



PLANNING COMMITTEE

2.00 PM - TUESDAY, 4 OCTOBER 2016

COMMITTEE ROOMS 1/2 - PORT TALBOT CIVIC CENTRE

PART 1

1. To receive any declarations of interest from Members.
2. To receive the Minutes of the previous meeting held on the 13th September 2016 (*Pages 5 - 10*)
3. To Request Site Visit(s) from the Applications Presented

Report of the Head of Planning

Matters for Decision

Planning Applications Recommended for Approval

4. **Application No: P2016/0271** Demolition of two storey building and construction of one dwelling together with the conversion of a window to a door and 1 no. additional window to 1 Cambrian Place on the ground floor elevation fronting Abbey Road. 1 Cambrian Place & 45 Abbey Road, Port Talbot. SA13 1HD (*Pages 11 - 40*)
5. **Application No: P2016/0468** - Block of 4 self contained flats, plus associated parking and engineering works. Car Park, Wembley, Neath. SA11 2AT (*Pages 41 - 54*)
6. **Reference: P2016/0738**) Consultation by British Telecommunications (BT) in respect of Intended Payphone Removals within Neath Port Talbot. (*Pages 55 - 70*)

Section B - Matters for Information

7. Delegated Applications Determined between 7 September 2016 and 26 September 2016 (*Pages 71 - 82*)
8. Appeals Received 7 September 2016 and 26 September 2016 (*Pages 83 - 84*)
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, 28 September 2016

Committee Membership:

Chairperson: Councillor R.G.Jones

**Vice
Chairperson:** Councillor E.E.Jones

Members: Councillors Mrs.A.Chaves, D.W.Davies,
Mrs.R.Davies, S.K.Hunt, H.N.James, D.Keogh,
C.Morgan, Mrs.S.Paddison, R.Thomas,
Mrs.L.G.Williams

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

Requesting to Speak at Planning Committee

The public have a right to attend the meeting and address the Committee in accordance with the [Council's approved procedure](#) which is available at www.npt.gov.uk/planning.

If you would like to speak at Planning Committee on an application reported to this Committee you must:

- Contact Democratic Services in writing at : Civic Centre, Port Talbot SA13 1PJ, preferably by email: democratic.services@npt.gov.uk.
- Ensure your request to speak is made no later than two working days prior to the meeting date (by 2 pm on the preceding Friday based on a usual Tuesday meeting),
- Clearly indicate the item number or application number on which you wish to speak and confirm whether you are supporting or objecting to the application.
- Give your name and address (which will be publicly available unless there are particular reasons for confidentiality)

Please note that only one person is able to speak in favour of, and one against, each application. Full details are available in the [Council's approved procedure](#).

Should you wish to discuss any aspect of public speaking, please contact the Democratic Services Team on 01639 763719.

Applicant / Agent Right of Reply

Please note that, should an objector register to speak, the Applicant/Agent will be notified by the Council of their ability to address committee (their 'right to reply'). Should the applicant/agent wish to exercise that right, it will be necessary to confirm this to the Democratic Services section before noon on the day before the meeting.

Commenting on planning applications which are to be reported to Committee

Should you wish to submit representations on an application presented to this Planning Committee, please note that these must be received by the Planning department no later than 4.30p.m. on the Friday before Committee (based on the usual Tuesday meeting). If the meeting is not on a Tuesday, these should be received no later than 4.30pm on the penultimate working day immediately preceding the Planning Committee.

Please note that representations received in accordance with the Council's protocol are summarised and, where necessary, commented upon in the form of an Amendment Sheet, which is circulated to Members of the Planning Committee by email on the evening before Committee, and presented in hard copy form at the actual meeting.

PLANNING COMMITTEE

Members Present:

13 September 2016

Chairperson: Councillor R.G.Jones

Vice Chairperson: Councillor E.E.Jones

Councillors: D.W.Davies, Mrs.R.Davies, S.K.Hunt,
H.N.James, D.Keogh, C.Morgan,
Mrs.S.Paddison and R.Thomas

Local Members Councillors Mrs.S.Penry and Mrs.K.Pearson

Officers In Attendance S.Ball, K.Davies, T.Davies,
Mrs.J.Woodman-Ralph, and Ms.C.Plowman

1. **ANNOUNCEMENT**

It was with deep regret that the Chair advised the Committee of the death of Mr. Russell Ward, Chief Executive of Celtic Leisure and former Officer of Neath Port Talbot County Borough Council. As a mark of respect Members stood for a minute's silence.

2. **MEMBER'S DECLARATION**

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

Councillor Mrs.R.Davies	Application No. P2016/0468 – Proposed Block of 4 self contained flats, plus associated parking and engineering works – Car Park, Wembley, Neath. SA11 2AT as she was a member of the Board of NPT Homes.
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3. **MINUTES OF THE PREVIOUS MEETING HELD ON THE 24 AUGUST 2016**

RESOLVED: That the Minutes of the Planning Committee held on the 24 August 2016 as circulated, be confirmed as a true record.

4. **APPLICATION NO: P2016/0271**

Members undertook a site visit prior to the Planning Committee to appraise themselves of the site and immediate context. At Committee, Members received a verbal update in that, due to the need to rectify identified inaccuracies in the submitted plans, the application be deferred for Officers to undertake a re-assessment.

(Note: An amendment sheet in relation to P2016/0271 was circulated prior to the meeting but was not considered due to the item being deferred).

RESOLVED: That Planning Application No. P2016/071 be deferred for further assessment and that an updated report be brought back for Members consideration in due course.

5. **APPLICATION NO: P2016/0468**

(Cllr.Mrs.R.Davies re-affirmed her interest at this point and withdrew from the meeting for this item only.)

Officers made a presentation to the Planning Committee on this Application as detailed in the circulated report with the following verbal update in that the eight Conditions should have been included in the circulated report as part of the recommendation:

CONDITIONS

Time Limit Conditions

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

Reason

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

Approved Plans

(2) The development shall be carried out in accordance with the following approved plans and documents:

01A - Location Plan

(03)02L - Proposed Block Plan (Amended Plan Received 13/07/16)

(03)04 - Street Elevation

(03)102B - Elevations

(03)100B - Floor Plans

(00)02A - Topography

(03)03A - Site Section

(03)01 - Constraints

Reason

In the interests of clarity

Pre-Commencement Conditions

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

Reason

In the interest of the visual amenity of the area.

(4) Prior to commencement of any works a full drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall include the following.

. Means of disposing surface water and ground water during construction and during the temporary works

. Means of discharging the surface and ground water when the development is completed

. The approved drainage scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected.

The works shall be carried out in accordance with the approved scheme and retained as such thereafter.

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

(5) Prior to commencement of the development, a landscaping management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out accordingly and retained as such thereafter.

Reason

In the interest of biodiversity.

Regulatory Conditions

(6) The shared drive access, junction and rear car parking shall be carried out in accordance with drawing (03)02 Rev L and retained as such thereafter.

Reason

In the interest of highway and pedestrian safety.

(7) No surface water and land drainage run-off shall be allowed to connect or discharge either directly or indirectly to the public sewer system.

Reason

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

(8) There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site.

Reason

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

Cllr.Mrs.S.Penry Local Ward Member addressed the Committee engaging in detailed discussion with Officers and Members.

RESOLVED: That the application P2016/0468 be deferred for further investigation into the planning history of the site to establish the history of its legitimate use for parking, and to review whether the transfer of land to NPT Homes included any restrictions or clauses relating to continuation of such legitimate use for parking.

6. **APPLICATION NO: P2016/0536**

Officers made a presentation to the Planning Committee on this Application as detailed in the circulated report.

Cllr.Mrs.K.Pearson Local Ward Member addressed the Committee engaging in detailed discussion with Officers and Members.

RESOLVED: That in accordance with Officers recommendations as detailed in the circulated report the Application No. P2016/0536 be refused.

7. **DELEGATED APPLICATIONS DETERMINED BETWEEN 16 AUGUST 2016 AND 6 SEPTEMBER 2016**

Members received a list of Planning Applications which had been determined between the 16 August and 6 September 2016.

RESOLVED: That the report be noted.

CHAIRPERSON

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SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval Following Members Site Visit

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

BACKGROUND INFORMATION

Background Information

This application is reported to Committee at the request of the local Ward Member, Councillor Rahaman, on the grounds that the development will increase the footprint of the development to the entire plot, increase the height to a 2 storey building, the change in orientation of the existing rear building and further single storey extension with a high pitched roof will be overbearing on neighbouring property (no 2 Cambrian Place) creating a feeling of enclosure and will have a significant detrimental impact on the amenity and enjoyment of their property, and affect the light and air currently enjoyed.

It was presented to the Planning Committee on the 23rd August 2016 where it was deferred for a site visit for the following reason:

To enable Members to assess the impact upon the character and appearance of the surrounding area and highway safety having regard to traffic movements and car parking.

Members will recall that a site visit took place on the morning of 13th September 2016 so that Members could appraise themselves of the site and immediate context. At Committee, however, Members received a verbal update in that, due to the need to rectify identified inaccuracies in

the submitted plans, the application was to be deferred for Officers to undertake a re-assessment, with an updated report to be brought back for Members consideration in due course.

Following the Committee meeting, the agent has submitted amended plans which now: -

- Accurately show the height of the existing 'rear wing' to 1 Cambrian Place as 3.7m
- Amend the height of the new single storey element of the new dwelling to 3.7m to reflect the height of the rear wing (thus using a shallower pitch to the roof).

The ridge of the proposed and existing single storey elements now measure 3.7 metres. The attached drawings supersede all previous iterations of the drawings.

The report which follows reflect all correspondence received following the publication of the initial report, updated to reflect the changes detailed above. Additional commentary has also been provided in respect of drainage matters following further internal discussion with the drainage officer.

Planning History

The site (including no. 1 Cambrian Place to the front) has the following relevant planning history: -

- **P1997/1456** Conversion of dwelling into 2 no. flats, rear extension and the change of use of existing garage /store to a retail unit* – Approved 19.2.1998

This consent included the following condition: -

(3) Prior to the change of use taking place 3 No. car parking spaces shall be provided within the curtilage of the property, in accordance with a scheme which shall be submitted to and approved in writing by the local planning authority. The car parking area shall be provided prior to the occupation of the flat hereby approved and thereafter not be used for any purpose other than car parking.

Reason

To comply with the requirements of the Local planning authority concerning off-street car parking.

It is noted that no such scheme for parking was submitted to the LPA for approval.

* The permission also excluded the change of use of the garage/store (the building subject to this application)

- **P2000/0891** Retention of existing use of a builder's office and store, resiting of office within building and alterations to front elevation – Approved 12.12.2000 (45 Abbey Road)

This permission included a number of restrictive conditions, including a requirement for the windows serving the first floor store facing to the rear of 1 Cambrian Place to be part-obscurely glazed (condition 1); a restriction on no outside storage (2) and restriction on use to a builders store and ancillary office and for no other purpose.

- **P2006/1649** Retrospective application for a change of use from a sweet shop to an estate agency – approved 15.12.2006 (1 Cambrian Place)

Enforcement History:

It is also of note that there was an investigation into residential use of the existing outbuilding a number of years ago, following which an Enforcement Notice was issued on 6th July 2010 in respect of "Changing use of outbuilding to two residential flats".

The Enforcement Notice was served (in summary) because the use had no parking and that it would lead to an increase in parking problems along Abbey Road. No appeal was submitted against the notice, the residential use subsequently ceased and the Notice was complied with.

Publicity and Responses

Head of Engineering & Transport (Highways) – No objection

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

Biodiversity Section – No objection

Environmental Health – No objection, subject to condition

Wales and West Utilities – No objections subject to conditions

Dwr Cymru Welsh Water – Provide comments, including advice relating to the need for any connection to the public sewer to be subject of an applciatiuon under s106 of the Water Industry Act 1991.

Jeremy Miles AM has submitted a letter which outlines the numerous concerns of Mrs Mowbray and how the development will impact on her elderly parents who live at 2, Cambrian Place, and requests that such objections are submitted to the planning committee.

The concerns raised have all been received directly by the Council as part of the lady's submitted representations (see also below), but in summary are as follows:

- The proposed development will extend onto the whole footprint of the site. Apart from the effect on the outlook of her parents' property and its views, this will result in a lack of parking for a newly built 2 bedroom house, a shop and 2 flats.
- When previous planning permission was given, it was stipulated that parking be provided for three cars. This has not occurred, and she says that on a busy main road the lack of parking will be a danger.
- By building on the whole footprint there will be no space for the storage of refuse and recyclable materials for the shop and flat. This will be extremely detrimental to the environment, especially with regards to the shop, and will affect her parents' enjoyment of their property.

Ward Councillor Rahaman has advised that he is regrettably unable to make the deferred Committee date, and has therefore submitted written representations which are summarised below: -

“I feel that this planning application must be rejected due to the unacceptable overdevelopment, the unacceptable effect it will have on neighbouring (especially number 2 Cambrian Place) amenity and the dangerous precedent it would set for the communities of Neath Port Talbot and because the LPA should not accept 1 application for 2

separate sites, or an application that has so many flaws in it and in my view, tried to be deliberately misleading. The application is not transparent at all”.

