

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

APPLICATION NO: P2024/0234	DATE: 11/04/2024
PROPOSAL: Outline application for the development of 3no. detached dwellings with associated works (All Matters Reserved).	
LOCATION: Land To The West Of Danygraig Lane, Between Glan Gwrelych And Ynys Y Nos Avenue, Glynneath, SA11 5LG.	
APPLICANT: Mrs Williams.	
TYPE: Outline Application.	
WARD: Glynneath Central and East.	

BACKGROUND

This application is reported to Planning Committee as Ward Member Cllr Simon Knoyle has requested that the application be determined by Planning Committee for the following reasons:

“Highways issues - adding to the existing issues that are faced on Ivorites Row, Glan Gwerlych and onto Merthyr Road, with the junction issues, traffic parking on the Pontwalby Bridge which adds to the impact in the area, I am a resident of Pontwalby and although there have only been a few reported accidents in this area, I can tell you that there have been many near misses and incidents and accidents which have gone unreported. I believe you stated that the Junction issues do not actually meet requirements as they are currently and adding to this would cause more issues.

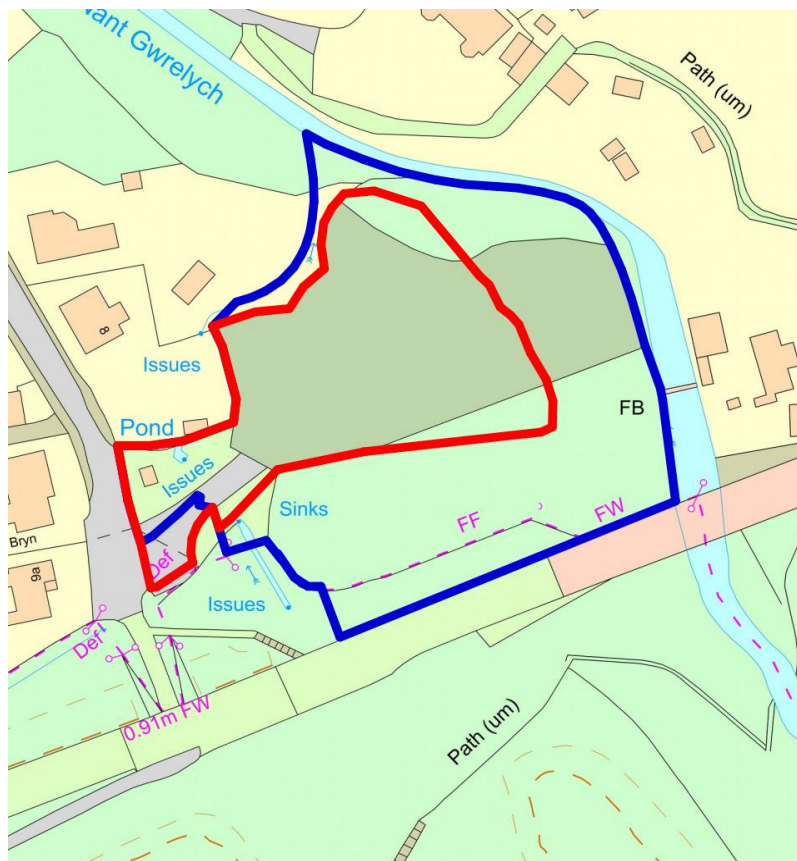
I don't think that the Coal Tip issues have been closed out entirely and this worries me already without adding to the issue with more homes.

In Pontwalby (effectively my neighbours) have made their feelings clear with many objections to the proposals and these cannot be overlooked. Local knowledge of this area in terms of access, parking and other such objections raised are very valid and I would request a site visit for members to see the specific issues for themselves and not via a desktop study.

Land ownership issues are still a concern for me, the strip accessing the land does not appear to be in the ownership of the developers and I wonder how Planning can be granted if this is not within their control?”

SITE AND CONTEXT

The application site is an irregular parcel of land located to the east of Glan Gwrelych and to the west of Dan Y Graig. The site measures approximately 0.28 hectares with a partially sloping topography. The site is accessed off Glan Gwrelych with a number of TPOs located on site and the site is located within settlement limits.



Residential properties are located to the north, east and west of the site with open countryside and a viaduct located to the south.

DESCRIPTION OF DEVELOPMENT

The application seeks outline consent for the construction of 3no dwellings with associated works. The submitted drawing shows that the three proposed dwellings would be located within the centre of the site with access to the west.

The site layout plan submitted is indicative at this stage with the access road running along the south of the site, amenity space to the north and the provision of three parking spaces per dwelling.

The proposed scale parameters for the proposed dwelling are as follows:

- Length – 10m -12m
- Width – 12m – 14m
- Height – 7m – 9m

NEGOTIATIONS

No negotiations undertaken.

