

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

APPLICATION NO: P2024/0626	DATE: 03/10/2024
PROPOSAL: Change of use of ground floor of 60-61 Afan Road from retail unit (A1) to two x 1 bedroom holiday lets (C6).	
LOCATION: 60-61 Afan Road, Duffryn Rhondda, Neath Port Talbot, SA13 3ET	
APPLICANT: Mr Tim Bessex	
TYPE: Minor All Others	
WARD: Cymmer and Glyncorrwg	

BACKGROUND

This application is reported to Planning Committee at the request of the Local Ward Member, Councillor Jeff Jones, for the following reasons:

- Loss of last community facility (shop).
- Loss of car parking in immediate area.
- Noise disturbance from existing holiday lets.

SITE AND CONTEXT

The application site comprises a unit within a mixed-use terrace, which currently consists of holiday lets at ground and first floor, and a local shop at ground floor. The terrace benefits from limited off-road car parking and rear garden sections that are sited below the road level.



DESCRIPTION OF DEVELOPMENT

Planning consent is sought for the change of use of the ground floor at No. 60-61 Afan Road from retail unit (A1) to two, one-bedroom holiday lets (C6).

External alterations to the existing shopfront are also proposed, with the addition of two additional front doors, and the replacing of the existing large shopfront windows with four smaller windows with a more residential aesthetic.



NEGOTIATIONS

No negotiations have taken place.

PLANNING HISTORY

The application site has the following relevant planning history: -

P2012/0443: Change of use from single dwelling to two self-contained flats and alterations to fenestration at basement level. Application approved on 1st August 2012.

CONSULTATIONS

The Head of Transport and Engineering (Highways): No objection.

REPRESENTATIONS

Neighbouring properties were consulted on 30th October 2024.

In response, to date, 4 objections to the application have been received, including one sustained from the Local Ward Member. The comments have been summarised as follows:

- Lack of sufficient car parking.
- Detrimental impact on highway safety.
- Over-intensification of holiday let use.
- Noise disturbance.
- Loss of sole retail unit in the immediate area.

There have also been 4 statements of support from members of the public. The comments have been summarised as follows:

- Removal of shop would ease traffic flow and result in a betterment in highway safety.
- Tourism bringing investment to local businesses.
- Expansion of employment opportunities within the area.

REPORT

National Planning Policy:

[Future Wales: The National Plan 2040](#) is the national development framework, setting the direction for development in Wales to 2040. The development plan sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate resilience, developing strong ecosystems and improving the health and wellbeing of our communities.

The following policies are of particular relevance to the assessment of this application:

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking
Policy 9 – Resilient Ecological Networks and Green Infrastructure

[Planning Policy Wales \(Edition 12, February 2024\)](#)

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places

PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities. It encourages a wider, sustainable and problem solving outlook which focuses on integrating and addressing multiple issues rather than on an approach which is fragmented, un-coordinated and deals with issues in isolation. It provides an opportunity to remove any actual or perceived problems in current approaches and stimulate and support innovative and creative ideas as well as high standards of evidence and assessment to underpin the preparation of development plans and strategies and individual proposals. Monitoring and learning from development outcomes so as to drive sustainable improvements in planning practice is also important.

PPW12 is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -

- Technical advice note (TAN) 12: design (2016)
- Technical advice note (TAN) 18: transport (2007)

Local Planning Policies

The Local Development Plan for the area comprises the [Neath Port Talbot Local Development Plan](#) which was adopted in January 2016, and within which the following policies are of relevance:

Strategic Policies

- **Policy SP3** Sustainable communities
- **Policy SP13** Tourism
- **Policy SP15** Biodiversity and Geodiversity

Topic based Policy

- **Policy EN6** Important Biodiversity and Geodiversity Sites
- **Policy TR2** Design and Access of New Development

- **Policy BE1** Design
- **Policy SC1** Settlement Limits
- **Policy SC2** Protection of Existing Community Facilities
- **Policy T02** Protection of Existing Tourism Facilities

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- [Parking Standards](#) (October 2016)
- [Design](#) (July 2017)
- Biodiversity and Geodiversity (May 2018)

Issues

Having regard to the above, the main issues to consider in this application relate to the principle of the change of use and resultant loss of the commercial retail unit, impact on the visual amenity of the area, the amenities of neighbouring residents and highway safety.