Councillor Rahaman has also raised additional points, many of which echo the representations raised on behalf of the neighbouring occupiers in the report and below, but which again are summarised as follows: -

- Looking at the planning history to this property and site along with the previous retrospective planning and enforcement report, I personally feel that this site has abused the planning system all along and is now proposing to develop rear of the property by separating the site into two is absolutely absurd.
- The Highway assessment is flawed in that they simply compared the authorised use of the building as a **builder's office** and store to its use as a residential dwelling. The assessment wrongly regarded that the authorisation uses included retail, though this was specifically not included in the retrospective planning permission due to it being regarded as over development of the site and detrimental to highway safety. It did not take into account of the strict time limits imposed for the use of the building. The building is in fact not in use; therefore they should not have compared it from the baseline. No assessment of the current parking situation in Abbey Road or Cambrian Place seems to have taken place.
- The development has planned to create no car parking space for the dwelling. This application will generate inadequate parking and it would inevitably put more of a burden on highway safety. Abbey Road is one of the busiest roads in my ward and I am very much concerned that this development will add to further traffic and parking problems for all the residents living around the area, which is just off of junction 40 of the M4 and also close to a very busy nursery and infant's school including a rugby field and a park which is used by many children. To add to the problem, the additional School Patrolling Officer who used to be located (identified by the Road Safety Team) on this particular site (where the development is proposed) is no longer being replaced. Safety of school children and parents are being ignored.
- Existing Enforcement Notice served on 2010: LPA considered a change of use to residential would lead to an increase in parking problems along Abbey Road as the use had no parking. Are we not taking this enforcement report into consideration?

- The proposed development will exceed the 100% of the footprint of 45 Abbey Road, as the provision for refuse storage and part the building itself would extend into 1 Cambrian Place and the proposed 2 bedrooms dwelling would have no garden at all.
- Are the LPA setting a precedent for any resident of Neath Port Talbot to be able to build on 100% of the footprint of their land? Changing to character and appearance of the surrounding area which is mainly terraced properties with a garden and garage or no garage just garden.
- The proposed development will have a great impact on loss of light to the neighbouring property (no 2 Cambrian Place). Officers have not taken into account the small size of the property and garden – making the effect of the loss of light and encroachment far greater.
- The proposed development would have nowhere for the surface water to go.

David Rees AM (Labour Assembly Member for Aberavon) wrote in following the publication of the second Committee report (but too late to be included in the earlier amendment sheet). He advises that he has held discussions with a representative of residents in Cambrian Place, following which the following concerns have been expressed:

- Loss of light in neighbouring property (2 Cambrian Place).
- The concerns regarding waste water (both foul and rainwater) and ensuring that sufficient capacity is available (as per Welsh Water's views) and that no aspect of waste water will create problems for both residents of neighbouring properties and road users along Abbey Road – a major route to junction 40 of the M4.
- Traffic & parking along Abbey Road: I understand that a previous application for conversion of 1 Cambrian Place into two flats required parking spaces for 3 vehicles to be made available. This proposal will remove that space and could result in several vehicles parking on Abbey Road (North bound) from the residents of the new development and the residents of the two flats at 1 Cambrian Place. This should be considered alongside any parking that may arise from people visiting the shop at 1 Cambrian Place.
- The proposed development effectively fills the footprint of the 'rear garden/existing building' of 1 Cambrian Place. I would urge the

committee to also consider the precedence that this may set for property development in rear gardens of numerous properties across the county borough.

- The use of a boundary wall as the rear of the proposed development and the impact this would have – both during building and beyond – on the neighbouring property.

One neighbouring property was consulted and a notice was posted on site. In response, 4 letters of objection were originally received in relation to the application. (1 letter has been signed by 4 properties and 2 letters are from the same objector). Since the last Committee report was published a significant level of further correspondence has been received on behalf of one neighbouring property which was summarised in the amendment sheet. This has now been incorporated into this report.

The objections are extensive but can be summarised as follows: -

- The proposed increase in the footprint, height and change in orientation of the 45 Abbey Road and an extension which will fill the whole space will be overbearing to the neighbouring property.
- The development will create a feeling of enclosure and will have a significant detrimental impact on the enjoyment and amenity of the neighbouring property, affecting the light and air currently enjoyed.
- The scale of the development is inappropriate to the site as the development represents a 100% development of the footprint of no. 45 Abbey Road. Apart from a doors width the development represents a continuous build of the property.
- The proposed dwelling is to be constructed on the common boundary which the neighbouring property has not given permission for.
- The development is an overdevelopment and over intensification of the use of the site and will be overbearing to the neighbouring property.
- The development reduces the amenity space of the ground floor flat at 1 Cambrian Place and there is no amenity space for the proposed dwelling.
- Lack of parking facilities or cycle storage for the proposed dwelling and consequent increase in on street parking.
- Access to the neighbouring garage will be effected

- It is suggested that the dwelling could be split into two separate residential units in the future
- The objector considers just because there is a bus stop nearby it will not guarantee that public transport will be used
- The agents submitted photographs are not dated or current
- The proposed dwelling is located on a busy road where vision is restricted by parked vehicles
- The previous consented use as a builders store and office was restricted by conditions
- Design of the proposal
- Comments regarding the behaviour of the former tenants of the property
- Question the need for this type of housing having regard to the Joint Housing Land Availability Study.
- The proposed external materials of the dwelling cannot be stated as enhancing the area
- The dwelling located on the common boundary will affect the health and wellbeing of the neighbouring property's occupants
- The addition of a new window to the ground floor flat at Cambrian Place will reduce the feeling of safety and security for the flat
- All other properties in area have single storey garages with garden space. No other property is developed on 100% of the plot.
- The proposal provides no landscaping
- The development has not taken into consideration secured by design
- The development does not comply with various points of Policy BE1 design of the Local Development Plan
- The development contravenes the previous planning consent for 1 Cambrian Road which required the provision of 3 no. parking spaces
- Impact of the development on the privacy, sunlight and microclimate
- Why the planning statement is has been retitled to include the existing flats at 1 Cambrian Place and include the "minor" works to the existing flats
- Height differences between the existing property 1 Cambrian Place and the proposed dwelling as described in the submitted planning statement
- The existing flat will have to take their refuse bin through the dwelling to the pavement.
- No refuse storage areas have been provided for the existing first floor flat and the retail unit at 1 Cambrian Place
- Although both 1 Cambrian Place and 45 Abbey Road are under the same ownership concern is if the properties are sold separately then

the proposed refuse area for no 45 could be sold separately and 45 would be left with no refuse area.

- A Members site visit is requested on grounds including that a presentation and photos cannot show the full impact of the proposed development on their adjacent property, which is considered to be over-bearing, over-development and not proportionate for the site.
- The development will cause parking problems and highway safety for drivers, pedestrians and children walking to the local school, including poor visibility from Cambrian Place to Abbey Road.
- Although there is planning permission for the outbuilding/garage(referred to as 45, Abbey Road) to be used as a builder's office, it is not currently in use, and had many restrictions including: - that the building should only be used between the hours of 0800 and 1800 Mon to Friday and between 0800 and 1300 on Saturday and at no time on Sundays and Public Holidays; no retail sales; office to be used solely for carrying out duties associated with the business and not as a general office for people to call into to arrange works or payment.
- The property is not currently in use as a flat as claimed by the applicant.
- Only the Shop at the front of 1 Cambrian Place has ever had planning permission for retail, namely as a sweet shop and as an Estate Agents. 1997/1456 (1, Cambrian Place - Conversion of House into Two Flats and Rear Extension) excluded the change of use of the garage to any retail use "because the conversion of the garage to a retail premises is considered to be an over development of the site and detrimental to highway safety".
- The raising of the roof of the garage was illegal and done without proper building control.
- The former use was not carried out in accordance with the imposed conditions.
- An enforcement notice has previously been served on the property due to lack of parking.
- Permission will not be granted to build on the boundary.

Mrs Mowbray (for and on behalf of Mr and Mrs P Soderstrom) has also written in with further extensive submissions (which are available for inspection in the application file), the majority of which repeat earlier written submissions (or those raised by Cllr Rahaman above), but also incorporate other matters which are summarised below: -

- Over-development, unneighbourly, exceeds 100% of the footprint, would set a dangerous precedent.
- BE1.2 – the proposal fails to respect the context of the site, no other properties in the Cambrian Place, Abbey Road or surrounding area have ancillary buildings which are developed to this height or extent.
- BE1.4 - It would not have a significant adverse impact on highway safety, the amenity of occupiers of adjacent land or the community. The proposed development would significantly impact on all three.
- The Officer's report seems to imply that planning permission for a retail use of the building was granted, but this was expressly forbidden as an overdevelopment of the site and detrimental to highway safety.
- The current planning permission for a builder's office and store granted in 2000, stipulated the office should be used solely for carrying out duties associated with the business and not as a general office for people to call into to arrange works or payment. This is contrary to the officer's statement that the builder's office and store has the potential for a number of movements both from staff and visitors/deliveries to the site.
- The door to provide direct access from the proposed dwelling into the refuse/recycling area is not represented in the plans. We object to this door as the tenants could look directly into our property from it.
- We also object to the ground floor bedroom window which will look directly into our bedroom windows and both contravene the 21m rule.
- poor quality and misleading application and plans - plan indicates that the single storey wing will be the same height as the existing GF Flat bedroom extension to 1 Cambrian Place but the ridge height detailed in the officer's report of approximately 4.16 m is higher than the as built height of this existing extension which is only 3.7 m.
- Where does the applicant intend to Expel air to vent the proposed bathroom and ensuite? We do not give permission to expel air into our property.
- The proposed development would remove the bin storage area for FF Flat and the shop in 1 Cambrian Place, meaning they would no longer have provision for rubbish and recycling.
- Loss of light and air and amenity to enjoy home and garden for more than 52 years. The conclusion in the officer's report does

not take into account the small size of the property and garden, making the effect of the loss of light and encroachment far greater.

Description of Site and its Surroundings

The application site comprises land located at the junction of Cambrian Place and Abbey Road, Port Talbot, occupied by two separate buildings, no. 1 Cambrian Place and no. 45 Abbey Road. The site is located in an area predominately residential in character with the majority of the housing being traditional terraced properties.

No. 1 Cambrian Place is an end of terraced property which consists of a ground floor retail unit, currently utilised as a bicycle shop fronting Cambrian Place, one ground floor self-contained flat which is accessed off a pedestrian gate located on the Abbey Road frontage and a self-contained flat to first floor which is directly accessed off Abbey Road. The property is finished in a number of external materials including stonework, facing brickwork, render and dash. The roof of the property is concrete tiles and slate.

No. 45 Abbey Road comprises a detached building, located to the rear of the main building at no. 1 Cambrian Place, and fronting onto Abbey Road. The building occupies the full depth of the site and up to the edge of the rear lane. The building is part single storey and part two storey (with an offset gable fronting Abbey Road), being finished in rough render. It is understood that previously the site was occupied by a stable which was extended. The change of use of the building to a builders store and office was granted planning permission retrospectively in December 2000 (ref. P2000/0891)

The site is located within the settlement limits as defined by Policy SC1 of the Neath Port Talbot Local Development Plan.

Brief Description of Proposal

The submitted detailed application indicates that it is proposed to demolish the existing building at 45 Abbey Road and construct a detached dwelling. It is also proposed to create a new window opening and pedestrian door to the ground floor flat at 1 Cambrian Place along the side elevation fronting Abbey Road.

The proposed new dwelling will front on to Abbey Road and will occupy the full depth of the plot, 6.1 metres and extend for a width of 9.2 metres. The dwelling will consist of a two storey element with a single storey side wing. The dwelling has been designed so the roofs will run parallel to Abbey Road having an eaves height of 4.6 metres rising to a ridge height of 6.26 metres for the two storey element and an eaves height of 2.5m rising to a ridge height (as amended) of 3.7 metres for the single storey element.

The proposed dwelling will provide a kitchen diner and a bedroom with ensuite facilities at ground floor. The first floor will accommodate a bedroom with ensuite facilities.

The front elevation which fronts Abbey Road will have a pedestrian door and 3 windows serving the kitchen diner. There will be two further windows onto Abbey Road at first floor which serve the bedroom and ensuite.

The side elevation which fronts the rear lane will have a single window at ground floor serving the living area and another at first floor serving the bedroom. The other side elevation which overlooks the proposed dwelling's amenity area has a single ground floor window serving the bedroom. There are no proposed windows to the rear elevation which is located on the common boundary with the neighbouring property no. 2 Cambrian Place.

The dwelling will be finished in pebble dash and will have pitched roofs of concrete tiles.

The submitted plans indicate a pathway to the side of the dwelling leading to a wall area which allows for bin storage and a small amenity area, there are no landscaping proposals for this area.

There will be no car parking facilities provided within the curtilage of the proposed dwelling.

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 concern the general principle of residential redevelopment, having particular regard to the history of the site, together with the impact of the proposal upon visual and residential amenity, and highway and pedestrian safety.

Policy Context

National Policy / Guidance

Planning Policy Wales (Edition 8, 2016) notes at paragraph 9.2.13 that:

“Sensitive design and good landscaping are particularly important if new buildings are to be fitted successfully into small vacant sites in established residential areas.”

Further advice contained in paragraphs 9.3.3 and 9.3.4 warn that insensitive, infilling or the cumulative effects of development should not be allowed to damage an area’s character and amenity. In determining applications local planning authorities should ensure that the proposed development does no damage an area’s character and amenity.

TAN 12 – Design (2009) is also of relevance.

Local Development Plan

The Development Plan comprises the Neath Port Talbot Local Development Plan, within which the following Policies are of relevance:

- Policy BE1 Design
- Policy SC1 Settlement Limits
- Policy TR2 Design and Access

Principle of Residential Development

As the proposed site is located within the SC1 settlement limits defined in the Local Development Plan, the principle of a residential development is generally acceptable, provided the development accords with other criterion-based Policies within the Plan, notably relating to the need to ensure there are no highway, amenity or service objections.

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

Visual Amenity

Policy BE1 requires that all development proposals demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places.