PLANNING HISTORY

The application site has the following relevant planning history: -

P2023/0303 - Proposal: Outline planning application for the construction of 3no. detached dwellings (all matters reserved). Decision: Withdrawn. Decision Date: 15-JUN-23

P2006/0307 - Proposal: Outline Planning Application - Residential Development For 3 No. Detached Dwellings with Garages. Decision: Approved. Decision Date: 27-APR-06

P2009/0417 - Proposal: Variation of Condition 3 Of Previous Planning Permission P2006/0307 Granted On 27th April 2006 To Extend The Period Of Time For The Submission Of Reserved Matters. Decision: Approved. Decision Date: 24-SEP-10

CONSULTATIONS

Drainage Section were consulted on the 19th April – SAB approval required.

Welsh Water Dwr Cymru were consulted on the 19th April – Site crossed by 500mm water main with request for conditions.

Highway Section were consulted on the 19th April – concerns identified regarding track width, shared driveway length, visibility from Glan Gwerlych junction, culvert location, driveway and previous refusal.

Arborist was consulted on the 19th April – no concerns raised with required protective fencing.

Biodiversity were consulted on the 19th April - No objection.

Natural Resources Wales were consulted on the 19th April – Request for condition relating to CEMP.

CADW were consulted on the 19th April – no representation received.

Community Council was consulted on the 19th April – no representation received.

Contaminated Land was consulted on the 19th April – no objection subject to condition.

The Coal Authority were consulted on the 19th April – no comments.

Ward members were notified.

REPRESENTATIONS

The neighbouring properties were consulted on 19th April 2024 and a site notice was also displayed on 29th April 2024.

In response, to date 22no. representations have been received from 15 properties, with the issues raised are summarised as follows: -

- Increased traffic in congested area and access already restricted due to increased on-street parking.
- Adverse effect on highway and pedestrian safety.
- Road along Glan Gwrelych is pitted and damaged with sink hole in the road in 2021 causing transport and access issues for residents.
- No positive effect on existing residents only seller and developer.
- Access way is narrow and lacking footways.
- Detrimental impact on the area and traffic on access road and current road surface in very poor state of disrepair.
- Additional dwelling will put additional pressure on existing traffic and number of cars and deliveries will increase.
- Road currently serves existing working farms and further dwellings will add pressure to the existing residents.
- FCA has been prepared however the area in front of the gates floods in bad weather as per land registry map.
- Several documents within the planning application that are incorrect which is misleading and untrue, such as within the planning statement.
- Planning statement doesn't include TPO history
- Photos submitted are misleading.
- Access onto the land is not owned by the applicant.
- Site is not greenfield or brownfield it is a registered coal tip (category C/D). Don't believe coal tip safety is being addressed in this application.
- DCWW correspondence ratifies that DCWW does not support this application as a lack of suitability to any possible water main in its current format.
- Land has not been accessed regularly by vehicles, an 8 ton lorry was parked in the field gateway blocking access.
- Right of access formalised with Land Registry but no such agreement on Land Registry.
- Add published in Western Mail however newspaper add went out after document was written so no way they can know if any responses have been received as implied in this application.
- Junction currently used to turn.

- Planning statement states prescriptive easement to the applicant however this is false and only recently applied for.
- Overlooking and loss of privacy and land raised above property.
- Flooding and the culvert from the mountain.
- Contaminated Land due to dumped waste.
- New entrance may uproot tree.
- No utilities/ services on site so could be overuse of present drainage system.
- No notice put up for residents.
- House building needed for first time homes, the three proposed are not in short supply.
- Building in the field would be difficult and expensive and take quite some time to be suitable to build on.
- HGVs increase and accessing the site.
- Site visit is essential.
- Difficult to see how developer/ builder could mitigate against the protests put forward as no alternative access to site.
- Owner of Dan Y Graig has right of access across the field.
- P2014/0836 application previously refused on highway grounds.

No change in access since 2014 application and increased number of cars has only increased pressure and hazard hasn't changed.

Refusal reason; This Development will have an adverse effect on highway and pedestrian safety as the visibility out on to Merthyr Road from Glan Gwrelych is inadequate and dangerous and the lane itself is narrow and lacking in footways with insufficient room for two vehicles to pass.

This is in addition to the unsuitability of the access lane to the plot where the visibility off Bryn Ivor with Glan Gwrelych at Ivorites Row is also inadequate, even when viewed across adjacent forecourts and therefore it is considered that any additional traffic generation at this junction would be to the detriment to the safety and free flow of traffic along Glan Gwrelych. The proposed development does not comply with Policies GC1 and T1 of the Neath Port Talbot Unitary Development Plan.