Principle of Development

The development site is located within settlement limits as defined by Policy SC1 of the Neath Port Talbot Local Development Plan (LDP). Development within settlement limits that is proportionate in scale and form to the role and function of the settlement is generally acceptable in principle, subject to the development complying with the requirements of the other development plan policies. In this case, the scale and form of the proposal is considered proportionate to the settlement.

The proposal seeks to change the use of the ground floor of units 60 and 61 Afan Road, of which its existing use is an A1 retail shop (Delicatessen, now vacant) , which is considered within Policy SC2 as a community facility. Therefore, Policy SC2 of the LDP which refers to the Protection of Existing Community Facilities is relevant to this application.

Policy SC2 relates to the Protection of Existing Community Facilities

It states that;

Any proposals which would result in the loss of an important existing community facility will only be permitted where it can be demonstrated that:

1. The facility is surplus to requirements; **or**
2. The existing use is no longer viable.

The explanation of this policy goes further to add;

Community facilities are a vital part of the life of a community and can help create cohesive communities where people are able to meet and participate

in a range of activities, making a fundamental contribution to ensuring the sustainability of communities. The importance of meeting places is vital for health and well-being and helps create communities where residents feel included rather than isolated.

For the purposes of this policy, any facility that serves a community purpose can be defined as a community facility, including community halls, libraries, local or village shops, public houses and places of worship. Where a facility performs (or has performed) an important or central function in the life of the local community, any change to a non-community use will be resisted unless it can be demonstrated that the facility is no longer viable or needed by the community and that there is no potential that the building can be used for an alternative or shared community use.

The type of evidence required will vary depending on the type of facility under consideration, but may include details of why the building is no longer in use, what alternative provision there is locally, what other community options have been considered for the building and evidence to show that reasonable efforts have been made to market the facility for sale or lease for its existing use.

The applicant has indicated and provided evidence that the shop has been closed for 18 months, which has been reinforced by the submitted Ferriers Sales and Letting Agents' Marketing Report. The report details that the shop has been advertised for let since October 2023, but vacant from April 2023. It has been listed at rent of £600 per calendar month. Very little interest was generated with only 1 person booking a viewing, who later cancelled after realising the distance from Port Talbot town centre. After discussion with the Council's Business Rates and Estates Sections, the above level of marketing and rent is considered appropriate and sufficient in demonstrating that the existing shop use is no longer viable and therefore the loss of this community facility is justified, in accordance with criteria 1 of Policy SC2 of the LDP. Noting that the use proposed would still lie within a commercial use, providing tourism accommodation of which there are supporting policies, as set out within more detail matter in this report. It is noted that a shop of similar scale and nature in the form of Village Discount Store, is located 2.6 miles away from the application site.

Despite satisfying Policy SC2, which would result in the loss of the community facility (shop), it is considered to be reasonable and necessary to retain the shopfront aesthetic within the frontage of the application site. This is to enable any future developments of a retail nature to occupy and operate within the units with ease and without having to physically alter the external appearance of the units. Should the application receive approval, this can be secured via suitably worded condition.

The proposal is for the change of use to holiday lets for tourism purposes. Therefore, Strategic Policy SP13 (Tourism) of the Neath port Talbot LDP is also relevant in this case, outlining that the economic prosperity of Neath Port

Talbot should be promoted through encouraging continued growth in the tourism sector by:

1. Encouraging high quality, sustainable tourism development.
2. Providing a flexible approach to the development and conversions to tourism facilities.
3. Resisting, where appropriate, proposals which would result in the loss of tourism facilities.
4. Supporting tourism proposals through the allocation of land for tourism development.

