site is already accessed via Main Road via the existing dwelling(s) which were historically related to the use of the site as a farm, and this access would remain for use by this site, and the existing properties if this development were to be approved. It is clear therefore that there are alternative means of access to this development site, that could overcome the impacts upon amenity, however, the Applicant wishes the Authority to consider this proposal in its present form.

In support of the above, it is noted that in considering an appeal for 3 detached bungalows at Graig Road, Trebanos (ref. P2006/0967 – appeal ref. A/2050262) the Inspector, in dismissing the appeal considered that the proposed access to the development adjacent to an existing dwelling would “impact significantly on their living condition in terms of noise and disturbance”. In a more recent appeal for 2 dwellings at Ty Coch Farm, Leiros Parc Drive, Rhyddings, Neath (ref. P2008/0642 – appeal ref. A/2136432), the Inspector, in dismissing the appeal also considered that the proposed access to the development, adjacent to

an existing dwelling, would “have a serious detrimental effect on the living conditions of the present and future occupiers”.

Accordingly, it is concluded that the creation of a vehicular access between the two frontage dwellings to serve the proposed dwelling would result in an unacceptable and adverse impact on their amenity by reason of the increase in noise and disturbance to the detriment of residential amenity and therefore be contrary to Policies ENV17, GC1 and H3 of the Neath Port Talbot Unitary Development Plan and Planning Policy Wales Edition 7.

### **Highway Safety (Access, Parking and Traffic flows)**

The Head of Engineering and Transport (Highways) offers no objection to the proposed development, subject to conditions.

The proposal is accessed off an existing access that is suitable for vehicular access, but is only restricted from such use by a planning condition. There is adequate space to provide the requested off street car parking spaces in accordance with the Council’s guidelines within the site, and for vehicles to enter and leave the site in a forward gear.

Notwithstanding the objections raised above on amenity grounds, it is therefore considered that the proposal would not have a detrimental impact upon highway or pedestrian safety, subject to the imposition of suitably worded conditions, requiring the provision of suitable levels of off street car parking, hard surfacing and improvements to the access together with boundary treatments improving the existing and ensuring access restrictions and use of this access. As such the development would accord with Policy T1 of the Neath Port Talbot Unitary Development Plan.

### **Ecology (including trees & Protected Species)**

The Biodiversity Section has no objection to the proposal subject to a condition requiring a bird box to be erected on the new dwelling. Informatives shall also be added to the consent stating that if bats are found during construction work must cease and a licence sought from Natural Resources Wales and that the bird breeding season shall be avoided when clearing vegetation.

## **Others (including objections)**

One letter of objection was received, followed by subsequent emails containing further points of objection and clarification of the original objections. While many of the points raised are addressed in the report above, the following additional responses are made:

- **Scale and siting of the proposal, the proposal would cause an overbearing and overshadowing impact on the objectors property** – this fact has been acknowledged earlier in the report. It is considered that the design and scale of the dwelling precludes any significant impact upon overlooking, overbearing or overshadowing. A residential dwelling, in a residential area is considered to be an appropriate use, however, due to the access the proposal would result in any significant impacts upon amenity through noise and disturbance.
- **Contrary to Paragraph 5.54 of Planning Policy Wales Technical Advice Note 12: Design and has no relationship to a highway** – Whilst it is accepted that the dwelling will be located to the rear of the dwellings fronting Ffynon Dawel, it will be seen in the context of existing residential development located in a similar position.
- **Access to the development is hazardous and of significant danger to pedestrians and children playing in the front gardens of 30a and 32a Ffynnon Dawel as vehicles emerge from the access drive between the two dwellings and only has vision over the front gardens of the two neighbouring properties when the vehicle emerges at their front gardens. This danger was pointed out during a previous refusal. In addition to this condition 10 of planning application P2008/0429 which was for the objectors dwelling stated that this access shall be usable only as a pedestrian access. This access has been blocked off until earlier in 2014 when the fence was taken down and a gate erected in its place. This gate was not used and the applicant parked his car in front of it** – The Council's Highway Section offers no objection to the proposal on highway or pedestrian safety grounds. Objections have been raised, however, to the use of this access to serve the new dwelling on amenity grounds.
- **Access to the development would result in unacceptable noise and disturbance and cause as vehicles would travel along the full length of the objectors dwelling to access the proposal** – This has been accepted within the forgoing report.