Proposals will only be permitted where specified criteria are satisfied, with the following of relevance to this proposal: -

- (1) It complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment;
- (2) It respects the context of the site and its place within the local landscape, including its impact on the important arterial gateways into the County Borough, its effects on townscape and the local historic and cultural heritage and it takes account of the site topography and prominent skylines or ridges;
- (3) It utilises materials appropriate to its surroundings and incorporates hard and soft landscaping and screening where appropriate;
- (4) It would not have a significant adverse impact on highway safety, the amenity of occupiers of adjacent land or the community;
- (6) It achieves and creates attractive, safe places and public spaces, taking account of 'Secured by Design' principles (including where appropriate natural surveillance, visibility, well-lit environments and areas of public movement);

The application site is located within an established residential area which is predominantly characterised by traditional two storey terraced properties, many with garages accessed off the rear lanes. The application site, although located to the rear of no. 1 Cambrian Place, fronts onto Abbey Road. The pattern of development is such that there are existing properties which front onto Abbey Road and other end of terrace properties, which have the side elevations fronting Abbey Road.

The site is currently occupied by a part single, part-two storey building, which has an authorised commercial use. The building has been vacant for a number of years (other than its unauthorised residential use detailed above) and the appearance of the building and site is currently considered to contribute little to the character of the area, and could be argued to detract from such character due to its offset gable roof, external box shutter and disparate fenestration.

It is proposed to replace this property with a new residential property, which would differ from the existing building as follows: -

- Frontage Width – Increase from 7.8m existing width to 9.2m
- Two-Storey element
 - Width - increase from approx. 4.85m wide to 5m wide;
 - Eaves height - increase from approx. 3.5 / 3.9m (offset) to 4.6m
 - Ridge Height - increased from 4.9m to 6.26m (with roof form changed to side-on gable to reflect main building at Cambrian Place)
- Single-Storey element
 - Width - increased from 3.1m (2m at rear) to 4.2m
 - Ridge height – Increase from 2.9m (maximum lean-to height) to 3.7m (Roof form changed from lean-to to side-facing gable, at a height which (as amended) reflects the height of the adjacent single storey roof).

While the objector has stated that the ‘as built’ height should not be considered as the baseline because the building’s height was increased without planning permission in the 1980s/90s, no action was taken against such development and, therefore, it is strictly necessary to consider this proposal against the building on site today, which is lawful.

As detailed above, the proposed new dwelling will front onto Abbey Road and will occupy the full depth of the plot, with the design amended from the existing building both in terms of its footprint, height and roof form, with the new roofs running parallel to Abbey Road (side-on gable) to reflect the main building at Cambrian Place.

In terms of visual amenity by virtue of the siting, design and finish of the proposed dwelling, it is considered that the principle of replacing the existing building with a new structure is considered to be acceptable, and represents a visual improvement to the street scene compared with the existing building occupying the site. The pattern of development along Abbey Road is also such that the position of the dwelling will not be out of character with the area.

With regard to the design of the new building, it is noted that the existing building has differing roof designs of pitched, mono pitched and flat roofs. These will be replaced by a new dwelling of uniform appearance, which would have two pitched roofs which run parallel to Abbey Road similar to the roof design of the surrounding properties. The proposed dwelling has also been designed so the ridge height, while increased in height from the existing building, would nevertheless remain subordinate to no. 1 Cambrian Place (approx. 1.2 metres below the main ridge and 0.6m below its rear wing).

It is noted, however, that the amendment to the single storey element to match the 3.7m height of the rear wing to 1 Cambrian Place, means that the pitch of that roof would be shallower than the main dwelling. Nevertheless, while this is not 'ideal' from a design perspective, in this case it will limit the impact on the neighbouring property, and moreover, in terms of any impact on the streetscene, the difference in roof pitch would be marginal and given the proximity to Cambrian Place would have minimal visual impact.

The window and door openings are positioned and orientated to follow the pattern of the flats at Cambrian Place, while the building would be finished in external materials of dash and concrete tiles which is in keeping with other properties in the area which have a varied mix of external materials including brickwork, stonework spar dash and roofing tiles of slate and concrete tiles.

Accordingly, and having regard to the local concerns expressed over the impact on the streetscene, while it is acknowledged that the redevelopment of 45/45a Abbey road will have some local impact, it is the level of impact upon the visual amenity of the area and the character of the area that are material in the determination of any application. In this regard, it is concluded that the proposed dwelling, while larger than the building which it would replace, would not appear unacceptable within its local context or have any unacceptable detrimental impact upon the character or appearance of this

predominately residential surrounding area. It would therefore accord with the aims of Policy BE1 of the Local Development Plan.

Residential Amenity

The impact on the adjoining property at no. 2 Cambrian Place has been the subject of extensive submissions from the neighbour which, in summary, raise concerns that the new building would be larger and higher than the existing building, and would unacceptably increase the physical impact on their property, amounting to an overbearing overdevelopment / intensification of the site which would create a feeling of enclosure and a significant detrimental impact on the enjoyment and amenity of their property, affecting the light and air currently enjoyed.

In respect of the impact upon the amenities of existing residents, the main issues to consider are therefore any potentially unacceptable overbearing and overshadowing impact, along with issues of privacy / overlooking.

Physical Impact

Given the significant concerns raised by the objector, Officers have viewed the relationship with no. 2 Cambrian Place from within that garden and property. In this respect, it is noted that the increase in size of the new building compared to that which exists will have some increased impact on the amenity of that property. That alone, however, is not sufficient to justify refusal of an application, since it is strictly necessary to consider whether such impacts would have an unacceptable impact on the amenity of that property.

In terms of the two-storey element, as detailed above the proposed new dwelling would be slightly wider at two-storeys (and therefore nominally closer to Cambrian Place), and be approx. 1.36m (at its highest point) higher than the existing building. The existing building, however, has a side gable end, therefore, the eaves of the new building would not materially increase the built development (wall) on the boundary. The two-storey element would also not project beyond the existing garage within no. 2's curtilage. The new dwelling would also have an amended roof form sloping away from the neighbouring property, with the ridge sited 3.05m from the joint boundary. Therefore, while higher, it is considered that the height and design of the two-storey element would

not increase the physical impact on the neighbouring property to such a degree that it would warrant refusal of this application on such grounds.

Having regard to the above, it is also noted that the new dwelling would have a single storey 'wing' projecting towards Cambrian Place, with an eaves height of 2.5m and ridge height of 3.7m (reduced from 4.2m on initial plans, such height now reflecting the accurate height of the existing rear wing to no. 1 Cambrian place). Again, however, the ridge would be 3.05m away from the joint boundary, and would be viewed against the main two-storey element. The eaves height is also only 0.5m higher than a boundary wall which could be constructed under permitted development rights. While this wing would bring the development closer to the neighbouring property, it is considered that the single-storey scale of the 'wing', and the heights referred to, are such that the impacts of the development on the neighbouring property would not be adversely affected to a degree which would warrant refusal of the application on such grounds.

Concern has been expressed also over an impact on light. It is noted, however, that the site is located to the east of no. 2, and accordingly while the larger building would potentially increase the degree of shadow experienced by the neighbour, this would be restricted mainly to the rear of that curtilage where a garage currently exists adjacent to the existing building, and due to the travel of the sun would be unlikely to have any materially greater impact on the light enjoyed by the property itself or the area of the garden immediately adjacent to the dwelling.

Having regard to the relationship with other properties on Abbey Road and George Street, it is also considered that the increase in size identified above would have no materially greater impact on other properties to the extent that it would warrant refusal of the application on such grounds.

Accordingly, it is concluded that while the new development would increase the impact on the neighbouring property, this would not be to a degree which would materially increase the 'feeling of enclosure' or amount to an unacceptable adverse overbearing impact.

Overlooking / Privacy

In terms of overlooking, it is noted that the windows of the habitable rooms of the proposed dwelling will be mainly restricted to the front

elevation which fronts on to Abbey Road; there is a single ground floor window to the side elevation which will be screened by the existing brick boundary wall which separates the proposed dwelling and no. 2 Cambrian Place. Concerns have been expressed by the neighbouring property over the proximity of this window and potential impacts on privacy and, while such 'views' would be "ground to first floor" (and vice versa), it is nevertheless considered reasonable to include an updated condition (no. 7) to ensure this window is obscurely glazed. The only other windows are to the other side elevation which overlooks the rear lane, both of these windows are to be obscured glazed. It should be noted that no windows are proposed to the rear elevation which is located on the common boundary with no, 2 Cambrian Place.

Accordingly, there would be no unacceptable overlooking or loss of privacy as a result of this proposal. It is also noted that the existing building does have windows looking towards Cambrian place, although condition 1 on permission P2000/0891 requires these to be part-obscurely glazed.

Use of Dwelling

Concern has also been expressed over the potential impact from the use of the new property as a dwelling, having regard to previous noise and disturbance from the unauthorised residential use of the building. In response, however, it is considered that a residential use within a residential area is acceptable in principle, and it would not be possible to refuse an application on such grounds. Moreover, in this case it is also noted that, while the existing building has not been used for many years for its authorised commercial use, such a commercial use could resume in future, and would be likely to have a greater impact than a residential use.

Amenity Space

The proposal includes a reallocation of the amenity space between the new dwelling and the ground floor flat at 1 Cambrian Place. This would mean that the existing GF flat and the new unit would each have a small private amenity area approximately 10 sq.m. in area.

While it is acknowledged that such an area is not large, it would nevertheless afford the occupants of each unit the ability to sit outside and/or use the area for other amenity purposes. Accordingly, the loss

of amenity space to serve the existing unit, and provision of some private space to serve the new dwelling, is considered acceptable.

To ensure the privacy of the new area, a window in the GF flat is required to be removed and replaced by a front window (as identified on the plans). It is also considered that a direct door into the amenity area should be provided for the new unit to ensure it is directly accessible and used solely for their purposes. These requirements are conditioned accordingly.

Highway Safety (Access, Parking and Traffic flows)

LDP Policy TR2 - Design and Access of New Development – requires development, inter alia, to have no adverse impact on highway safety or create unacceptable levels of traffic generation; and provide appropriate levels of parking and cycling facilities.

As noted in the planning history section above, planning permission ref. P97/1546 which granted permission for the conversion of the dwelling into 2 no. flats included a condition which required a parking scheme to be submitted “prior to the use taking place”. No such scheme was ever submitted for approval.

However, following the above approval, planning permission ref. P2000/0891 approved the retention of the outbuilding for a separate commercial use unrelated to the flats (and thus with its own ‘planning unit’ – and stated at that time to be in different ownership). This, effectively, meant that no such parking scheme for the flats could be provided. In any respect, and most pertinently, the condition in question has been breached for a period in excess of ten years, such that no action can be taken against such a breach.

Accordingly, it is necessary to consider the current application having regard to the authorised use of this part of the site (under application ref. P2000/0891) as a builders office and store and weight cannot be attached to the failure to comply with the condition referred to above.

The proposed development is for a single dwelling unit which would normally be expected to have one or two off-street parking spaces provided, yet none can be provided on site. Within the above context, however, the authorised use of the building as a builder’s office and store would normally have its own parking requirements, and also

clearly has the potential for a number of movements both from staff and visitors / deliveries to the site.

In this respect, while the site provided for no parking, this is not considered to result in a demonstrably worse situation than that which exists under the authorised use. Although it is acknowledged that Abbey Road is a very busy road, it is also very wide and has unrestricted parking available on the western side of the road.

The Head of Engineering and Transport (Highways) has offered no objection in highway safety terms, considering it to be 'betterment' to the existing consented use, and this within that context it is considered that refusal of an application for one dwelling on safety grounds based on lack of parking cannot be justified.

In reaching these conclusions, it is noted that the property has previously had an unauthorised use as two residential units, against which enforcement action was taken due to the absence of parking facilities which would lead to an increase in parking problems along Abbey Road. As detailed above however, it is concluded that the authorised use of the site, and the fact that the proposal relates to a single unit, is such that it warrants a different conclusion being reached.

It is noted that objectors to the development do not agree with the view taken above in respect of the previous conditions, and believe that the reasons for the requirement for a parking scheme (i.e. to comply with the requirements of the Local planning authority concerning off-street car parking) have only increased in the intervening years. They therefore submit that there remains room for 3 car parking spaces to be provided upon the site, but approving this development would preclude that. Nevertheless, for the reasons stated above, it is considered that a new chapter in the planning history of the site effectively began when permission was granted for the use of the outbuilding, such that the only reasonable approach to take now is to consider the proposals against the existing situation at the site, where no off-street parking exists for either the 4 existing flats or proposed unit.

Accordingly, and as reasoned above, no objections are raised to the development on highway safety grounds, and the development is considered to accord with Policy BE1 and TR2 of the LDP.

Drainage

Concerns have been expressed locally in respect of the ability for the property to have appropriate drainage, noting the conditions that have been sought by Dwr Cymru Welsh Water (DCWW) in respect of preventing surface water/ land drainage from connection into the public sewerage system.

In this regard, it is noted that the original report to committee included 'standard' conditions addressing the above. Subsequently, however, discussions with the highway officer (drainage) indicate that connection in the sewer network is the most likely solution, albeit there may be other options available. In this regard, it is noted that the DCWW comments include advice relating to the need for any connection to the public sewer to be subject of an application under s106 of the Water Industry Act 1991.

In essence, developments should undertake a 'sequential approach' to drainage which first seeks to identify the possibility of using a sustainable drainage system (SuDS) wherever possible, with connection to the public sewerage system a 'final option' (subject to approval from DCWW).

Having regard to the above, an alternative condition is now proposed to those initially recommended, requiring that development shall not commence until such time as a surface water drainage scheme has been submitted to and approved in writing by the local planning authority, such details to be informed by an assessment of the site potential for disposing of surface water by means of a sustainable drainage system (as well as the need to ensure any adjoining land is not interrupted or otherwise adversely affected). The approved works would need to be completed prior to first beneficial occupation.

Ecology (including trees & Protected Species)

The biodiversity section have offered no objection to the proposal but have requested that an informative be added to the consent in relation to the demolition and that if bats are found on site that work ceases immediately and that Natural Resources Wales be contacted to obtain a licence prior to any works recommencing on site. It is therefore considered that the proposal would not have a detrimental impact upon the biodiversity or ecology in the area.