REPORT

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council

has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

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 6 – Town Centre First

Policy 7 – Delivering Affordable Homes

Policy 8 – Flooding

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 12 – Regional Connectivity

Planning Policy Wales (Edition 12, January 2024) outlines the Welsh Government's commitment to the importance of 'places' and 'place-making', the importance of using previously developed land wherever possible in preference to greenfield sites, and the recognition of the health and wellbeing related benefits by creating a sense of place and improving social cohesion. PPW 12 confirms that the environmental components of places are intrinsically linked to the quality of the built and natural environment and contribute to the health and wellbeing of the people who live, work and play there. It emphasises the importance of creating sustainable communities and reducing reliance on the private car as part of a package of measures to reduce the country's carbon footprint and help tackle the climate emergency.

3.9 The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement'.

3.10 In areas recognised for their particular landscape, townscape, cultural or historic character and value it can be appropriate to seek to promote or reinforce local distinctiveness. In those areas, the impact of development on the existing character, the scale and siting of new development, and the use of appropriate

building materials (including where possible sustainably produced materials from local sources), will be particularly important’.

3.14 Site and context analysis should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment. The analysis process will highlight constraints and opportunities presented by existing settlement structure and uses, landscape, biodiversity, water environment, movement, infrastructure, materials and resources, soundscape and built form which will need to be considered when formulating proposals’.

‘6.4.2 The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty). This duty applies to public authorities in the exercise of their functions in relation to Wales and will help maximise contributions to achieving the well-being goals. The Nature Recovery Action Plan supports this legislative requirement to reverse the decline in biodiversity, address the underlying causes of biodiversity loss by putting nature at the heart of decision-making and increasing the resilience of ecosystems by taking specific action focused around the 6 objectives for habitats and species’.

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

- TAN 10 – Tree Preservation Orders
- TAN 11 – Noise
- TAN 12 – Design
- TAN 15 – Development and Flood Risk
- TAN 18 - Transport

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 SP4** Infrastructure
- **Policy SP7** Housing Requirement
- **Policy SP10** Open Space
- **Policy SP15** Biodiversity and Geodiversity
- **Policy SP20** Transport Network
- **Policy SP21** Built Environment and Historic Heritage

Topic Based Policy

- **Policy SC1** Settlement limits
- **Policy H1** Housing
- **Policy AH1** Affordable Housing
- **Policy OS1** Open Space provision
- **Policy EN06** Important biodiversity and geodiversity sites.
- **Policy EN07** Important Natural Features
- **Policy TR2** Design and Access of New development
- **Policy BE1** Design
- **Policy I1** Infrastructure Requirements

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- [Planning Obligations](#) (October 2016)
- [Parking Standards](#) (October 2016)
- [Affordable Housing](#) (October 2016)
- [Pollution](#) (October 2016)
- Open Space & [Greenspace](#) (July 2017)
- [Renewable and Low Carbon Energy](#) (July 2017)
- [Design](#) (July 2017)
- [Development and the Welsh Language](#) (July 2017)
- [Landscape & Seascape](#) (May 2018)
- [Biodiversity and Geodiversity](#) (May 2018)
- [The Historic Environment](#) (April 2019) (incl. [Schedule of Buildings of Local Importance](#) and [SPG: Schedule of Designated Canal Structures](#))

Environmental Impact Assessment (EIA) and Appropriate Assessment (AA) Screening.

The application site does not exceed the Schedule 2 threshold for development of this type as outlined within the Environmental Impact Assessment Regulations. As such the application has not been screened in accordance with the requirements of Schedule 3 of the Regulations.

The proposed development is not located within a zone of influence for any Special Area of Conservation (SAC), Candidate Special Area of Conservation (CSAC) or Ramsar sites and as such it is considered that an Appropriate Assessment as set down within the Conservation of Habitats and Species Regulations 2017 is not required.

Issues

Having regard to the above, the main issues to consider in this application relate to the principle of development, together with the impact on the visual amenity of the area, the amenities of neighbouring residents, highway safety, biodiversity, flooding and contaminated land.

Principle of Development

As identified above, an outline application for three dwellings was approved in 2006 and the application was extended in 2009 through the submission of a section 73 application. However, the application lapsed in 2012. It is noted that planning policy has moved on since the determination of the above applications, with the adoption of the Neath Port Talbot Local Development Plan (LDP) and the latest revision of Planning Policy Wales 12. As such while the previous application on site is a material consideration, the proposal would still have to accord with the Authority's LDP and National Policy.

Policy SC1 (Settlement Limits) states that "Development within settlement limits that is proportionate in scale and form to the role and function of the settlement as set out in the settlement hierarchy will be acceptable in principle." The LDP Settlement Hierarchy underpins the Development Strategy and is fundamental in addressing the issues facing the County Borough. The Council's overarching aim is to deliver strengthened communities that will make Neath Port Talbot a more vibrant, community focussed and sustainable place with better opportunities for all.