- **No provision for a vehicle turning area, therefore vehicles will need to reverse the full length of the entrance drive between two residential dwellings** – The Council’s Highway Section offer no objection to the proposal, it is considered that there is appropriate room for vehicles to enter and leave the site in a forward gear.
- **Proposal is contrary to ENV5 (nature conservation) of the Neath Port Talbot Unitary Development Plan as bat and owl surveys have not been submitted for the proposal** – a bat survey has been submitted following a request by the Council’s Biodiversity Section and they offer no objection to the proposal. No other surveys have been requested. However, there is legislation outside of planning relating to protected species.
- **The objector has submitted a further letter of objection which gives examples of other similar applications which were refused as they were considered as backland development and had adverse issues on the residential amenity of neighbouring properties as vehicles would need to travel the full extent of the neighbouring property to access their proposal** – Each application should be considered on its merits, and the impacts of this development and use of the access have been addressed within the report.
- **The access does not meet minimum requirements of Part B of Schedule 1 of the Building Regulations 2000 (as amended)** – This is not a planning consideration. If the proposal does not comply with building regulations the applicant would need to address this matter under those regulations.
- **The objector has stated past decisions and appeals by different councils (some English councils) regarding planning decisions and appeal decisions in relation to backland development** –This matter has previously been addressed, although it I noted that each application should be considered on its own merits.
- **The objector wishes to be provided with a copy of the agenda and officer report 5 days prior to the Planning Committee and he wishes to make representations at Committee** – The Local Ward Member has been informed and has called the application to planning committee. The agenda will be a public document on line a few days before the committee and can address the committee in accordance with the public speaking procedure.

## **Conclusion**

Taking account of the location, size and shape of the plot, it is considered that, while a modest dwelling could be accommodated on this site without adverse impact on local character or physical impacts on adjoining dwellings, the access to the site off Ffynnon Dawel would require vehicles entering and leaving the site to travel along the entire length of the rear gardens of these residential properties, and would result in an unacceptable level of noise and disturbance to the residents of these dwellings to the detriment of their amenity. The proposal therefore amounts to an insensitive and unacceptable form of 'tandem' or 'backland' development, contrary to Policies ENV17, GC1 and H3 of the Neath Port Talbot Unitary Development Plan and guidance in Planning Policy Wales Edition 7.

## **RECOMMENDATION:      Refusal**

(1) The proposed development would amount to an insensitive and unacceptable form of 'tandem' development which, by virtue of its proposed access between 2 existing dwellings at 30A and 32A Fynnon Dawel, would have an unacceptable impact on residential amenity in terms of noise and disturbance. The development is therefore contrary to Policies ENV17, GC1 and H3 of the Neath Port Talbot Unitary Development Plan and guidance in Planning Policy Wales Edition 7.

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## SECTION B – MATTERS FOR INFORMATION

### APPEALS RECEIVED

#### a) **Planning Appeals**

**Appeal Ref:** A2015/0004                      **Planning Ref:** P2014/1001

**PINS Ref:** APP/Y6930/A/15/3078127

**Applicant:** Mr & Mrs Godsall

**Proposal:** Formation of new vehicle access and driveway

**Site Address:** 4 Main Road, Aberdulais, Neath

**Start Date:** 17<sup>th</sup> June 2015

**Appeal Method:** Written Representations

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## SECTION B – MATTERS FOR INFORMATION

### DELEGATED APPLICATIONS

DETERMINED BETWEEN 9<sup>TH</sup> JUNE 2015 AND 29<sup>TH</sup> JUNE 2015

1	App No. P2014/1096	Type Full Plans
<p>Proposal Change of use of ground-floor of existing outbuilding from ancillary home workshop to ancillary residential annex in association with Dulais Isaf House comprising the re-insertion of 2 windows and replacement of 1 window with a door on north elevation and re-instatement 2 French-doors and 1 window to south elevation, new single-storey side extension to existing detached garage off existing stone wall to provide ancillary home workshop and provision of new mono-pitched slate roof above.</p>		
<p>Location DULAIS ISAF HOUSE, DULAIS FACH ROAD, TONNA, NEATH SA11 3JW</p>		
<p>Decision Approval with Conditions</p>		
<p>Ward Tonna</p>		