The proposal seek permission of a change of use of a commercial building to tourism accommodation, which satisfying point 1 of SP13. The proposal also incorporates the conversion of a shop, which has been proven to be surplus to requirement through the submitted marketing report, to which point 2 of SP13 clearly outlines that a flexible approach to conversions to tourism facilities should be taken.

Furthermore, should this application be approved, it is also considered reasonable and necessary to restrict the application sites' Permitted Development Rights, given that Policy T02 (Protection of Existing Tourism Facilities) seeks to prevent such tourist facilities converting into permanent residential uses. Ordinarily, uses that fall within Use Class C6 short term holiday lets are permitted to change to a use falling within C3 or C5, however, a suitably worded condition will be applied to this application should it be approved.

Impact on Visual Amenity

Policy BE1 of the LDP requires that development compliments and enhances the character and appearance of the site; respects the context of the site and its place within the local landscape; utilises materials appropriate to its surroundings; and incorporates appropriate landscaping.

Physical alterations to the units which are proposed, include the replacing of the shopfront with a more residential frontage aesthetic, consisting of windows and doors. Whilst these alterations are moderate and considered to have an appropriate impact on the character and appearance of the units and street scene, as aforementioned, it is considered that the existing shopfronts should be retained in order to allow for any future developments of a retail nature to occupy and operate within the units with ease and without having to physically alter the external appearance of the units, should circumstances change. The proposal, subject to this change is therefore considered to comply with Policy BE1 of the LDP.

Impact on Residential Amenity

Policy BE1(4) of the LDP requires that development does not have a significant adverse effect on the amenity of local residents. The Authority has Supplementary Planning Guidance (adopted July 2017) on Design which

provides specific advice on how to consider residential amenity impacts in determining planning applications.

Residential properties are located in the street, along Afan Road on the opposite side to the application site. Given the appropriate siting, scale and nature of the proposed change of use and physical alterations, the proposal is considered to have an acceptable impact on residential amenity.

The whole building of the application consists of No. 60-61 and 62, of which a number of holiday lets are already present between the ground and first floors of the entire building, with no actual full C3 residential units within. In addition to this it is recommended to impose a condition preventing external alterations to the existing shop front. As such the proposed development would not result in any adverse overlooking, overshadowing or overbearing impacts.

Objections to the proposal refer to detrimental noise impacts from the existing holiday lets within the wider terrace. The objection claims that loud music can be heard from the terrace until late in the evening. Whilst the addition of two one-bedroom holiday units does have the potential to intensify the use, the nearest residential building is located approximately 20m away from the application site which is considered to be sufficient in mitigating any detrimental noise levels. Additionally, the Local Planning Authority cannot be expected to control the behaviours / mannerisms of the occupants of the holiday lets and other legislation outside of planning deals with issues of statutory noise nuisance. It should also be noted that activity associated with the lawful A1 use would have resulted in activity at the site, with traffic movements and visitors also.

Therefore, the proposal is not considered to have an impact on the residential amenity of occupiers of any of the other adjacent holiday let nor would it result in a material increase in the level of activity or noise over or above that of the existing retail use.

The proposal is therefore considered to have an acceptable impact on residential amenity, corresponding with Policy BE1 of the LDP.

Parking and Access Requirements and Impact on Highway Safety

Policy TR2 of the LDP identifies that proposals will only be permitted where there are appropriate levels of parking and cycling facilities provided. The development has to be accessible by a range of travel means, including public transport and safe cycle and pedestrian routes. A car parking area does exist adjacent to No. 62 Afan Road, just to the immediate west of the application site, and which provides car parking provision for the other existing holiday lets. However, this area has not been included within the red line boundary for this application and is therefore not considered as off-street car parking for the application site. An internal garage is attached to the eastern side of the application site, within the red line boundary, however its internal dimensions

are not considered sufficient to allow for car parking, and it has been outlined that this area shall be dedicated to storage.