As the application site is located within the settlement limits defined by Policy SC1 of the adopted Neath Port Talbot Local Development Plan (LDP), the principle of residential development at this location is generally acceptable, subject to compliance with policies BE1 and TR2 of the Local Development Plan and the Council's Supplementary Planning Guidance on 'Design'.

In regard to density, it is noted that the three dwellings are proposed on a site area of 0.28 hectares. This equates to a density of approximately 10.7 dwellings per hectare. The proposed density would be below the recommended density set out within criteria 8 of Policy BE1 which seeks to achieve 30 dwellings per hectare within the Valley Strategy Area.

Paragraph 5.5.14 supporting Policy BE1 outlines that *'in order to make the best use of available land developments should be designed to maximise the accommodation provided ... and development below the specified residential density levels will not be permitted unless it can be demonstrated that there are significant constraints associated with a site that prevent development at the specified levels or where development at the density required would have an adverse impact on the character or appearance of the locality or result in the loss of an important site feature'*.

In this instance the context of the site is relevant in considering the acceptability of the density on site. The application site would be accessed off Glan Gwrelych, a fairly narrow road located off Merthyr Road. As noted within the applicant's Planning Statement, the immediate locality is semi-rural and is characterised by low density, predominantly detached and semi-detached houses situated within fairly large plots. As such while an additional property could possibly be provided on site with the reduction of proposed floor area of the dwellings, the proposed density is not considered to be out of keeping with the character within the locality. Furthermore, as discussed later in the report, Plot 1 would be restricted to minimum parameters to ensure no unacceptable impact upon the neighbouring property and as such the provision of a higher density on site would likely result in an increased impact upon the neighbouring properties.



In addition, the application site has numerous trees protected by Tree Preservation Orders (TPOs) on site predominately located around the boundary of the site. The location of the TPOs provides constraints on the development of the site, limiting the construction area to exclude the protection areas around these trees. The tree protection plan submitted conveys the proposed position of protective fencing which extends around the proposed dwelling locations and access track within the site. The location of the TPOs is considered to constrain the site from additional development as the addition of further dwellings could result in pressure to remove more trees particularly within G7 to the northwest of the site.

The proposed dwellings would be expected to provide 1 parking space per bedroom up to a maximum of 3 spaces for each property and as such this would reduce the

ability to provide further dwellings. It is also noted that the properties would be accessed via a private driveway from Glan Gwrelych and as such additional highway infrastructure may be required which will be assessed later in the report.

In light of the above, while the provision of three dwellings on site would be below the expected 30 dwellings per hectare as set out within policy BE1 of the LDP the constraints on site are considered to impede further development to the specified levels. As such the principle of the proposal is considered to be acceptable.

Impact on Visual Amenity

Policy BE1 of the Local Development Plan embodies the general good design principles of PPW 12 and states that “all development proposals will be expected 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.

The Council’s approved Supplementary Planning Guidance: ‘Design’ also emphasises the need for new development to respect and adhere to the character and traditional patterns of development within an area when developing small infill sites. It is important to consider the pattern of development since the proposed dwellings would be located within an existing street-scene, primarily consisting of two-storey semi-detached dwellings.

This is an outline application with all matters of appearance, landscaping, layout and scale reserved for subsequent approval. As such, there are no specific design details available apart from indicative scale parameters and indicative site layout plan. Irrespective of this, an initial assessment of the potential visual impact of the development can still be made.

The dwellings located off Glan Gwrelych do not have a defined building pattern with the properties vary in scale, form and orientation. The proposed dwellings would be sited off Glan Gwrelych by approximately 25m and would be partially screened by the existing vegetation and existing neighbouring properties.

The submitted topography plan and indicative site layout plan conveys that the proposed dwellings would follow the existing topography of the site, with the proposed finish floor levels gradually declining from 75.50 to 72.50, while the proposed finish floor levels are indicative, they are considered to be in-keeping and acceptable.

The illustrative layout plan together with the identified scale parameters indicated that the scale of the proposed development could be incorporated within the application site and would not be dissimilar to the scale of development within the vicinity, with the provision of parking and amenity space. However, it is noted that plot 1 would be the smallest plot, located in closest proximity to the neighbouring property at no.8 and the trees located close to the boundary. As such, it is considered reasonable that conditions are attached to the Decision Notice to ensure that plot 1 is limited to the minimum parameters and that Permitted Development Rights for extension and outbuildings to property are removed to ensure sufficient

garden space and in the interest of protecting the trees located to the north of the plot.