2	App No. P2014/1097	Type Listed Building Cons
<p>Proposal Change of use of ground-floor of existing outbuilding from ancillary home workshop to ancillary residential annex in association with Dulais Isaf House comprising the re-insertion of 2 windows and replacement of 1 window with a door on north elevation and re-instatement 2 French-doors and 1 window to south elevation, lime-based white-wash of existing rendering, installation of light-weight timber stud internal walls with breathable membrane and thermally insulated concrete floor with damp-proof membrane. New single-storey side extension to existing detached garage off existing stone wall to provide ancillary home workshop and provision of new mono-pitched slate roof above, re-instatement and restoration of existing cobbles to yard area.</p>		
<p>Location DULAIS ISAF HOUSE, DULAIS FACH ROAD, TONNA, NEATH SA11 3JW</p>		
<p>Decision Approval with Conditions</p>		
<p>Ward Tonna</p>		

3	App No. P2014/1155	Type Full Plans
Proposal	Engineering operations, fencing, lighting and landscaping to facilitate the construction of a 40 space car park. (Revised Flood Consequences assessment and additional and revised plans received on 09.02.15)	
Location	SANDVIK OSPREY LIMITED, MILLAND ROAD, NEATH SA11 1NJ	
Decision	Approval with Conditions	
Ward	Neath East	

4	App No. P2014/0683	Type Full Plans
Proposal	Retention of dwelling and boundary treatments ( Development previously approved under Planning Permission P2006/1484)	
Location	2A OAK HILL PARK, SKEWEN, NEATH SA10 6TB	
Decision	Approval with Conditions	
Ward	Coedffranc Nort	

5	App No. P2014/0774	Type Listed Building Cons
Proposal	Restoration of the Lock Keepers house. Conservation based repairs and replacements to refurbish the building. Works include; stripping and recovering the roof using natural Welsh Slate, replacing decayed fascia and barge boards, reconstructing chimney stacks, re-rendering walls with a traditional lime based mortar and lime-washing, reinstating detailed timber windows and doors, reinstating cast-iron rainwater goods, structural and restraint mechanisms to stabilise the cracks in walls, extending the building, reinstating the stone curtilage wall to the garden. Internal structural repairs, treatment for fungal attack in timbers, replacing decayed joists, lintels and internal joinery using matching sections where practicable, minor re-ordering, lining of flues, fitting a lime-crete floor and sandstone flags, lime plastering and internal decoration using lime-wash and traditional paints. Installation of heating and environmentally safe drainage systems.	
Location	LOCK HOUSE, HENFAES ROAD, TONNA, NEATH SA11 3DZ	
Decision	Approval with no Conditions	
Ward	Tonna	

6	App No. P2014/1020	Type Outline
Proposal	One dwelling (outline with details of access to be determined)	
Location	Land adjacent to, 33 ORCHARD STREET, PONTARDAWE, SWANSEA SA8 4ER	
Decision	Refusal	
Ward	Pontardawe	

7	App No. P2015/0009	Type Prior Notif.Demol.
Proposal	Submission of details for prior approval for the demolition of disused railway bridge.	
Location	CHAPEL HOUSE, EFAIL FACH, PONTRHYDYFEN, PORT TALBOT SA12 9SN	
Decision	Prior Approval Required	
Ward	Pelenna	

8	App No. P2015/0123	Type Full Plans
Proposal	Erection of 5 dwellings, access road, associated car parking, engineering works, and landscaping. (Redesign of planning application P2013/1061 approved on 20th November 2014)	
Location	GARTH MOR PHASE 4, OFF PEARSON WAY, NEATH SA11 2EJ	
Decision	Approval with Conditions	
Ward	Neath East	