Flooding

In respect of flooding, National Resources Wales have indicated that based on the outputs of their latest flood modelling, the site is considered to be outside the fluvial flood extents of the River Afan in both the 1% and 0.1 % flood therefore would not require a Flood Consequence Assessment for this application.

It is concluded that the development would be acceptable in terms of flooding and would accord with TAN 15 and Planning Policy.

Pollution (air and ground)

The Environmental Health Department has offered no objection to the development subject to the submission of a noise and dust management plan. A condition is attached requiring the submission and approval of this plan.

Others (including objections)

While the above report seeks to address the main planning issues raised in local representations, in response to the letters of objection received the following additional comments are made:

- The objector states that the single brick boundary wall is not suitable to support the proposed development; the development would necessitate the removal of part of this boundary wall and the construction of the rear elevation of the proposed dwelling on the common boundary.

The agent has served notice on the neighbouring property and the agent has been informed that the objector may not give permission to build of the common boundary, however land ownership matters are a private matter between individuals.

- In relation to surface water drainage the plans have been amended to include recessed guttering along the common boundary with no. 2 Cambrian Place and a condition has been attached requiring all surface water drainage to be within the curtilage of the application site.
- Historical issues with the illegal dwelling at the site cannot be taken into consideration in the determination of this application

- With regard to provision of private amenity space for the new dwelling and the existing ground floor flat at 1 Cambrian Place, the submitted plans indicate the existing amenity space located within the curtilage of 1 Cambrian place will be reconfigured and a dedicated area of private amenity space will be allocate to the new dwelling and a separate amenity space will be retained for the existing flat, allowing each a refuse storage area. A condition is attached requiring the private amenities spaces for each property to be retain. It is not considered necessary to require a landscaping scheme for these areas given the urban context and limited area.
- With regard to storage facilities for bicycles the private amenity space can provide cycle storage facilities should the occupiers wish to do so.
- With regard to the comments that the occupier of the ground floor flat at Cambrian Place has to carry the refuse from the amenity space through the flat to the pavement for collection this is the case in many properties and is not a material planning consideration.
- With regard to the point raised that there are no refuse storage facilities for the shop and first floor flat at 1 Cambrian Place, this is the situation at present and there are no changes in circumstances to this proposed under this application.
- With regard to the information submitted by the agent in support of the application. There is no statutory requirement for the submission of photographs dated or undated as part of the application. With regard to the statement that the plans when viewed online and expanded the notes are illegible, The planning officer has spoken and met with the objector and his daughter and discussed plans ensuring the objector is aware of the any notes on the application. With regard to the planning statement again there is no statutory requirement to submit a planning statement for this type of application; the agent has been given the opportunity to correct any inaccuracies in the original planning statement that was submitted and plans. The submission of a planning statement is a non-statutory requirement, although the agent has quoted unitary development plan policies within the planning statement. The development now proposed will be assessed against the policies contained within the Local Development Policies as the adopted development plan for the area.

- The amended plans and supporting information complies with the statutory requirements for full applications and is considered adequate for the purposes of determining the application. It should be noted that the planning statement includes reference to the proposed works at 1 Cambrian Place as the proposed works form part of the submitted application
- A single application for the proposed development at 45 Abbey Road and 1 Cambrian Place has been validated as the red edged location plan indicates the applicant is the owner of the whole site and the development of the dwelling includes land within this red edge to provide amenity space. The development also necessitates a new door and window to the ground floor flat at 1 Cambrian Place which is located within the red edged plan.
- In relation to the provisions for access for all, this matter will be considered under Part M of Building Regulations. The use of sustainable technologies as part of the development is not a requirement under current planning regulations. The residential units will have to comply with fire regulations which will be enforced during building regulation inspections, with regard to the private security of the property this is a matter for the occupier of the flat.
- The site is located along a bus route which can be used, how it is acknowledged as with every other resident in the area, it is not a guarantee that public transport will be used. It is individual preference if the residents of an area utilise public transport.
- The historical issues with the behaviour of the occupiers of the flats at 45 Abbey Road cannot be taken into consideration in the determination of this application
- The question of the need for this type of housing is not a material planning consideration

Conclusion

It is considered that the proposal represents an appropriate form of infill development that would have no unacceptable impact on the amenities of neighbouring residents, visual amenity of the area or highway and pedestrian safety. Accordingly, the proposed development is in accordance with Policies SC1, BE1 and TR2 of the Neath Port Talbot Local Development Plan.

RECOMMENDATION: Approval with Conditions

Time Limit Conditions

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

Reason

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

Approved Plans

(2)The development shall be in accordance with the following approved plans and documents:

Location Plan

Drawing no. PL001 Revision 15 (19.9.16)

Reason

In the interest of clarity.

Pre-Commencement Conditions

(3) No development shall commence until a scheme for surface water drainage works / disposal has been submitted to and approved in writing by the local planning authority. Such scheme shall ensure any adjoining land is not interrupted or otherwise adversely affected, and shall be informed by an assessment of the site potential for disposing of surface water by means of a sustainable drainage system and in accordance with Welsh Government non statutory standards for sustainable drainage (SuDS), with the results of the assessment provided to the local planning authority. The dwelling shall not be occupied until surface water drainage works have been implemented in accordance with the approved details

Reason

To ensure satisfactory drainage of the site

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

Reason: In the interest of residential amenity

Action Conditions

(5) Prior to first beneficial occupation of the dwelling hereby approved, the amenity / bin storage areas serving the new dwelling and the ground floor flat at 1 Cambrian Place shall be laid out in accordance with the details on plan PL001 Revision 14 (16.8.16), including the provision of a 1.8m high privacy wall/fence between the two areas. The amenity areas shall thereafter be retained in accordance with the approved details to serve each unit.

Reason

In the interests of visual amenity

(6) Notwithstanding the details on the approved plans, the dwelling hereby approved shall not be occupied until such time as: -

(i) a new door has been provided in the south facing elevation of the new dwelling at ground floor to allow direct access into the private amenity area serving the dwelling; and

(ii) the existing ground floor window serving the ground floor flat's bedroom has been removed and the elevation reinstated in materials to match; and

(iii) the new window serving the ground floor flat's bedroom has been provided

The development shall thereafter be retained in accordance with the approved plans as amended by this condition.

Reason: To ensure that direct access is afforded to a private amenity area serving the new dwelling in the interests of residential amenity

(7) Notwithstanding the details submitted and prior to the occupation of the proposed dwelling the windows on the side elevation serving the living room and first floor bedroom, and the ground floor bedroom window facing towards Cambrian Place, shall be glazed with obscured glass and any opening vent shall be top hinged with the lowest part of the opening a maximum of 1.1 metres above the floor level of that room, and any replacement window or glazing shall be of a similar glazing and type.

Reason

In the interest of the amenities of the adjoining property and the safety of the occupiers of the applicant dwelling.

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

Reason:

In the interest of highway and pedestrian safety

Regulatory Conditions

(9) The external surfaces of the building(s) shall be constructed of brown pebbledash and brown concrete tiles as specified on plan PL001 Revision 14 (16.8.16).

Reason

In the interest of the visual amenity of the area.

(10) If any bats are discovered during construction works, the work should stop immediately and the applicant should contact Natural Resources Wales immediately, as a licence may be required to continue, as bats are a European protected species and afforded protection under the Conservation of Habitats and Species Regulations 2010 and by the Wildlife and Countryside Act 1981 (as amended).

Reason

In the interest of protected species.

(11) No surface water discharges shall be allowed to drain onto the highway.

Reason

In the interest of highway safety.

(12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), the dwelling hereby approved shall not be extended or altered in any way (including roof alterations, extensions and new windows/doors) without the prior grant of planning permission in that behalf.

Reason

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

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

Reason:

In the interest of residential amenity

REASON FOR GRANTING PLANNING PERMISSION

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

It is considered that the proposal represents an appropriate form of infill development that would have no unacceptable impact on the amenities of neighbouring residents, visual amenity of the area or highway and pedestrian safety. Accordingly, the proposed development is in accordance with Policies SC1, BE1 and TR2 of the Neath Port Talbot Local Development Plan.

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SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2016/0468	<u>DATE:</u> 26/05/16
PROPOSAL:	Block of 4 self contained flats, plus associated parking and engineering works.
LOCATION:	Car Park, Wembley, Neath SA11 2AT
APPLICANT:	Mr Steve Tucker NPT Homes
TYPE:	Full Plans
WARD:	Neath East

Background Information

This application is reported to committee at the request of Councillor John Miller and Councillor Sandra Miller. Cllr Sheila Penry also has concerns over the application. The Councillors are concerned over the impact of the proposed access on highway safety grounds, as the car park was installed by Neath Borough Council to support a development of social housing which did not have any off street parking within their individual curtilages. Concerns have also been raised regarding the pathways being enclosed which will encourage anti-social behaviour and will impact on an already fraught network of issues emanating within this estate.

At the Planning Committee of 13th September 2016, and following discussion, Members resolved that the application should be deferred for “further investigation into the planning history of the site to establish the history of its legitimate use for parking, and to review whether the transfer of land to NPT Homes included any restrictions or clauses relating to continuation of such legitimate use for parking”.

Following the meeting, officers have undertaken additional research, and liaised with officers in estates and Legal Services, which has concluded as follows:

- Ordnance survey plans identify that the site previously accommodated two dwellings showed two dwellings, until the late 1960’s, with subsequent plans showing that the dwellings had been removed. Informal local information indicates that they were two pre-fabricated dwellings.

- There is no planning history relating to either the removal of these dwellings, or any permissions relating to the use of the land as a car park. Accordingly, as indicated in the report below, there are no planning controls in place to ensure that it continues to be used as a car park.
- When the land was transferred to NPT Homes, there were no restrictive covenants placed on the land

In addition to the above, contact was made with the applicant to request any further submissions on such matters, having regard to Members expressed concerns. In response, NPT Homes has: -

- expressed concerns in terms of all the work that they are doing to try to address the Welsh Government's 20,000 social housing target on sites in NPT's ownership and brownfield, that Members were trying to prevent new social housing; and that the burden of proof that NPT can develop a site in their ownership was being placed with them, taking things well beyond the planning process.
- confirmed that there was no restrictive covenant that restricts the proposal
- confirmed that the car park has been closed to the public for several months whilst it was being used by a contractor undertaking improvement works in the locality and that the car park was not intended to be used as a car park again as affordable social housing within areas of high demand within the borough of Neath Port Talbot was required.

The report which follows is that presented to Members at the last Committee, albeit with minor changes to reflect the information above, and the fact that the site is no longer being used for storage of materials.

Planning History:

None

Publicity and Responses (if applicable):

11 neighbouring properties were consulted – 4 Letters of Objection were received which are summarised as follows:

- Reduction of light and community safety to the occupiers of numbers 18, 20, 22 and 24 Wembley
- Highway issues due to the displacement of vehicles onto the highway
- Effect on the street and area
- Safety issues due to the fenced off lane which will reduce light and security to the houses backing onto the footpath, encouraging criminal activity and anti-social behaviour resulting in health issues, security and wellbeing of the residents
- The car park was created to keep cars to a minimum on the road so that the local bus can use the road, since the residents have been stopped from using the car park disruption to the bus service has already occurred without the issue of additional parking caused by the extra four flats proposed
- The block of flats would be intrusive as overlooking issues would be caused by the tenants
- Disruption during construction work with regard to additional vehicles
- Disruption at present due to residents and the builders who are doing work elsewhere on the road

Neath Town Council – Objection on highway grounds as the car park was to accommodate parking for a portion of a street that has no designated on-street parking. It would cause issues with transport and access and would have a direct negative impact on four specific properties as they would have limited entry.

Biodiversity Unit - No objection, subject to conditions

Housing Strategy Section – No objection

Dwr Cymru, Welsh Water – No objection, subject to conditions

Head of Engineering & Transport (Highways) - No objection, subject to a condition

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

Description of Site and its Surroundings:

The application site is the former car park at Wembley, Neath, which during the course of the application was being used for the storage of materials for construction work for NPT Homes but is now vacant.

The site is bounded by residential properties with a resident's footpath on the west of the site which leads to steps leading to a further footpath. The site is a relatively flat site.

The site is located within the settlement limits as defined by Policy SC1 of the adopted Neath Port Talbot Local Development Plan (LDP).

Brief description of proposal (e.g. size, siting, finishes):

The application seeks full planning permission for a block of 4 self-contained flats, plus associated parking and engineering works.

The development will front onto Wembley and will be a two storey hipped roof building, providing space for four one bedroom flats. The building will be finished in red clay facing brickwork above a contrasting colour brickwork plinth and contrasting colour soldier course brickwork and arches are proposed above ground floor windows and doors, with reconstituted stone cills. It will have dark grey concrete roof tiles and white Upvc fenestration. There will be a centrally located front door with a gabled open sided porch which will serve the two first floor flats. The ground floor flats will be accessed by a door with a gabled cantilevered porch on each of the side elevations. Habitable room windows will be restricted to the front and rear elevations with one obscured glazed side facing window on each floor on both side elevations. The building will measure 10.4 metres in depth, 12.4 metres in width and will be 5.5 metres to the eaves rising to a height of 8.5 metres to the ridge. Each flat will have a kitchen and living/dining area, bathroom, hallway and a bedroom.

The application site even though on a relatively flat level is set on a quite a steeply sloping road, therefore, the existing houses to the west of the site which front onto the development will be at a higher level to the proposed flats while the proposed residential property to the east of the site will be at a lower level. Due to the sloping nature of the highway fronting the site, steps will lead down to the front door off the public footway.