Should outline planning permission be granted, the details associated with the siting, design, finishes and landscaping will be required at the reserved matters stage. The development would be required to be of a design, siting and finish that would be in-keeping with the locality, with the provision of sufficient parking and amenity space per dwelling.

Subject to the above it is considered that the site is capable of accommodating the proposed development with the associated amenity and parking facilities which would not unacceptably detriment the character and appearance of the surrounding area and is considered to be acceptable, in accordance with Policy BE1.

Impact on Residential Amenity

As noted above, the application is for outline consent and as such there are no specific details in terms of siting, layout or window locations. While the submitted block plan shows the dwellings set back from the road and within the centre of the site and set off the boundaries, the siting of the properties would be determined through the submission of a reserved matters application.

The application site is a parcel of land located within settlement limits with residential properties to the northeast and west of the site. The neighbouring properties in closest proximity to the application site is no7 and no8 Glan Gwrelych, located to the northwest of the site adjoining the northwest boundary of the site.

The proposed dwelling in closest proximity to the neighbouring property at no.8 is plot 1, located approximately 2.2m off the western boundary and 21m from the dwelling.

The Council's Supplementary Planning Guidance (SPG): Design: Householder Guidance stipulates that where properties directly overlook habitable room windows, a distance of 21m should be provided. This distance would ensure that the proposed development would retain adequate separation and not result in an unacceptable overbearing or overlooking impact upon the neighbouring properties. The siting and orientation of any proposed windows would be addressed under a future reserved matters application, in accordance with distances outlined within the Council's Design SPG.

It is noted that concerns have been raised by the neighbouring property regarding overlooking and the increased ground levels at the application site. From the information provided the proposed dwellings appear to follow the topography of the site, however, would be slightly higher than the existing ground levels. Due to the location of plot 1, the design of the dwelling would have to be carefully considered at the detailed design stage, to ensure no unacceptable overlooking towards no.8. Nevertheless, the proposed siting and parameters are not considered to be overbearing in principle, due to the relationship with the neighbour and the irregular shaped plot. The detailed design of the proposed properties, together with their siting and the impact upon the neighbouring properties would be further considered at the reserved matters stage when the detailed design of the property is established.

With regard to the neighbouring property at no.7, the application site is adjoined along the northwestern boundary. From the indicative layout provided the proposed dwellings would be set off the boundary by a minimum of 9.1m, with plot 1 located in closest proximity to no.7. Plot 1 would also be located approximately 27m from the dwelling of no.7 due to the large garden area of the neighbour. These distances are considered to be acceptable to ensure that there would be no overlooking, overshadowing or overbearing to this existing property.

With regard to the neighbouring property at Dan Y Graig, it would be located to the east of the application site, at a distance of approximately 29m from the application site. While views of the proposed dwellings would be visible from Dan Y Graig, due to the separation distance between the neighbour and the application site, the principle of development is not considered to unacceptably impact upon the residential amenity of the Dan Y Graig.

While the siting, form and design of the proposed dwellings is not currently known, the proposed indicative site layout plan demonstrates that, in principle, there is sufficient room on site to ensure that the proposed development could be located within the site and would not result in an overbearing or overshadowing or loss of privacy to the neighbouring properties. The design, form, siting and window locations would be further assessed at the reserved matters stage.

Parking and Access Requirements and Impact on Highway Safety

Policy TR2 (Design and Access of New Development) states that '*Development proposals will only be permitted where all of the following criteria, where relevant, are satisfied:*

- 1. The development does not compromise the safe, effective and efficient use of the highway network and does not have an adverse impact on highway safety or create unacceptable levels of traffic generation;*
- 2. Appropriate levels of parking and cycling facilities are provided and the access arrangements for the site allow for the safe manoeuvring of any service vehicles associated with the planned use;*
- 3. The development is accessible by a range of travel means, including public transport and safe cycle and pedestrian routes;*
- 4. Transport Assessments and Travel Plans are provided for developments that are likely to create significant traffic generation.*

The application form confirms that all matters, including access is reserved, and therefore the specific details of the access arrangements on site would be assessed as part of the reserved matters application. Notwithstanding this, the indicative block plan indicates the point of access to the site, and illustrates the provision of three off-road parking spaces to the front of each of the dwellings. The illustrative plan shows that access would be off Glan Gwrelych which is an unclassified highway.

The Authority's Parking Standards SPG states that for residential properties 1 parking space per bedroom should be provided to a maximum of 3 spaces. The supporting notes within the SPG also identifies that curtilage parking must be

provided where possible. The description of development conveys that 3no dwellings are proposed and therefore it would be expected that a maximum of 3 spaces per dwelling would be provided on site, as shown on the submitted block plan.