9	App No. P2015/0135	Type Outline
Proposal	Two No. semi-detached two storey dwellings (Outline with all matters reserved)	
Location	LAND OPPOSITE, 6 LOWER COLBREN ROAD, GWAUN CAE GURWEN, AMMANFORD SA18 1HW	
Decision	Approval with Conditions	
Ward	Gwaun-Cae-Gurwe	

10	App No. P2015/0136	Type Full Plans
Proposal	Detached dwelling with associated front car parking and raised rear patio.	
Location	PLOT 2, ADJACENT TO, 26 WAUNGRON, GLYNNEATH, NEATH SA11 5AS	
Decision	Approval with Conditions	
Ward	Glynneath	

11	App No. P2015/0143	Type Full Plans
Proposal	Detached dwelling with associated front car parking and raised rear patio.	
Location	PLOT 1, ADJACENT TO, 26 WAUNGRON, GLYNNEATH, NEATH SA11 5AS	
Decision	Approval with Conditions	
Ward	Glynneath	

12	App No. P2015/0217	Type Householder
Proposal	Two storey side and rear extension	
Location	78 VARTEG ROAD, YSTALYFERA, SWANSEA SA9 2EN	
Decision	Approval with Conditions	
Ward	Ystalyfera	

13	App No. P2015/0230	Type Discharge of Cond.
Proposal	Details to be agreed in association with condition 2 (External Materials) of application P2014/0459 granted 03/09/14.	
Location	FRANCOS FISH BAR, THE PRINCESS MARGARET WAY, SANDFIELDS, PORT TALBOT SA12 6QW	
Decision	Approval with no Conditions	
Ward	Sandfields West	

14	App No. P2015/0243	Type Householder
Proposal	Two storey and single storey rear extension plus side window to first floor of existing dwelling and creation of vehicular access.	
Location	6 OAK VIEW, CILFREW, NEATH SA10 8LU	
Decision	Approval with Conditions	
Ward	Aberdulais	

15	App No. P2015/0270	Type Discharge of Cond.
Proposal	Details to be agreed in association with condition 9 (Details of extraction system) of application P2014/0459 granted on 03/09/14.	
Location	FRANCOS FISH BAR, THE PRINCESS MARGARET WAY, SANDFIELDS, PORT TALBOT SA12 6QW	
Decision	Approval with no Conditions	
Ward	Sandfields West	

16	App No. P2015/0275	Type Householder
Proposal	Detached rear garage.	
Location	22 CORY STREET, RESOLVEN, NEATH SA11 4HR	
Decision	Approval with Conditions	
Ward	Resolven	

17	App No. P2015/0301	Type Vary Condition
Proposal	Variation of condition 1 (opening hours) of planning application no. P2009/0917 - to extend the hours of opening from 8 a.m. to 4:30 a.m.	
Location	28 STATION ROAD, PORT TALBOT SA13 1JQ	
Decision	Refusal	
Ward	Port Talbot	

18	App No. P2015/0305	Type Advertisement
Proposal	Retention of a non illuminated banner sign to side elevation.	
Location	DOCK ROAD, HARBOUR WAY, PORT TALBOT SA13 1RS	
Decision	Advert Approved with Std Cond	
Ward	Margam	

19	App No. P2015/0317	Type Householder
Proposal	Detached rear garage.	
Location	33 RUGBY ROAD, RESOLVEN, NEATH SA11 4HH	
Decision	Approval with Conditions	
Ward	Resolven	

20	App No. P2015/0320	Type Non Material Amendment (S96A)
Proposal	Non material amendment to Condition 25 of P2013/0300 in relation to the requirement for monitoring of carcass searches.	
Location	Land at, Newlands Farm, Margam, Port Talbot	
Decision	Approval with Conditions	
Ward	Margam	

21	App No. P2015/0330	Type Householder
Proposal	Demolition of existing rear extensions & garage and construction of Single storey rear extension plus raised decking and detached garage.	
Location	11 QUARR ROAD, PONTARDAWE SA8 4JD	
Decision	Approval with Conditions	
Ward	Pontardawe	