The west side boundary and the angled rear boundary will be enclosed by a new 1.8 metre high close boarded timber fence which will be sited within the existing steel fence along the angular shaped rear boundary, while the east side boundary will be enclosed by a 0.4m high retaining wall and close boarded fence above to an overall height of 1.8 metres. The front boundary will have black powder coated steel ball top railings on facing brick retaining walls at 900mm high. There will be a shared drive at the east side of the building which leads to a parking area which has one space per flat allocated. The bin storage area is proposed to be sited on the path at the side of the drive to the west of the building.

EIA Screening/Scoping Opinion & Habitat Regulations:

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

Material Considerations:

The material issues relating to this planning application are the principle of a residential development at this site, together with the impact of the proposal on visual and residential amenity, and also highway and pedestrian safety, having regard to planning policies and other material planning considerations.

Policy Context:

Neath Port Talbot Local Development Plan:

Strategic Policies:

- SP1 Climate Change
- SP2 Health
- SP3 Sustainable Communities
- SP4 Infrastructure
- SP5 Development in the Coastal Corridor Strategy Area
- SP8 Affordable Housing
- SP10 Open Space

Detailed Policies:

- SC1 Settlement Limits
- AH1 Affordable Housing
- OS1 Open Space Provision

TR2 Design and Access of New Development
BE1 Design

As the proposed site is located within the SC1 settlement limits defined in the Neath Port Talbot Local Development Plan, the principle of residential development is generally acceptable, provided there are no overriding highway, amenity or service objections.

Policy AH1- Affordable Housing

Policy AH1 Would usually apply to a proposal for 4 residential units and require a contribution of 25% towards the provision of affordable housing. However, this scheme is being delivered by a Registered Social Landlord (RSL) and all the units will be affordable housing using Welsh Government funding. This will therefore ensure that the development appropriately contributes in perpetuity towards affordable housing in the County Borough.

Policy OS1- Open Space Provision

The site lies within the Neath East ward, where there are existing ward shortfalls in pitch sport, non-pitch sport, children's play and informal space. Within the spatial area, there is also a shortfall in allotments.

As the development comprises 4 residential units, the requirements of Policy OS1 are relevant, and it would be appropriate to secure Developer Contributions in respect of the following:

Pitch – 105 sqm

Non Pitch – 41 sqm

Informal – 50 sqm

Children's Play – no requirement as the development only comprises 1 bedroomed units

Allotments – 17sqm

As a consequence of the above a potential S106 contributions are as follows:

Pitch - £1136

Non Pitch Sport - £4120

Informal - £252

Allotments - £192

TOTAL = £5,700

In respect of the accessibility to existing open space provision and where S106 contributions could potentially be spent, there is existing pitch provision in Melyn Park and non-pitch provision at Ynysmaerdy Road, Briton Ferry or Mount Pleasant Park which are both within the required accessibility standards; there is an area of informal open space to the rear of Wembley/Wheatley Road and an area in Melyn Park; and there are existing allotments in Melyn Park, Tonna, Fairyland and Briton Ferry.

Given the restricted size of the site it is reasonable to secure a financial contribution to deliver improvements to the different types of open space required under this scheme.

Policy BE1 - Design

The policy requires all development proposals to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive sustainable places.

Visual Amenity:

With regard to visual amenity, the proposed building will be a two storey development and the finished floor level will be set down so that the front door will be accessed via a set of steps. The building will have a grey tiled hipped roof in order to harmonise with the existing residential properties on the same side of Wembley. The elevations will be red clay brickwork above a contrasting brick plinth, the soldier course and arches above the fenestration will also be of contrasting brickwork surrounding white Upvc window/door frames and whilst it is acknowledged that there are a variety of finishes within the existing built environment it is considered that the proposed finishes will be sympathetic to those within the surrounding area.

It is therefore considered that the proposed scale and design of the building, together with the proposed landscaping and boundary treatments will provide an acceptable addition within the existing streetscene and one that would not detract from the overall character and appearance of the surrounding area but will enhance the area.

Residential Amenity:

With regard to residential amenity and overlooking issues, all habitable room windows have been restricted to the front and rear elevations with only obscurely glazed bathroom windows on the side elevations. The properties beyond the highway to the front of the dwelling are approximately 22 metres away from the front elevation of the proposal so therefore complies with the Council's 21 metre distance guideline between habitable room windows. It is therefore considered that the proposal would not create any unacceptable overlooking issues.

With regard to overbearing and overshadowing issues, the adjacent neighbouring properties nos 18, 20, 22 and 22 Wembley to the west of the site, are sited at a higher level than the proposal and the neighbouring property no 16 Wembley to the east of the site is at a slightly lower level than the proposal. The proposed building will also be set down from the highway. There is an approximate separation distance of 9 metres between the application building and the properties fronting onto the site on the west of the site and 11 metres to the adjacent property on the east of the site with a 22 metre separation distance to the closest property beyond the highway in front of the proposal. These separation distances are sufficient to ensure that the proposal would not create any unacceptable overbearing or overshadowing issues to any neighbouring property.

Therefore, in terms of overlooking, overbearing or overshadowing, it is considered that the proposal would be acceptable in terms of residential amenity.

Highway Safety (Access, Parking and Traffic flows):

A single point of access to the site is proposed which will incorporate visibility splays which are in accordance with guidelines. Each of the proposed plots will be allocated one off street parking space again in accordance with the Council's parking guidelines. As a consequence the Head of Engineering and Transport offers no objection to the proposed development, subject to a condition.

As referred to above, the application was deferred at the previous Committee to allow further research into the planning history of the site to establish the history of its legitimate use for parking, and to review whether the transfer of land to NPT Homes included any restrictions or

clauses relating to continuation of such legitimate use for parking. The update to the report above has emphasised that: -

- there is no planning history relating to the removal of dwellings at the site,
- there is no planning history relating to the use of the land as a car park.
- there are no planning controls in place to ensure that it continues to be used as a car park.
- When the land was transferred to NPT Homes, there were no restrictive covenants placed on the land

Having regard to the above, the following assessment within the report to 13th September 2016 remains valid: -

It is acknowledged that the site was originally designed as a car park for surrounding properties and up until recently was used for this purpose. It should be noted that this land is privately owned and there are no legal or planning controls in place to ensure that it continues to be used as a car park. As a result the site owners have ceased to use the site for car parking thus displacing cars onto the highway. This is a matter that is beyond the control of the planning authority and cannot be considered to be a reason to withhold granting consent. Moreover, the proposed development provides parking for each of the four flats and as such off street parking congestion will not be exacerbated by this development.

As a consequence it is considered that the proposal would not have a detrimental impact upon highway or pedestrian safety.

Landscaping:

The sides and rear of the application site will be enclosed with fencing/walls with the frontage of the site enclosed (apart from the driveway) with black powder coated steel ball top railings on a facing brickwork plinth. There will be a path around the building with a bin storage area allocated at the east side of the building. Small areas of landscaping are available at the front, rear and east side of the site. The site is located within a densely built up area with only small enclosed residential gardens mainly to the rear of the properties, therefore whilst the landscaping is minimal it will serve to soften the development by introducing greenery within the streetscene.

Ecology (including trees & Protected Species):

The biodiversity section have no objection to the proposed development provided that suitably worded conditions are imposed on the application, it is therefore considered that the proposal would be acceptable in terms of ecology.

Others (including objections):

Four letters of objection have been received, which raise a number of issues many of which have been addressed already with the remaining issues covered as follows:

Reduction of light and community safety to the occupiers of numbers 18, 20, 22 and 24 Wembley – the building will be set down with an approximate separation distance of 9 metres from these properties. It is considered that an enclosed residential complex would improve community safety when compared with the former use of the site as a car park.

Effect on the street and area – the proposed flats have been carefully designed so that the design and finishes of the proposal will harmonise with the buildings in the surrounding area.

Safety issues due to the fenced off lane which will reduce light and security to the houses backing onto the footpath, encouraging criminal activity and anti-social behaviour resulting in health issues, security and wellbeing of the residents - The existing footpath which extends along the south-west and north-western boundaries of the site will be retained to ensure that access to existing properties is maintained. These properties overlook this path and as such there is already natural surveillance of the path. In terms of light reduction as a consequence of a 1.8 metre high fence being erected along its length, it should be noted that planning permission is not required for the actual fence to this height and design at this location.

The car park was created to keep cars to a minimum on the road so that the local bus can use the road, since the residents have been stopped from using the car park disruption to the bus service has already occurred without the issue of additional parking caused by the extra four flats proposed – As stated earlier in this report, the owners are well within their rights to cease use of the land as a car park. The impact upon local bus services as a result of the

cessation of use cannot be considered in the determination of this application. Issues associated with highway safety must be confined to the impacts of the proposed development only. The Council's Highway Section have no objection to this proposal. There are no parking restrictions present on Wembley or surrounding streets.

Disruption during construction work with regard to additional vehicles including residents and the builders who are working elsewhere on the road – Disruption during construction work is an inevitable consequence of all development projects, however it will be short term in duration.

Conclusion:

The proposal represents an appropriate form of in-fill development consistent with the relevant development plan policies and one that will safeguard the amenities of neighbouring residents, the visual amenity of the area and highway and pedestrian safety. Hence, the proposed development is in accordance with Policies SP1, SP2, SP3, SP4, SP5, SP8, SP10, SC1, AH1, OS1, TR2 and BE1 of the Neath Port Talbot Local Development Plan. Approval is therefore recommended.

RECOMMENDATION:

Approval with Conditions subject to the signing of a S106 legal agreement for the provision of £5,700 towards additional facilities or improvements to existing pitch, non-pitch sport, informal open space or allotments within the Neath East Ward. The specific project associated with this contribution will be identified prior to the spending of the money.

CONDITIONS

Time Limit Conditions

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

Reason

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

Approved Plans

(2) The development shall be carried out in accordance with the following approved plans and documents:

01A - Location Plan

(03)02L - Proposed Block Plan (Amended Plan Received 13/07/16)

(03)04 - Street Elevation

(03)102B - Elevations

(03)100B - Floor Plans

(00)02A - Topography

(03)03A - Site Section

(03)01 - Constraints

Reason

In the interests of clarity

Pre-Commencement Conditions

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

Reason

In the interest of the visual amenity of the area.

(4) Prior to commencement of any works a full drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall include the following.

. Means of disposing surface water and ground water during construction and during the temporary works

. Means of discharging the surface and ground water when the development is completed

. The approved drainage scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected.

The works shall be carried out in accordance with the approved scheme and retained as such thereafter.

Reason

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

(5) Prior to commencement of the development, a landscaping management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out accordingly and retained as such thereafter.

Reason

In the interest of biodiversity.

Regulatory Conditions

(6) The shared drive access, junction and rear car parking shall be carried out in accordance with drawing (03)02 Rev L and retained as such thereafter.

Reason

In the interest of highway and pedestrian safety.

(7) No surface water and land drainage run-off shall be allowed to connect or discharge either directly or indirectly to the public sewer system.

Reason

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

(8) There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site.

Reason

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

REASON FOR GRANTING PLANNING PERMISSION

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

It is considered that the proposal represents an appropriate form of in-fill development consistent with the relevant development plan policies and one that will safeguard the amenities of neighbouring residents, visual amenity of the area and highway and pedestrian safety. Hence, the proposed development is in accordance with Policies SP1, SP2, SP3, SP4, SP5, SP8, SP10, SC1, AH1, OS1, TR2 and BE1 of the Neath Port Talbot Local Development Plan.

SECTION A – MATTERS FOR DECISION

Consultation by British Telecommunications (BT) in respect of Intended Payphone Removals within Neath Port Talbot (Reference: P2016/0738)

Background

On the 19th of August, 2016 the Authority received a consultation letter from British Telecommunications plc (BT) regarding their intention to remove 53 of their least used public payphones from the County Borough.

BT identified the phone boxes at the locations in the following table and also indicated how many calls were made from each phone box in a 12 month period prior to the consultation.

Number	Address	Post Code	Calls
01269 822331	Pontardawe Road, Swansea	SA8 4TY	0
01269 823129	Neuadd Road Garnant, Ammanford	SA18 1UF	32
01269 823175	Water Street, Gwaun Cae Gurwen, Ammanford	SA18 1HA	193
01269 823181	New Road, Gwaun Cae Gurwen, Ammanford	SA18 1UN	0
01639 643073	Hillside, Neath	SA11 1TP	247
01639 643073	Church Road, Cadoxton	SA10 8AU	57
01639 643614	New Road, Aberdulais, Neath	SA10 8HP	3
01639 643655	Johns Terrace, Tonmawr	SA12 9UR	0
01639 643703	Tonna Uchaf, Tonna	SA11 3LX	30
01639 643713	Main Road, Cilfrew, Neath	SA10 8LP	0
01639 643750	Juntion of Main Road/Farmers Road Bryncoch, Neath	SA10 7TW	0
01639 643893	Penywern Road, Neath	SA10 7AN	13
01639 643907	Cimla Road, Neath	SA11 3UD	132
01639 643974	Junction of Heol Llwynon and Llygad Yr Haul, Neath	SA10 7SR	88
01639 644439	Adj Aberdulais Falls and Main Road, Aberdulais, Neath	SA10 8EY	0
01639 645452	Junction of Gnoll Park Road and Leonard Street, Neath	SA11 3HW	416
01639 700204	O/S 92 Dulais Road, Seven Sisters, Neath	SA10 9ES	82
01639 700253	Aberhenwaun Uchaf, Seven Sisters, Neath	SA10 9BS	215
01639 700311	Main Road, Dyffryn Cellwen, Neath	SA10 9LA	19