Whilst the applicant has not outlined any designated car parking spaces, on-street car parking does exist on this section of Afan Road. Additionally, the Head of Transport and Engineering (Highways) has raised no objection to the proposal on highway safety grounds, providing the following comments:

I have no Highway objection to the proposed change of use as the parking requirement is a betterment over the previous usage class. However, I do have the below Highway Safety Conditions in relation to the design:

- 1. No doors, windows or parts thereof at ground floor level to open out onto or over the public highway.*
- 2. Available parking within the curtilage of the site shall not be removed, although can be modified for ease of usage, and shall be retained for off-road parking by the guests for one of these Holiday Lets. Guests should be instructed to utilise this area to mitigate parking on the Highway which is also a major bus route through the valley.*
- 3. Any future alterations to the properties on-site parking shall be designed in accordance with NPTCBC's Parking Standards SPG (October 2016) documentation.*

A shop of this nature attracts a number of customers, who at this location are likely to have driven, and park briefly over a short-term period, which can result in parking in potentially dangerous places. The proposed use, would likely attract vehicle users, however, given the scale and nature of the proposed holiday lets, each let is likely to generate only one car per unit. As the associated vehicles are likely to be parked for longer period of time throughout the day, they are likely to find safer on-street locations with fewer vehicle movement than is typically associated within a retail unit.

Therefore, with the removal of the shop and its' associated customer vehicular usage, the proposal is considered to result in less vehicular movements, with less customer comings and goings, the proposal is considered to have an acceptable impact on highway safety, corresponding with Policy TR2 of the LDP.



Biodiversity

As identified above, Policies EN6 and EN7 of the Local Development Plan will be of relevance insofar as there is a need to ensure any impacts on biodiversity/ natural features are appropriately assessed and, where applicable, mitigated.

Planning Policy Wales (PPW) 12 sets out that;

The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, informed by an appropriate level of assessment, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, help to overcome the potential for conflicting objectives, and contribute to health and well-being outcomes.

A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants.

The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15 of PPW 12) has been applied.

In this case the development will provide a bird box on an elevation of the host building. This will be secured via suitably worded condition.

Other Matters

The issues raised in objection to the proposed development have been addressed within the above appraisal.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016.

It is considered that the proposal represents an appropriate form of 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 BE1 (Design), TR2 (Design and Access of New Development), SC1 (Settlement Limits), SC2 (Protection of Existing Community Facilities), and T02 (Protection of Existing Tourism Facilities) of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040 and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

Recommendation:

To grant planning permission subject to the following conditions:

Conditions:-

Time Limit Conditions

- 1 The development shall begin no later than five years from the date of this decision.

Reason:

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

List of Approved Plans

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

Block/Site Plan,
Proposed Ground Floor Plan,
Existing/Proposed Elevations.

Reason:
In the interests of clarity.

Regulatory Conditions

- 3 Prior to the first beneficial occupation of the dwelling(s) hereby permitted, an artificial nesting site for birds shall be erected on the dwelling to one of the following specifications, and retained as such thereafter;

Nest Box Specifications for House Sparrow Terrace:

Wooden (or woodcrete) nest box with 3 sub-divisions to support 3 nesting pairs. To be placed under the eaves of buildings.

Entrance holes: 32mm diameter

Dimensions: H310 x W370 x D185mm

or

Swift Nest Box Specification:

Wide box with small slit shaped entrance hole. Must be placed under or close to roofs, at least 5m from the ground.

Dimensions: H150 x W340 x D150mm

Reason:

In the interest of biodiversity, and to mitigate to loss of bird nesting/foraging habitats under the Habitats Regulations (amended 2012) and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

- 4 Notwithstanding the details submitted no alterations shall be made to the scale of the shop front fenestration of the units hereby approved, including any alterations or addition of doors, windows or parts of openings.

Reason:

In the interest of visual amenity and to allow future potential use of the building for retail purposes and in accordance with Policy SC2 of the Neath Port Talbot Local Development Plan.

- 5 The units shall be used for short-term holiday lets (Use Class C6) and for no other purpose according to the schedule to the Town and Country

Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification) with no change of use to C3 Dwellinghouse without the benefit of planning permission.

Reason:

In order that other changes of use can be assessed in the interests of amenity and to accord with Policies SC1, T02 and TR2 of the Neath Port Talbot Local Development Plan.