22	App No. P2015/0333	Type Householder
Proposal	First floor rear extension	
Location	42 CHROME AVENUE, SANDFIELDS, PORT TALBOT SA12 7RH	
Decision	Approval with Conditions	
Ward	Sandfields West	

23	App No. P2015/0343	Type Householder
Proposal	Two storey rear extension	
Location	LLWYN ERYR, BRONDEG LANE, ALLTWEN, PONTARDAWE SA8 3AE	
Decision	Approval with Conditions	
Ward	Alltwen	

24	App No. P2015/0344	Type Full Plans
Proposal	Change of use for land to the south west of the garage for use as a staff parking area and construction of new storage shed within the existing garage compound	
Location	GARDEN CITY GARAGE, DULAIS ROAD, SEVEN SISTERS, NEATH SA10 9ES	
Decision	Approval with Conditions	
Ward	Seven Sisters	

25	App No. P2015/0358	Type Full Plans
Proposal	Retention of ATM Cash machine to front elevation.	
Location	2 HIGH STREET, SEVEN SISTERS, NEATH SA10 9DN	
Decision	Approval with Conditions	
Ward	Seven Sisters	

26	App No. P2015/0362	Type Change of Use
Proposal	Change of use of post office/retail unit to residential accommodation in association with existing dwelling plus external door to rear elevation.	
Location	POST OFFICE, 2 PEN YR HEOL, SKEWEN, NEATH SA10 6YT	
Decision	Approval with Conditions	
Ward	Coedffranc Cent	



27	App No. P2015/0369	Type Householder
Proposal	Replacement of garage door with window, to facilitate conversion of garage to living accommodation, plus replacement off street car parking.	
Location	39 FFYNNON DAWEL, ABERDULAIS, NEATH SA10 8EQ	
Decision	Approval with Conditions	
Ward	Aberdulais	

28	App No. P2015/0371	Type Householder
Proposal	Single storey rear extension and two new windows to first floor side elevation.	
Location	33 TYDRAW STREET, PORT TALBOT SA13 1BT	
Decision	Approval with Conditions	
Ward	Port Talbot	

29	App No. P2015/0375	Type Full Plans
Proposal	Construction of a 3m wide combined pedestrian/ cycleway for approx 340m in length linking existing Fabian Way Cycleway to Bay Campus.	
Location	SWANSEA UNIVERSITY BAY CAMPUS, SITE ACCESS ROAD OFF BALDWINS CRESCENT, SA1 8QQ	
Decision	Approval with Conditions	
Ward	Coedffranc West	

30	App No. P2015/0376	Type Advertisement
Proposal	Retention of illuminated ATM collar	
Location	2 HIGH STREET, SEVEN SISTERS, NEATH SA10 9DN	
Decision	Approval with Conditions	
Ward	Seven Sisters	

31	App No. P2015/0378	Type Householder
Proposal	Demolition of existing garage and construction of new pitched roof garage.	
Location	40 HARLE STREET, NEATH SA11 3DL	
Decision	Approval with Conditions	
Ward	Neath North	

32	App No. P2015/0382	Type App under TPO
Proposal	Works to one Oak tree including reduction of southern lower canopy by 1.5m plus reduction of 1 branch to the Northeast canopy by 1.5m.( TPO: T273/T6)	
Location	11 CLODA AVENUE, BRYNCOCH, NEATH SA10 7FH	
Decision	Approval with Conditions	
Ward	Bryncoch South	

33	App No. P2015/0387	Type Householder
Proposal	Single storey rear extension.	
Location	67 DOL LAS, BAGLAN, PORT TALBOT SA12 8YA	
Decision	Approval with Conditions	
Ward	Baglan	

34	App No. P2015/0388	Type Non Material Amendment (S96A)
Proposal	Non-material amendment to Planning Permission P2013/0868 (Approved on the 24/01/14) 1. Amendment to external finish of boundary treatments. 2. Bin store removed from front elevation of Plot 2. 3. Rear access door to ground floor flats moved to side elevations.	
Location	OLD FURNACE HOUSE, OLD FURNACE TERRACE, MELYN, NEATH SA11 2EF	
Decision	Approval with no Conditions	
Ward	Neath East	