01639 700323	Mary Street, Seven Sisters, Neath	SA10 9BG	4
01639 700410	Hendre, Onllwyn, Neath	SA10 9HH	1
01639 710316	Lewis Terrace, Abergarwed, Neath	SA11 4DL	366
01639 710342	Bryn Golwg, Clyne, Neath	SA11 4EH	14
01639 720306	Heol Y Felin, Cwmgwrach, Neath	SA11 5TB	21
01639 830257	Ochr Y Waun Road, Cwmllynfell, Swansea	SA9 2GA	0
01639 830615	Rhiw Road, Rhiwfawr, Swansea	SA9 2RF	1
01639 830684	Bryn Road, Cwmllynfell, Swansea	SA9 2FJ	12
01639 842106	Junction Penywern Road - Adj Wernfawr Inn, Wern Road, Ystalyfera, Swansea	SA9 2LX	0
01639 842268	Near Graignewydd, Chemical Row, Godregraig, Swansea	SA9 2DH	8
01639 850216	Prossers Terrace, Cymmer, Port Talbot	SA13 3LE	0
01639 850259	Adj Post Office, Afan Road, Duffryn Rhondda, Port Talbot	SA13 3ES	136
01639 850262	Adj No 40 Heol Y Glyn, Cymmer, Port Talbot	SA13 3NA	0
01639 850385	Near Post Office, Heol Y Deryn, Glyncorrgw, Port Talbot	SA13 3DD	0
01639 850453	Adj Police Station, Brytwn Road, Cymmer, Port Talbot	SA13 3EW	0
01639 882115	Abbots Close, Margam, Port Talbot	SA13 2ND	0
01639 882440	Silver Avenue, Port Talbot	SA12 7RU	389
01639 885048	White Close, Port Talbot	SA12 7BD	84
01639 896222	Queen Street, Ponrhydyfen, Port Talbot	SA12 9TF	8
01639 896344	Opp 33 Ynys Y Gwas, Cwmavon, Port Talbot	SA12 9AB	12
01639 896809	OS 158 Heol Jwbilli, Penllyn, Cwmavon, Port Talbot	SA12 9AB	72
01792 464137	Elba Crescent, Crymlyn Burrows, Swansea	SA1 8QQ	0
01792 812069	Heol Heddwch, Neath Abbey, Neath	SA10 7LF	6
01792 812090	Junction Peniel Green Road Skewen, Brich Grove Road, Swansea	SA7 9JR	0
01792 812264	St Johns Terrace, Neath Abbey, Neath	SA10 7NB	0
01792 812309	The Greenway, Llandarcy, Neath	SA10 6JB	0
01792 812482	School Rood, Jersey Marine, Neath	SA10 6JJ	7
01792 862269	Commercial Road, Rhydyfro, Swansea	SA8 4SL	27
01792 863014	Junction Gwyns Place and Alltwn Hil, Pontardawe, Swansea	SA8 3AB	0
01792 863156	Maes Y Coed Road, Cilmaengwyn, Swansea	SA8 4QP	0
01792 863165	Alltywerin, Pontardawe, Swansea	SA8 4NQ	8
01792 863199	Junction Grove Road and Brecon Road, Pontardawe, Swansea	SA8 4PA	0
01792 863292	Edward Street, Alltwn, Swansea	SA8 3DB	0

01792 863315	Junction Ashwood Drive and Cwmnantllwyd Road, Gellinudd, Swansea	SA8 3DT	0
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BT also provided an option for local communities to “adopt” a phone box where the phone infrastructure is removed but the kiosk is retained and thereafter maintained by the local community.

Publicity and Responses:

As they are statutorily required to do so, BT placed site notices at all 53 locations on the 9th and 10th of August 2016, advising anyone with a comment to make regarding the removal of the phone boxes to contact the planning department of the local authority within 42 days of the posting of the notice.

The Planning Authority (the “Relevant Public Body”) is advised to “*bring the contents of the payphone and written notice to the attention of such persons as it considers appropriate, asking for comments on the proposal to be made to the Relevant Public Body within a stipulated period*”. Accordingly, on 24th August 2016, all Local Councillors, Community Councils, and Local Authority Service Heads were consulted on BTs proposals and asked to reply with any comments.

Subsequent to the consultation the proposal was covered by local and television press.

The formal consultation period specified within the Council’s notification to local community representatives / the public ends on 5th October 2016 (the day after Committee). Therefore, any representations received in time to be reported to Committee will be presented within an amendment sheet, with delegated authority also sought below (due to the timescales involved) for any necessary amendments to be made to the draft notification to reflect representations received by 5th October.

To date, the following representations have been received:-

- 1 Objection from the public relating to the payphone at Heol Y Felin, Cwmgwrach (01639) 720306. The objection can be summarised as follows:
 - The postcode provided by BT was inaccurate
 - That BT was removing payphones to force customers to use its mobile phone arm EE
 - Mobile signal in the area is insufficient

- The phone box serves the need of low income residents
 - The phone box provides an alternative if a home phone is cut off by storm damage
 - Public transport passengers can use the payphone to arrange lifts
 - The payphone can be used in an emergency for breakdowns or accidents on the A465
- **Neath Town Council** – Has objected to all three phone boxes proposed for removal in their area on the basis that they are used frequently.
 - **Resolven Community Council** – Has objected to the removal of (01639) 710316 at Lewis Terrace, Abergarwed, Neath as this payphone is quite frequently used, their area is frequented by cyclists and tourists and there has been a number of road accidents in the vicinity.
 - **Onllwyn Community Council** – Accepts the reduced need for phone boxes but seeks to retain (01639) 700253 at Aberhenwaun Uchaf, Seven Sisters as there is a need for at least one payphone accessible to the community and this is the most used in the most prominent position.
 - **Coedffranc Community Council** – Has objected to the removal of (01792) 812069 at Heol Heddwch, Neath Abbey and (01792) 812482 at School Road, Jersey Marine because of the need for emergency access for rural communities and poor mobile signal. There is agreement that (01792) 812309 at The Greenway, Llandarcy be disconnected, but the red phone box be retained as it contributes to the Llandarcy Conservation Area.
 - **Blaenhonddan Community Council** – Understands the reasons for reducing the number of public payphones but wishes to retain any that have been used in the last 12 months.

Material Considerations:

In deciding whether to consent or object to the proposal, Neath Port Talbot County Borough Council must be satisfied that its decision is:

- Objectively justifiable in relation to the networks, services, facilities, apparatus or directories to which it relates;
- Not such as to discriminate unduly against particular persons or against a particular description of persons;
- Proportionate to what it is intended to achieve; and
- In relation to what it is intended to achieve, transparent.

Neath Port Talbot County Borough Council must also be satisfied that it acts in accordance with the six Community requirements set out in section 4 of the Communications Act 2003 ('the Act'). These are:

- To promote competition in the provision of electronic communications networks and services, associated services and facilities and the supply of directories;
- To contribute to the development of the European internal market;
- To promote the interests of all persons who are citizens of the European Union;
- Not to favour one form of, or means of, providing electronic communications networks or services i.e. to be technology neutral;
- To encourage network access and service interoperability for the purpose of securing competition in the electronic communication networks and services markets and the maximum benefit for customers of communications providers; and
- To encourage compliance with standards necessary for facilitating service interoperability and securing freedom of choice for the customers of communications providers.

Appraisal:

When assessing each phone box a number of factors have been taken into consideration including:

- Payphone usage
- Proximity of alternative phone boxes to the community
- Socio economic factors and housing types near the phone box

- Mobile phone coverage in the area
- The number of households served by a phone box
- The need to make emergency calls

BT claims that payphone usage has “declined by over 90 per cent in the last decade and the need to provide payphones for emergency situations is diminishing all the time, with at least 98 per cent of the UK having either 3G or 4G coverage”.

Included in the schedule submitted by BT is the number of calls made from each phone box in a 12 month period prior to the consultation. Following a survey of a sample of phone boxes, however, it has become apparent that the usage figures are potentially misleading given that: -

- a number of phones were found to be inoperable
- in one case there was no phone in the kiosk at all
- At least one payphone which reported over 300 calls being made during the last 12 months is currently inoperable suggesting that where usage is shown, it may only have been working for part of the 12 month period.

In these cases it is considered that number of calls alone should not be taken as demonstration that there is no demand locally for a payphone, especially where there is no alternative payphone nearby.

The payphones surveyed were also generally found to be in a very poor condition with no apparent maintenance or cleaning for a number of years. Even when a payphone worked (judged in this case by having a dial tone), it was often not apparent at first glance due to vandalism or the general condition of the kiosk. Kiosks often had panels or doors missing, some had algal growth on the windows, two had shrubbery growing inside them and most had litter and/or dirt from decomposed plant matter within them. This lack of maintenance, cleaning and general poor condition of these payphones cannot be ruled out as a contributing factor to the decline of their usage either by deterring the public out of disgust or giving the impression that the phone is inoperable.

Notwithstanding the above, when assessing the removal of payphones Officers have taken into account the proximity of alternative payphones.

While accepting that usage has fallen and fewer payphones are required to meet demand, where a payphone is removed there should be an alternative payphone accessible to the community. This is especially important in the smaller, more isolated settlements with poor pedestrian links.

To allow such assessment, on request BT provided a list of 62 payphones within the local authority area which it currently intends to retain, against which Officers have compared their proposed payphone removal plan to ensure that where a community can currently access a payphone, they will still be able to do so.

Socio economic factors and indicators such as the housing mix of an area can show how likely a household is to have alternative means of communication. The more owner-occupied housing in the area the more likely it is that people living in that area would have access to mobile and fixed telephones. If there is predominantly private rented or social housing in the area, this may suggest people on a lower income without access to mobile and fixed telephones and support the view that a phone box should be retained. Neath Port Talbot has a higher than average proportion of social and privately rented housing and also has lower household income than the UK average and this has been taken into account.

It is also considered that those most affected by the removal of payphones are potentially the least able and likely to respond to the consultation. Those reliant on using public payphones are unlikely to have alternative means of communication such as a mobile or fixed home phone line and subsequently are also less likely to have internet access to be able to respond.

Mobile phone coverage has also been assessed in the areas where BT wishes to remove its payphones. OFCOM publishes phone coverage data for the phone networks and Neath Port Talbot has generally good phone coverage throughout its settlements for outdoor voice calls from several networks. Notable exceptions to this are the Afan Valley, where there is notably poor coverage from some providers, and Tonmawr where there is poor coverage from all providers. It is worth noting that in regard to emergency calls, mobile phones will use any available provider and are not limited to the phone owner's individual carrier.

In responding to BT's proposals this assessment has sought to ensure that only those payphones being removed are justified and

proportionate to what BT is trying to achieve in reducing its network. It also seeks to ensure that no particular persons or community has been discriminated against by maintaining a payphone network that is accessible to all communities currently served.

Having regard to the above, following an assessment of each of the payphone sites our recommendations are outlined in the table below (with those payphones sought to be retained highlighted): -

Number	Address	Decision Agree/Adopt/ Object	Reason(s)
01269 822331	Pontardawe Road, Swansea	Agree	No objections received and does not serve a local community
01269 823129	Neuadd Road Garnant, Ammanford	Agree	No objections received and alternative provision available
01269 823175	Water Street, Gwaun Cae Gurwen, Ammanford	Agree	No objections received and alternative provision available
01269 823181	New Road, Gwaun Cae Gurwen, Ammanford	Agree	No objections received and alternative provision available
01639 643066	Hillside, Neath	Object	Neath Town Council objection on basis that this phone is extensively used (247 calls). Objection considered reasonable based on community needs.
01639 643073	Church Road, Cadoxton	Object	Blaenhonddan Community Council objects to the removal of payphones that have demonstrated use. Objection considered reasonable based on community needs, with a need to retain some payphones to the North of the River Neath in the Neath settlement area
01639 643614	New Road, Aberdulais, Neath	Object	Blaenhonddan Community Council objects to the removal of payphones that have demonstrated use. This payphone serves the community of Ynysgerwen on the periphery of the Neath Settlement, where the other nearest payphones are also proposed to be removed Objection therefore considered reasonable based on community needs.

01639 643655	Johns Terrace, Tonmawr	Object	<p>This phone is currently inoperable (therefore zero calls is not surprising or considered indicative of lack of need).</p> <p>This phone serves a relatively isolated settlement with poor pedestrian links to nearby communities and without alternative payphone provision nearby. There is also very poor mobile coverage in this area. In addition to the objection, it is recommended that this phone should be repaired and retained.</p>
01639 643703	Tonna Uchaf, Tonna	Agree	No objections received
01639 643713	Main Road, Cilfrew, Neath	Agree	<p>There is currently no phone within this kiosk. No objection has been received.</p> <p>The loss of this payphone is acceptable subject to the retention of alternative payphone provision sought under this consultation response.</p>
01639 643750	Junction of Main Road/Farmers Road Bryncoch, Neath	Agree	<p>No objection has been received.</p> <p>The loss of this payphone is acceptable subject to the retention of alternative payphone provision sought under this consultation response.</p>
01639 643893	Penywern Road, Neath	Object	<p>Blaenhonnddan Community Council objects to the removal of payphones that have demonstrated use. It is proposed to remove other nearby payphones and it is considered that this payphone should be retained to ensure the community retains access to payphone provision.</p>
01639 643907	Cimla Road, Neath	Object	<p>Neath Town Council objection that this phone is extensively used.</p> <p>Objection therefore considered reasonable based on community needs.</p>

01639 643974	Junction of Heol Llwynon and Llygad Yr Haul, Neath	Object	Blaenhonnddan Community Council objects to the removal of payphones that have demonstrated use. It is proposed to remove other nearby payphones and it is considered that this payphone should be retained to ensure the community retains access to payphone provision.
01639 644439	Adj Aberdulais Falls and Main Road, Aberdulais, Neath	Agree	No objection has been received and the retention of alternative payphone provision is sought.
01639 645452	Junction of Gnoll Park Road and Leonard Street, Neath	Object	Neath Town Council objection that this phone is extensively used. Objection therefore considered reasonable based on community needs.
01639 700204	O/S 92 Dulais Road, Seven Sisters, Neath	Agree	No objection has been received and the retention of alternative payphone provision is sought.
01639 700253	Aberhenwaun Uchaf, Seven Sisters, Neath	Object	Onllwyn Community Council objects to the removal of all payphones in its area and seeks to retain this, which is the most used payphone. This payphone also serves the adjacent community of Seven Sisters which would also be left without any payphones by BTs proposals.
01639 700311	Main Road, Dyffryn Cellwen, Neath	Agree	No objection has been received and the retention of alternative payphone provision is sought.
01639 700323	Mary Street, Seven Sisters, Neath	Agree	No objection has been received and the retention of alternative payphone provision is sought.
01639 700410	Hendre, Onllwyn, Neath	Agree	No objection has been received and the retention of alternative payphone provision is sought.