The Head of Engineering and Transport has been consulted as part of the application and provided the following comments –

1. The existing access track needs to be widened to a minimum of 4.5m for the full extent. It is unclear on the submitted plan whether this is proposed. The turning facility on the submitted drawing is substandard and needs to be designed in accordance with standard detail within our design guide.
2. The proposed shared drive is overlong. Private shared drives should not exceed 25m in length. As refuse can only be collected along the adopted highway, overlong shared drives exceed the maximum bin carrying distance for residents. A bin storage/collection location will need to be annotated on any further submissions. This should be along the adopted highway.
3. The access track to the development has minimal visibility at the junction with Glan Gwrelych. Whilst this is an existing access, the development will significantly increase vehicular trips at the access, exacerbating the risk of conflict. There is scope to improve the visibility and therefore the applicant should submit a drawing demonstrating the maximum vehicular visibility at the access point on to the main leg of Glan Gwrelych.
4. Our records indicate that there is a 1000mm culvert running under the access track to the development. Full details of any upgrade works to the access road in proximity to this structure would need to be submitted for approval.
5. The proposed driveways are substandard. A single driveway should be a minimum of 3.6m wide. A double width driveway (e.g. two vehicles parking side by side) should have a minimum width of 6.2m. Tandem parking spaces should have a minimum length of 10.8m.

As noted above the application is for outline planning consent with all matters reserved, including access. As such it is considered that point 1 of the highway response can be achieved on site and can be secured by a suitably worded condition.

The proposed dwellings would be sited off the adopted highway and along a private driveway. Due to the length of the illustrated driveway, it would exceed a 25m carry distance for the refuse collection. As such it is considered reasonable for a condition to be attached to the decision notice for details to be submitted to illustrate the provision of a refuse vehicle turning area within the site to adoptable standards. The turning area would reduce the carry distances for the residents to an acceptable level and provide sufficient room for the refuse vehicle to turn on site, so it can enter and leave the site in a forward gear.

The comments received within point 3 of the Highways response refers to visibility exiting the application site. It is considered that the boundary of the site and the adopted highway is within the applicant's ownership and as such a condition will be

attached to the decision notice for a plan to be submitted detailing the maximum visibility that can be achieved.

As noted above, a condition will be attached to the Decision Notice to ensure the access into the site is built up to adoptable standards to provide a turning area. Due to these works a condition will also be attached to the Decision Notice for details of these works to be submitted to ensure no adverse impact on the existing culvert.

A condition will also be attached to the Decision Notice to ensure appropriate driveway widths are provided within the Reserved Matters application.

It is noted that a previous planning application within the wider locality was refused in 2014 due to the visibility at the junction of Glan Gwrelych and Merthyr Road. This has also been raised in a number of neighbour responses as part of this application.

Planning application P2014/0836, sought outline planning permission for the construction of a dwelling on land opposite 1 and 2 Bryn Ivor Lane and between 6 and 7 Ivorites Row was refused for the following reason:

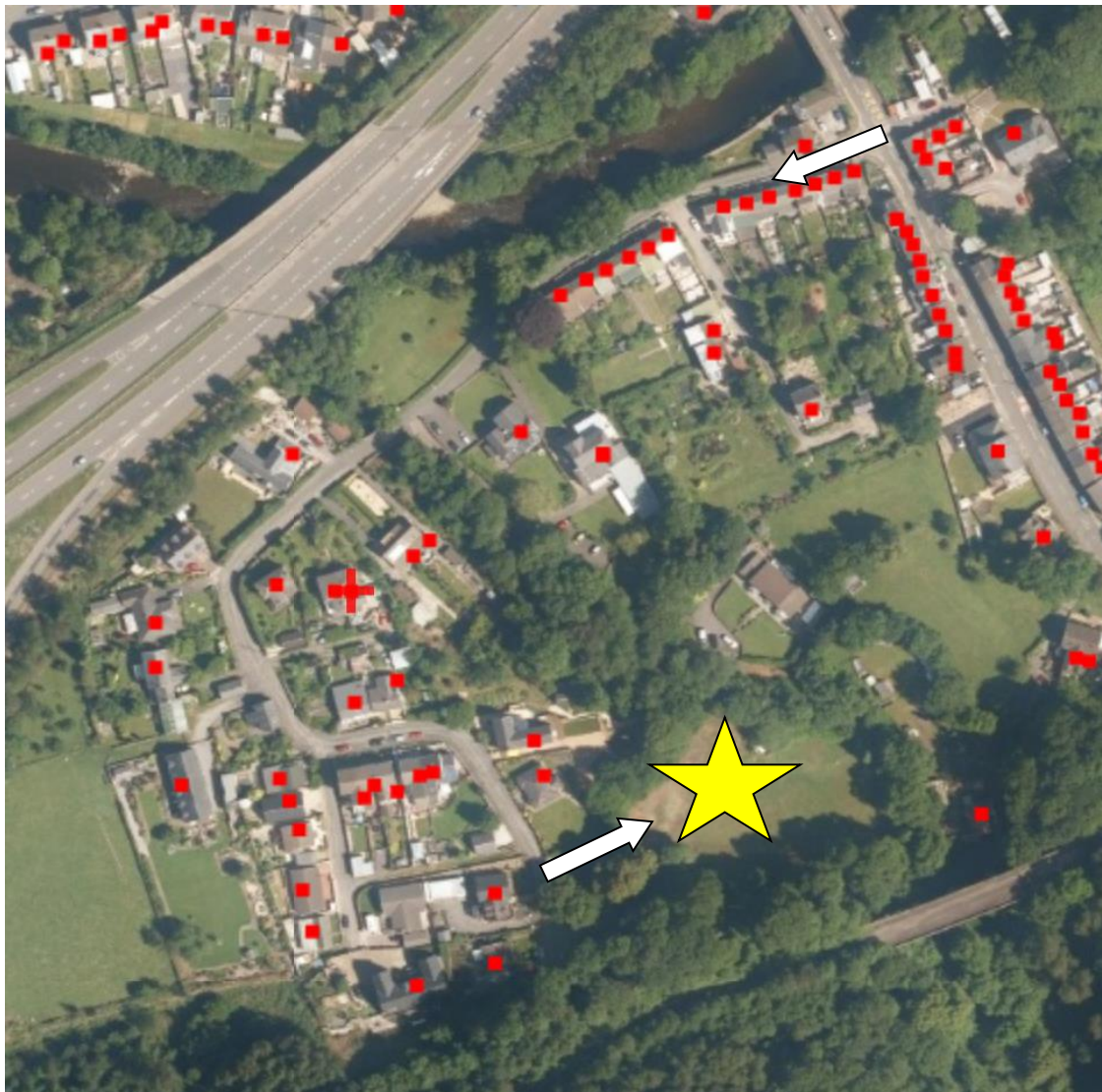
“This Development will have an adverse effect on highway and pedestrian safety as the visibility out on to Merthyr Road from Glan Gwrelych is inadequate and dangerous and the lane itself is narrow and lacking in footways with insufficient room for two vehicles to pass. This is in addition to the unsuitability of the access lane to the plot where the visibility off Bryn Ivor with Glan Gwrelych at Ivorites Row is also inadequate, even when viewed across adjacent forecourts and therefore it is considered that any additional traffic generation at this junction would be to the detriment to the safety and free flow of traffic along Glan Gwrelych. The proposed development does not comply with Policies GC1 and T1 of the Neath Port Talbot Unitary Development Plan”.

Part of the reason for refusal relates to the unsuitability of the access land of Bryn Ivor with Glan Gwrelych. This reason would not be relevant in the current planning application as the application site is not located off Bryn Ivor.

However, the initial reason for refusal which states ‘*This Development will have an adverse effect on highway and pedestrian safety as the visibility out on to Merthyr Road from Glan Gwrelych is inadequate and dangerous and the lane itself is narrow and lacking in footways with insufficient room for two vehicles to pass*’ is of material consideration.

Firstly, the junction between Merthyr Road and Glan Gwrelych is existing and serves approximately 40 dwellings with no ability to be widened. It is also noted that since the determination of the 2014 application the speed limit along Merthyr Road has been reduced from 30mph to 20mph resulting in a reduction in the required visibility splay at the junction reducing down from 43m to a distance of 25m. The Highways Officer has taken measurements at the junction and has confirmed that a visibility distance of 20m can be achieved at the junction of Merthyr Road and Glan Gwrelych. Although it is noted that the distance is slightly below the expected visibility, consideration must be given to the fact that the junction is existing and currently serves approximately 40 dwellings.

The map below identifies the access off Merthyr Road with Glan Gwrelych and the number of properties served off that existing junction and access road, the addition of up to three additional properties is not considered to significantly increase traffic to a degree that would warrant a refusal in this case. Noting that each property will need to provide its own off street parking, served of the development remodelled access.



A review of the data from Crash Maps UK, shows that there have been only two recorded accidents along the Glan Gwrelych and the Merthyr Road junction over a period of 24 years. As such it is not considered that a reason for refusal could be justified and defended on appeal on the substandard condition of the existing junction.

It is noted that concerns have been raised relating to increase in traffic, parking, highways and pedestrian safety, road surface and HGV access along Glan Gwrelych.

The existing condition of the adopted highway is not a material planning consideration as this is a matter for the Highway Authority.