35	App No. P2015/0389	Type Householder
Proposal	Retention of outbuildings.	
Location	5 ST PETER'S PLACE, CLOS YR HEN YSGOL, PONTARDAWE, SWANSEA SA8 4AZ	
Decision	Approval with no Conditions	
Ward	Pontardawe	

36	App No. P2015/0392	Type Householder
Proposal	Single storey side and rear extension plus roof terrace.	
Location	CAER CASTAN, 2 CAER HENDY GARDENS, CRYMLYN ROAD, SKEWEN, NEATH SA10 6EA	
Decision	Approval with Conditions	
Ward	Coedffranc West	

37	App No. P2015/0400	Type Discharge of Cond.
Proposal Details pursuant to the discharge of Condition 4 (Construction Management Plan) of Planning Permission P2014/1175 (Approved on the 05/02/2015)		
Location YSGOL GYFUN YSTALYFERA, GLAN YR AVON, YSTALYFERA, SWANSEA SA9 2JJ		
Decision Approval with no Conditions		
Ward Ystalyfera		

38	App No. P2015/0401	Type Householder
Proposal Outbuilding.		
Location 5 LLYS GWYNFRYN, BRYNCOCH, NEATH SA10 7UB		
Decision Approval with Conditions		
Ward Bryncoch North		

39	App No. P2015/0414	Type LawfulDev.Cert-Prop.
Proposal Lawful development certificate for a proposed single storey side and rear extension.		
Location HAREBELL BARN, GELLIONEN ROAD, PONTARDAWE SA8 4RN		
Decision Not to Issue Lawful Dev.Cert.		
Ward Trebanos		

40	App No. P2015/0415	Type Discharge of Cond.
Proposal Details to be agreed in association with condition 2 (Materials) of application P2014/0338 granted on 17/09/14.		
Location LAND AT, ST ANNES DRIVE, TONNA SA11 3JB		
Decision Approval with no Conditions		
Ward Tonna		

41	App No. P2015/0417	Type Non Material Amendment (S96A)
Proposal Non-Material amendment to Planning Permission P2011/0880 to provide a first floor window to side elevation of Plots 8, 9, 21-24, 34-37, 49, 50, 65, 66, 79, 80, 90-92, 195-198, 203-206, 228-233, 297, 298, 300 and 301, plus revisions to garages, gated entrances, and boundary wall heights to Plots 14-22.		
Location Coed Darcy Phase 1A and 1B, Llandarcy, Neath		
Decision Approval with no Conditions		
Ward Coedffranc West		

42	App No. P2015/0419	Type Non Material Amendment (S96A)
Proposal	Non-material amendments to application P2014/0459 for changes to the dove cote for vent extraction and addition of finial to roof; changes to canopy roof, and reduction of columns and alteration to balustrade of veranda changes to fenestration and the removal of a window; and alterations to guttering and ground levels.	
Location	FRANCO'S FISH BAR, PRINCESS MARGARET WAY, SANDFIELDS, PORT TALBOT SA12 6QW	
Decision	Approval with no Conditions	
Ward	Sandfields West	

43	App No. P2015/0422	Type Householder
Proposal	Extension to existing garage to form a detached Granny Annex.	
Location	FOREST COTTAGE, TAI'R YNYS FAWR, PONTRHYDYFEN, PORT TALBOT SA12 9RU	
Decision	Approval with no Conditions	
Ward	Bryn & Cwmavon	

44	App No. P2015/0423	Type Discharge of Cond.
Proposal	Details to be agreed in association with condition 32 (Surface Water Drainage Scheme) of application P2014/0501 granted on 02/10/14.	
Location	WESTERN AVENUE PLAYING FIELDS, ADJACENT TO SEAWAY PARADE, SANDFIELDS, PORT TALBOT	
Decision	Approval with no Conditions	
Ward	Sandfields West	

45	App No. P2015/0436	Type Householder
Proposal	Single storey rear extension.	
Location	1 BRYN IVOR, LANE BETWEEN 6 AND 7 IVORITES ROW, GLYNNEATH, NEATH SA11 5LH	
Decision	Approval with Conditions	
Ward	Glynneath	