01639 710316	Lewis Terrace, Abergarwed, Neath	Object	<p>This phone is currently inoperable but has shown relatively high usage recently for a small and isolated community.</p> <p>Resolven Community Council has objected due to the lack of alternative payphones in the area and the number of cyclists and tourists visiting the area. The area has also had a number of road accidents.</p> <p>Objection therefore considered reasonable based on community needs.</p>
01639 710342	Bryn Golwg, Clyne, Neath	Object	<p>There is no alternative payphone provision in the settlement of Clyne</p> <p>Objection therefore considered reasonable based on community needs.</p>
01639 720306	Heol Y Felin, Cwmgwrach, Neath	Object	<p>While there is alternative payphone provision in Glynneath, the communities of Cwmgwrach/Blaengwrach are separated from this by a busy dual carriageway. There has also been one objection from a member of the public who is primarily concerned with the lack of a payphone in an emergency.</p> <p>Objection therefore considered reasonable based on community needs.</p>
01639 830257	Ochr Y Waun Road, Cwmllynfell, Swansea	Agree	<p>Inaccessible out of the way location. Retention of the alternative payphone provision is sought</p>
01639 830615	Rhiw Road, Rhiwfawr, Swansea	Object	<p>This phone serves the relatively isolated settlement of Rhiwfawr with poor pedestrian links to nearby communities. It's removal would leave it without alternative payphone provision nearby.</p>

			Objection therefore considered reasonable based on community needs.
01639 830684	Bryn Road, Cwmllynfell, Swansea	Object	This payphone serves the isolated community of Cwmllynfell. This will be the only payphone in the area if the other payphone in Cwmllynfell is removed as proposed. Objection therefore considered reasonable based on community needs.
01639 842106	Junction Penywern Road - Adj Wernfawr Inn, Wern Road, Ystalyfera, Swansea	Agree	No objections received and alternative provision available
01639 842268	Near Graignewydd, Chemical Row, Godregraig, Swansea	Agree	No objections received and alternative provision available
01639 850216	Prossers Terrace, Cymmer, Port Talbot	Agree	No objections received and alternative provision available in the nearby community of Cymmer
01639 850259	Adj Post Office, Afan Road, Duffryn Rhondda, Port Talbot	Object	This payphone serves the community of Dyffryn which is relatively isolated with poor pedestrian links to nearby communities. There is no alternative payphone provision in the settlement Objection therefore considered reasonable based on community needs.
01639 850262	Adj No 40 Heol Y Glyn, Cymmer, Port Talbot	Agree	No objections received and alternative provision available
01639 850385	Near Post Office, Heol Y Deryn, Glyncorrwg, Port Talbot	Object	This phone is currently inoperable. This phone serves a relatively isolated settlement with poor pedestrian links to nearby communities and without alternative payphone provision nearby. Objection therefore considered reasonable based on community needs. In addition to the objection, it is recommended that this phone should be repaired and retained.

01639 850453	Adj Police Station, Brytwn Road, Cymmer, Port Talbot	Agree	No objections received and alternative provision available
01639 882115	Abbots Close, Margam, Port Talbot	Agree	No objections received and alternative provision available
01639 882440	Silver Avenue, Port Talbot	Agree	No objections received and alternative provision available
01639 885048	White Close, Port Talbot	Agree	No objections received and alternative provision available
01639 896222	Queen Street, Pontrhydyfen, Port Talbot	Agree	No objections received and alternative provision available
01639 896344	Opp 33 Ynys Y Gwas, Cwmavon, Port Talbot	Agree	No objections received and alternative provision available
01639 896809	OS 158 Heol Jwbilli, Penllyn, Cwmavon, Port Talbot	Agree	No objections received and alternative provision available
01792 464137	Elba Crescent, Crymlyn Burrows, Swansea	Agree	No objections received.
01792 812069	Heol Heddwch, Neath Abbey, Neath	Object	Coedffranc Community Council has objected to the removal of this payphone in its neighbouring community council as they believe it is "required for emergency access for rural communities and there is poor mobile signal in the area" Objection therefore considered reasonable based on community needs.
01792 812090	Junction Peniel Green Road Skewen, Brich Grove Road, Swansea	Agree	No objections received and alternative provision available
01792 812264	St Johns Terrace, Neath Abbey, Neath	Agree	No objections received and alternative provision available
01792 812482	The Greenway, Llandarcy, Neath	Agree (Community Council may wish to adopt)	No objections received and alternative provision available. The phone box is in a conservation area and Coedffranc Community Council would however like to see the red phone box retained once the phone is removed.

01792 812482	School Road, Jersey Marine, Neath	Object	Coedffranc Community Council has objected to the removal of this payphone in its neighbouring community council as they believe it is "required for emergency access for rural communities and there is poor mobile signal in the area". There is no accessible alternative payphone provision in the area. Objection therefore considered reasonable based on community needs.
01792 862269	Commercial Road, Rhydyfro, Swansea	Agree	No objections received and alternative provision available
01792 863014	Junction Gwyns Place and Alltwn Hil, Pontardawe, Swansea	Agree	No objections received and alternative provision available
01792 863156	Maes Y Coed Road, Cilmaengwyn, Swansea	Agree	No objections received and alternative provision available
01792 863165	Alltywerin, Pontardawe, Swansea	Agree	No objections received and alternative provision available
01792 863199	Junction Grove Road and Brecon Road, Pontardawe, Swansea	Agree	No objections received and alternative provision available
01792 863292	Edward Street, Alltwn, Swansea	Agree	No objections received and alternative provision available
01792 863315	Junction Ashwood Drive and Cwmnantllwyd Road, Gellinudd, Swansea	Agree	No objections received and alternative provision available

Summary

The above assessment recommends that the Council object to the loss of 18 out of the proposed 53 payphone removals (thus agreeing to removal of 35). In this regard, it is also emphasised that the Authority has considered and acted in accordance with the six Community requirements as set out in section 4 of the Communications Act 2003 and referred to above.

In reaching the conclusions above, it is noted that there is a 'local veto' by the Council as a 'relevant public body' where it objects to removal of such a payphone, provided such written objection (in the form of a 'Final

Notification') is submitted to the service provider within the consultation period.

Subject to final notification of these objections (see process below), this would leave the NPT administrative area with 80 payphones (62 to be retained by BT plus 18 sought to be retained following this consultation)

Formal Process / Next Steps

Subject to Members' ratification of the recommendations within this report, having considered the responses to the consultation, the 'Relevant Public Body' must publish its draft decision in the form of a notification ('the First Notification') and send a copy to the Secretary of State.

There is then a further consultation period of one month before a final decision can be issued, with re-consultation undertaken with Councillors, Community Councils and Heads of Service on the draft decision.

Having considered the responses to the First Notification, if any, the Relevant Public Body must then publish its decision in the form of a notification ('the Final Notification'), setting out the Local Authority's decision.

Conclusions

As identified earlier in the report, the formal consultation period specified within the Council's own notification to local community representatives / the public ends on 5th October 2016 (the day after Committee). Accordingly, while any additional representations received before Committee will be reported on the amendment sheet, delegated authority is sought to allow Officers to make any necessary changes to the 'First Notification' to reflect additional submissions received by 5th October 2016.

In order to meet the tight statutory deadlines, delegated authority is also sought to allow Officers to consider the responses to the 'First Notification', if any, and make any necessary changes to the First Notification and subsequently publish the Council's decision in the form of 'the Final Notification'.

Recommendation:

That Members resolve: -

1. That, provided no additional representations are received by 5th October 2016 (which have not been referred to Committee), that the council publish and consult upon its draft decision ('the First Notification') as detailed within this report;
2. That, in the event additional representations are received by 5th October 2016 (which have not been referred to Committee), that delegated authority is granted to the Head of Planning and Public Protection to make any necessary amendments to the draft decision ('the First Notification') as detailed within this report and to publish and consult upon 'the First Notification';
3. That delegated authority is granted to the Head of Planning and Public Protection to consider the responses to the 'First Notification', if any, and make any necessary changes to the First Notification, and subsequently publish the Council's decision in the form of 'the Final Notification'.

SECTION B – MATTERS FOR INFORMATION

DELEGATED APPLICATIONS

DETERMINED BETWEEN 7TH SEPTEMBER AND 26TH SEPTEMBER 2016

1	App No. P2016/0128	Type Full Plans
Proposal Demolition of disused chapel and construction of 4No holiday units		
Location Nebo Independent Chapel, Bryn Road, Glyncorrwg, Port Talbot SA13 3AU		
Decision Approval with Conditions		
Ward Glyncorrwg		

2	App No. P2016/0245	Type Discharge of Cond.
Proposal Details to be agreed in association with Condition 4(Maintenance plan for shared driveway) of P2015/0030 granted on 12/5/15		
Location Coed Parc House, Coed Parc Development Access Road, Cwmavon, Port Talbot SA12 9BZ		
Decision Approval with no Conditions		
Ward Bryn & Cwmavon		

3	App No. P2016/0255	Type Vary Condition
Proposal Variation of Condition 2 to allow for alternative routes for the delivery of the abnormal indivisible loads (AIL) to Windfarm relating to Planning Permission P2012/0638 (Approved on the 8th July 2015) Including the delivery of the blades via J36 M4 and Maesteg and the delivery of the tower sections, nacelle and hub via J36 M4 and Maesteg. Updated construction method statement(Condition 9 of P2012/0638 , updated construction management plan (Condition 11 of P2012/0638), and updated Abnormal Indivisible Load Test Run Report (Condition 10 of P2012/0638)		
Location Brombil Farm, Brombil Access Road, Margam, SA13 2SR		
Decision Approved subject to s.106		
Ward Margam		

4	App No. P2016/0329	Type Full Plans
Proposal	Retention of two detached storage barns, and construction of new detached steel clad tractor and animal feed barn.	
Location	Land Adjacent To, Cwrt Cerrig, Varteg Row , Bryn, Port Talbot SA13 2RF	
Decision	Approval with Conditions	
Ward	Bryn & Cwmavon	

5	App No. P2016/0385	Type Vary Condition
Proposal	Variation of Condition 22 of application P2014/1176 granted on 11/08/15 to amend the approved plans which includes amending Drawing PL001 Location Plan to PL001 RevB; PL110 Rev A to PL110 Rev D (amendments to the rear elevation, floor plan and layout of the retail area and air conditioning area, bin store and staff facilities and access to the flats on the first floor); amending Drawing PL111 Rev B to PL111 Rev F (amendments to the roof plan including creation of flat roof area and repositioning of access to the flats); amending Drawing PL 131 Rev A to Drawing PL131 Rev C showing amended shop area, WC and amendment to roof pitch); amendment to Drawing PL141 to Drawing PL141 Rev B (amendment to side elevation due to the repositioning of the shop access); and amending Drawing PL142 Rev A to PL142 Rev D (amending the shop front and roof pitch on the rear elevation and the boundary treatment to the side elevation and access to first floor).	
Location	Crown Inn, High Street, Glynneath, Neath SA11 5BR	
Decision	Approval with Conditions	
Ward	Glynneath	

6	App No. P2016/0424	Type Full Plans
Proposal	Erection of 10m high pole with mounted wireless antenna to facilitate broadband services.	
Location	Land Off, Baran Road, Pontardawe, Neath SA8 4RU	
Decision	Approval with Conditions	
Ward	Pontardawe	

7	App No. P2016/0456	Type Full Plans
Proposal Demolition of existing pipe bridge structures plus retention and completion of works to facilitate the temporary construction access track and associated works (Permission for a temporary period of 18 months, within which a maximum of 12 weeks use would be permitted) plus the regularisation of works to trees protected by a Tree Preservation Order together with site clearance works and ecological mitigation/compensation.		
Location Land South of Coed Darcy, Former BP Refinery, Llandarcy, Neath		
Decision Approval with Conditions		
Ward Coedffranc West		

8	App No. P2016/0461	Type Full Plans
Proposal Demolition of 5 existing buildings and construction of 2 industrial buildings.		
Location Taylor & Sons Ltd, Regent Street West, Briton Ferry, Neath SA11 2JA		
Decision Approval with Conditions		
Ward Briton Ferry West		

9	App No. P2016/0463	Type Full Plans
Proposal One detached dormer bungalow, plus access and parking via School Road (amended height to bungalow and amendments to access and parking)		
Location Plot Adjacent To, 41 Main Road, Crynant, Neath SA10 8NH		
Decision Approval with Conditions		
Ward Crynant		

10	App No. P2016/0472	Type Full Plans
Proposal Erection of 10m high pole with mounted wireless antenna to facilitate broadband services.		
Location Brynchwyth Farm, Baran Road, Pontardawe, Swansea SA8 4RR		
Decision Approval with Conditions		
Ward Pontardawe		

11	App No. P2016/0506	Type Full Plans
Proposal	Demolition of existing bungalow and construction of replacement dormer bungalow and changes to ground levels to facilitate construction of detached double garage.	
Location	1 Main Road, Dyffryn Cellwen, Neath SA10 9HW	
Decision	Approval with Conditions	
Ward	Onllwyn	

12	App No. P2016/0537	Type Change of Use
Proposal	Change of use from light industrial (Use Class B1) to a prayer and meditation centre (Use Class D1).	
Location	Units 38-42 Port Talbot Workshops, Addison Road, Sandfields, Port Talbot SA12 6HZ	
Decision	Approval with Conditions	
Ward	Sandfields East	

13	App No. P2016/0547	Type Householder
Proposal	First floor rear extension	
Location	169 Victoria Road, Sandfields, Port Talbot SA12 6QJ	
Decision	Approval with Conditions	
Ward	Sandfields East	

14	App No. P2016/0550	Type Full Plans
Proposal	Single storey rear extension and bin store.	
Location	49-49A Castle Drive, Cimla, Neath SA11 3YF	
Decision	Approval with no Conditions	
Ward	Cimla	

15	App No. P2016/0553	Type Householder
Proposal	Two storey side / rear extension, single storey rear extension, front porch and steps and first floor side facing window	
Location	Aelfryn, 4 Graig Gellinudd, Gellinudd Pontardawe, Swansea SA8 3HP	
Decision	Approval with Conditions	
Ward	Rhos	

16	App No. P2016/0579	Type Change of Use
Proposal	Change of use of ground floor from Retail (Use class A1) to a flat (Use class C3).	
Location	5 Victoria Road, Sandfields, Port Talbot SA12 6QG	
Decision	Approval with Conditions	
Ward	Sandfields East	

17	App No. P2016/0607	Type Discharge of Cond
Proposal	Details pursuant to condition 6 (means of enclosure) of planning permission P2015/0204 (Approved on the 02/07/2015)	
Location	Plot 31, Pearson Way, Neath SA11 2EJ	
Decision	Approval with Conditions	
Ward	Neath East	

18	App No. P2016/0608	Type Discharge of Cond.
Proposal	Details pursuant to condition 22 (means of enclosure) of planning permission P2015/0662 (approved on the 16/09/2015)	
Location	Garthmor Phase 4, Off Pearson Way , Neath SA11 2EJ	
Decision	Approval with Conditions	
Ward	Neath East	

19	App No. P2016/0616	Type Non Material Amendment (S96A)
Proposal	Nonmaterial amendment to planning permission P2011/0758 (Approved on the 19/07/12) to replace a close boarded fence with a 1.8m high screen wall to boundary of Plot 1 and Community Council public land.	
Location	Land Near, Edward Street, Alltwen, Pontardawe SA8 3DP	
Decision	Approval with Conditions	
Ward	Alltwen	

20	App No. P2016/0637	Type App under TPO
Proposal	Works to tree protected by Tree Preservation Order T339-A1 - T1 and T2 Field Maples crown reduction by 3.0 metres	
Location	49 Penshannel, Neath Abbey, Neath SA10 6PP	
Decision	Approval with Conditions	
Ward	Dyffryn	

21	App No. P2016/0641	Type Vary Condition
Proposal	Section 73 Application for the removal of conditions 10, 12, 36 (Transport Assessment and mitigation) and variation of wording of condition 16(Road Safety Audit) of planning permission P2014/0501 approved on 02/10/2014	
Location	Ysgol Bae Baglan, Western Avenue, Port Talbot	
Decision	Approval with Conditions	
Ward	Baglan and Sandfields West	

22	App No. P2016/0648	Type Householder
Proposal	First floor side extension, two storey side extension, single storey rear extension with balcony above, front dormer window, side velux window and conversion of garage to living accommodation	
Location	56 Ynysmaerdy Road, Briton Ferry, Neath SA11 2TL	
Decision	Approval with Conditions	
Ward	Briton Ferry East	

23	App No. P2016/0652	Type Full Plans
Proposal	Replacement flat roof to existing rear wing.	
Location	31 Green Street, Neath SA11 1DF	
Decision	Approval with Conditions	
Ward	Neath North	

24	App No. P2016/0664	Type Householder
Proposal	Single storey side extension linking garage to dwelling, plus single storey rear extensions to dwelling and garage (Amended Proposed Block Plan received 02/09/16)	
Location	Farnley, 1 Cemetery Road, Cwmgors, Ammanford SA18 1PS	
Decision	Approval with Conditions	
Ward	Gwaun-Cae-Gurwen	

25	App No. P2016/0671	Type Advertisement
Proposal	Replacement signage: 1 internally illuminated fascia sign with side return, and two A1 poster signs internally illuminated.	
Location	Domino's Pizza, 159 Neath Road, Briton Ferry, Neath SA11 2BX	
Decision	Approval with Conditions	
Ward	Briton Ferry East	

26	App No. P2016/0676	Type Discharge of Cond.
Proposal	Details to be agreed in association with condition 4 (details of traffic management measures) and condition 34 (ground contamination verification)	
Location	Western Avenue Playing Fields, Adjacent To Seaway Parade, Sandfields, Port Talbot	
Decision	Approval with no Conditions	
Ward	Sandfields West	

27	App No. P2016/0679	Type Advertisement
Proposal	Replacement signage: 1 internally illuminated fascia sign and 1 internally illuminated hanging sign.	
Location	30-32 Station Road, Port Talbot SA13 1JR	
Decision	Approval with Conditions	
Ward	Port Talbot	

28	App No. P2016/0680	Type Householder
Proposal	Single storey rear extension.	
Location	144 Lingfield Avenue, Sandfields, Port Talbot SA12 6QA	
Decision	Approval with Conditions	
Ward	Sandfields East	

29	App No. P2016/0681	Type Full Plans
Proposal	Retention of change of use of the first floor from a fitness centre to a beauty salon (sui generic)	
Location	Unit 1-2 Monastery Business Centre, Monastery Road, Neath Abbey, Neath SA10 7DH	
Decision	Approval with Conditions	
Ward	Dyffryn	

30	App No. P2016/0683	Type Householder
Proposal	Two storey side and single storey rear extension	
Location	Penwaun Fach Cottage, Rhyd Y Fro, Pontardawe, Neath SA8 4TQ	
Decision	Approval with Conditions	
Ward	Pontardawe	

31	App No. P2016/0690	Type Discharge of Cond
Proposal	Details to be agreed in association with conditions 6 (Landscape), 7 (Site Compound), 8 (Construction Method statement), 9 (Holding Area), 10 (access track) and 18 (HGV management) of planning application P2016/0567 approved on 19/08/2016	
Location	Land at Caegarw Farm, Margam, Port Talbot CF33 6PT	
Decision	Approval with Conditions	
Ward	Margam	

32	App No. P2016/0697	Type Householder
Proposal	Bay window to front elevation	
Location	11 Golwg Y Cwm, Cwmgors, Ammanford SA18 1RS	
Decision	Approval with Conditions	
Ward	Gwaun-Cae-Gurwen	

33	App No. P2016/0713	Type Discharge of Cond.
Proposal	Details to be agreed in association with Condition No 7 (Landscaping) of P2016/0281 granted on 27/5/16	
Location	Plot 18, Owen Jones Way, Bryn SA13 2SG	
Decision	Approval with no Conditions	
Ward	Bryn & Cwmavon	

34	App No. P2016/0715	Type Householder
Proposal	Installation of 2 first floor windows to front elevation of existing integral garage.	
Location	98 Cae Morfa, Skewen, Neath SA10 6EH	
Decision	Approval with Conditions	
Ward	Coedffranc West	

35	App No. P2016/0718	Type Prior Notif.Demol
Proposal	Prior approval application for the demolition of 45m high brick chimney stack.	
Location	Crown Foods Uk & Ireland, Canal Side, Neath SA11 1NJ	
Decision	Prior Approval Not Required	
Ward	Neath East	

36	App No. P2016/0721	Type Householder
Proposal	Two storey rear and side extension, plus porch to front elevation.	
Location	48 Plas Road, Rhos Pontardawe, Swansea SA8 3HD	
Decision	Approval with Conditions	
Ward	Rhos	

37	App No. P2016/0723	Type Householder
Proposal	Single storey rear extension and gable to front elevation	
Location	92 London Road, Neath SA11 1HN	
Decision	Approval with Conditions	
Ward	Neath East	

38	App No. P2016/0724	Type Advertisement
Proposal	Removal of existing flagpole and erection of freestanding internally illuminated totem sign for existing Lidl food store.	
Location	Lidl Supermarket Castle Retail Park, Briton Ferry Road, Neath SA11 1AS	
Decision	Approval with Conditions	
Ward	Neath East	

39	App No. P2016/0728	Type Full Plans
Proposal	Re-siting of battery exhaust flue.	
Location	Amazon, Ffordd Amazon, Crymlyn Burrows, Swansea SA1 8QX	
Decision	Approval with Conditions	
Ward	Coedffranc West	

40	App No. P2016/0729	Type Householder
Proposal	Extension and alteration of existing garage to living accommodation, first floor side/rear extension, plus creation of replacement parking.	
Location	5 Gelli Deg, Caewern, Neath SA10 7PL	
Decision	Approval with Conditions	
Ward	Bryncoch South	

41	App No. P2016/0730	Type Discharge of Cond.
Proposal	Details pursuant to the discharge of Conditons 1 (condition survey) 2 (storage methodology) 6 (information boards) of Planning Permission P2016/0144 (Headframe dismantling, restoration and reconstruction)	
Location	Cefn Coed Colliery Museum, Neath Road, Crynant, SA10 8SL	
Decision	Approval with no Conditions	
Ward	Crynant	

42	App No. P2016/0733	Type Householder
Proposal	Two ridged roof dormers to front roof plane.	
Location	339 Delffordd, Rhos Pontardawe, Swansea SA8 3HG	
Decision	Approval with Conditions	
Ward	Rhos	

43	App No. P2016/0736	Type Non Material Amendment (S96A)
Proposal Non-material amendment application for the addition of a condition to list the approved drawings of application P2015/0456 granted on 23/12/15.		
Location Morfa Afan, Dalton Road, Sandfields, Port Talbot SA12 6SL		
Decision Approval with Conditions		
Ward Sandfields East		

44	App No. P2016/0739	Type Discharge of Cond.
Proposal Details to be agreed in association with conditions 11 (A scheme of investigation into Ground contamination) and 12 (Remediation scheme) of application P2016/0567 granted on 19/08/16.		
Location Caegarw Farm, A48 From Margam To Pyle, Margam, Port Talbot CF33 6PT		
Decision Approval with no Conditions		
Ward Margam		

45	App No. P2016/0743	Type Householder
Proposal Single storey front extension including steps to front entrance, garage extension plus alterations to garage roof.		
Location 81 Neath Road, Rhos Pontardawe, Swansea SA8 3EH		
Decision Approval with Conditions		
Ward Rhos		

46	App No. P2016/0744	Type Householder
Proposal Single storey rear extension.		
Location 40 Castle Street, Aberavon, Port Talbot SA12 6DS		
Decision Approval with Conditions		
Ward Aberavon		

47	App No. P2016/0746	Type Neigh.Auth/Nat.Park
Proposal Port Talbot maintenance dredge disposal renewal - Consultation in accordance with Section 68(3) of the Marine and Coastal Access Act 2009.		
Location Swansea Bay,		
Decision No Objections		
Ward		

48	App No. P2016/0748	Type Nat. Significant Infrastructure Project
Proposal	Consultation on proposed non-material amendments to Hirwaun Generating Station Order 2015	
Location	Hirwaun Generating Station,	
Decision	No Objections	
Ward	Blaengwrach	

49	App No. P2016/0751	Type Discharge of Cond.
Proposal	Details pursuant to the discharge of condition 3 of planning permission P2016/0207 (Approved on the 27/07/16) for a detached dwelling.	
Location	36 Nant Celyn, Crynant, Neath SA10 8PZ	
Decision	Approval with Conditions	
Ward	Crynant	

50	App No. P2016/0752	Type Discharge of Cond.
Proposal	Details pursuant to the discharge of Condition 3 (replacement tree planting) of Planning Permission P2014/0846.	
Location	5 Blaenwern, Bryncoch, Neath SA10 7AA	
Decision	Approval with Conditions	
Ward	Bryncoch South	

51	App No. P2016/0762	Type Section 36 Elec Act
Proposal	Pre-submission consultation in respect of Section 36C of the Electricity Act 1989 (Variation of Consents under Section 36) for a battery storage facility.	
Location	Pen Y Cymoedd, South of the Heads of the Valleys Road (A465), Port Talbot	
Decision	No Objections	
Ward	Glyncorrwg	

52	App No. P2016/0764	Type LawfulDev.Cert-Prop.
Proposal	Single storey rear extension - Certificate of Lawful Development (Proposed).	
Location	21 Village Gardens, Aberavon, Port Talbot SA12 7LW	
Decision	Issue Lawful Dev.Cert.	
Ward	Aberavon	

53	App No. P2016/0806	Type LawfulDev.Cert-Prop.
Proposal	Lawful Development Certificate (Proposed) for a single storey rear extension	
Location	9 Church Place, Seven Sisters, Neath SA10 9DB	
Decision	Issue Lawful Dev.Cert.	
Ward	Seven Sisters	

SECTION B – MATTERS FOR INFORMATION

APPEALS RECEIVED

a) Enforcement Appeals

Appeal Ref: A2016/0010 **Planning Ref:** E2016/0022

PINS Ref: APP/Y6930/C/16/3156925

Appellant: Mr Brian Price

Alleged Breach: Without planning permission, the siting of a static caravan on the land and its use for residential purposes

Site Address: Aberdrychwallt Farm, Pontrhydyfen, Port Talbot SA12 9SN

Start Date: 26th September 2016

Appeal Method: Public Inquiry

Appeal Ref: A2016/0011 **Planning Ref:** E2016/0022

PINS Ref: APP/Y6930/C/16/3156920

Appellant: Mr Douglas Price

Alleged Breach: Without planning permission the construction of a replacement two-storey dwelling on the land

Site Address: Aberdrychwallt Farm, Pontrhydyfen, Port Talbot SA12 9SN

Start Date: 26th September 2016

Appeal Method: Public Inquiry

NOTE: The two appeals above are to be dealt with at a single Joint Public Inquiry.

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