46	App No. P2015/0437	Type Full Plans
Proposal	Single storey prefabricated building to provide changing facilities	
Location	Parc Ynysderw, Fford Parc Ynysderw, Pontardawe SA8 4EG	
Decision	Approval with Conditions	
Ward	Pontardawe	

47	App No. P2015/0444	Type Discharge of Cond.
Proposal	Details pursuant to condition 21 (mining and site investigation report) of Planning Permission P2014/1109 (Approved on the 02/03/15)	
Location	Land at Evans Road, Melyn, Neath	
Decision	Approval with no Conditions	
Ward	Neath East	

48	App No. P2015/0445	Type Discharge of Cond.
Proposal	Details pursuant to partial discharge of condition 2 (materials) of Planning Permission P2014/1109 (Approved on the 02/03/15)	
Location	Land at Evans Road, Melyn, Neath	
Decision	Approval with no Conditions	
Ward	Neath East	

49	App No. P2015/0459	Type Discharge of Cond.
Proposal	Details pursuant to condition 16 (Land Contamination remediation scheme) of Planning Permission P2014/1109 (Approved on the 02/03/15)	
Location	Land at Evans Road, Melyn, Neath	
Decision	Approval with no Conditions	
Ward	Neath East	

50	App No. P2015/0461	Type Discharge of Cond.
Proposal	Details to be agreed in association with Condition 9 (surface water drainage) of Planning Permission P2014/0789 granted on 31/3/15.	
Location	HEOL CRWYS, CWMAVON, PORT TALBOT SA12 9NT	
Decision	Approval with no Conditions	
Ward	Bryn & Cwmavon	

51	App No. P2015/0471	Type Non Material Amendment (S96A)
Proposal	Non-material amendment to Planning Permission P2014/0690 (Approved on the 20/08/2014) to amend condition 1 allowing a change in the design of the privacy screen.	
Location	2 MAIN ROAD, DYFFRYN CELLWEN, NEATH SA10 9HR	
Decision	Approval with Conditions	
Ward	Onllwyn	

52	App No. P2015/0475	Type Non Material Amendment (S96A)
Proposal	Non-material amendment to Planning Permission P2014/0671 (Approved on the 14/11/14) to change a window to a door on side elevation.	
Location	RHIWFAWR INDEPENDENT CHAPEL, RHIW ROAD, RHIWFAWR	
Decision	Approval with no Conditions	
Ward	Cwmllynfell	

53	App No. P2015/0480	Type LawfulDev.Cert-Prop.
Proposal	Rear dormer extension - Certificate of Lawful Development Proposed	
Location	27 MAYBERRY ROAD, BAGLAN, PORT TALBOT SA12 8DG	
Decision	Issue Lawful Dev.Cert.	
Ward	Baglan	

54	App No. P2015/0483	Type Discharge of Cond.
Proposal	Details pursuant to condition 27 ( Code for sustainable homes certification) of Planning Permission P2014/466 (Approved on the 18/08/2014)	
Location	THE STAR INN, 83 PEN Y DRE, NEATH SA11 3HF	
Decision	Approval with no Conditions	
Ward	Neath North	

55	App No. P2015/0485	Type LawfulDev.Cert-Prop.
Proposal Proposed	Single storey extension - Certificate of Lawful Development	
Location	20 BERTHA ROAD, MARGAM, PORT TALBOT SA13 2AW	
Decision	Issue Lawful Dev.Cert.	
Ward	Margam	

56	App No. P2015/0504	Type LawfulDev.Cert-Prop.
Proposal extension	Certificate of Lawfulness (proposed) for a single storey rear extension	
Location	PWLL YR HWY AID FARM, WATER STREET, MARGAM, PORT TALBOT SA13 2PL	
Decision	Issue Lawful Dev.Cert.	
Ward	Margam	

57	App No. P2015/0548	Type LawfulDev.Cert-Prop.
Proposal (Proposed)	Certificate of lawfulness for a single storey rear extension	
Location	4 LLWYN ARIAN, COED HIRWAUN, PORT TALBOT SA13 2UP	
Decision	Issue Lawful Dev.Cert.	
Ward	Margam	

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