Regarding the concerns of parking and increase in traffic, the proposed development will be expected to achieve 1 parking space per bedroom up to a maximum of 3no spaces as part of the Reserved Matters application. The spaces would be provided within the application site and off Glan Gwrelych.

Concerns relating to congestion have also been raised by neighbouring properties, however the proposed development would result in the addition of 3no dwellings off Glan Gwrelych and as such it is not considered to result in a material increase in the volume of traffic to such a degree that would warrant a reason for refusal on this ground.

Concerns have also been raised by neighbouring properties regarding the increase in HGVs accessing the site however a condition will be attached to the decision notice for the inclusion of a Construction Method Statement. In addition, it is noted that the presence of HVGs in association with the construction works would be of a temporary nature.

Biodiversity / Ecology

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 “planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity”. This policy and subsequent policies in Chapter 6 of PPW 12 respond to the Section 6 Duty of the Environment (Wales) Act 2016.

A Green Infrastructure Statement has been provided as part of the application which conveys how the step-wise approach has been adopted by the proposal. The application proposes lawned areas seeded with EL1 Flowering Lawn Mixtures with a selection of wildflowers. A hibernaculum for reptiles will also be included within the final design together with a sparrow terrace or similar integrated into each of the proposed dwellings and a bat block integrated into the eastern elevations of the properties.

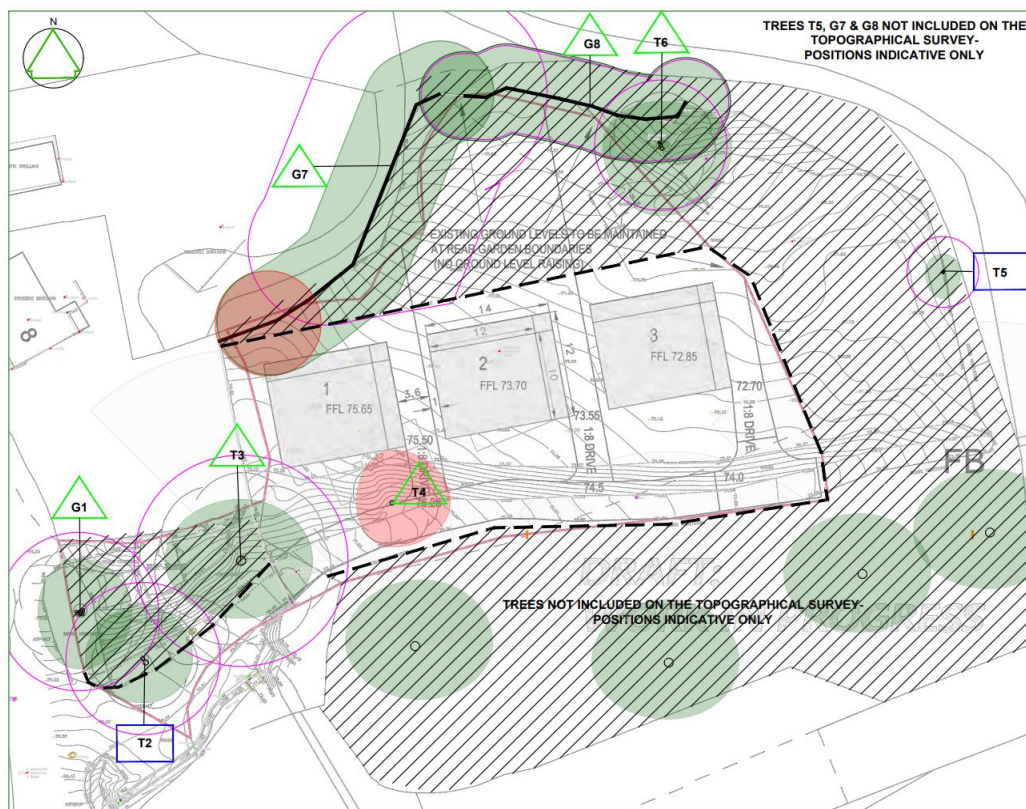
Following a response from the Authority’s Ecologist the proposal is considered to be acceptable and a condition to secure the provision will be attached to the Decision Notice.

Trees

It is noted that the application site is covered with Tree Preservation Orders that extend to the south of the site. A tree survey has been submitted to support the planning application and identifies that 2no. trees would be removed in order to facilitate the development.

The Willow trees to be removed are category B trees located within the centre of the application site. In line with PPW12 the removal of the Willow trees would require the replanting of 6no. trees of a standard size. The Green Infrastructure Statement illustrates that the 6no. replacement trees would be located to the east of the application site, within the applicant's ownership and a condition will be attached to the Decision Notice to ensure replacement tree planting details are provided together with planting methods.

Tree Protection Plan



While it is noted that the Willow trees are part of a large TPO on the site, it is noted that a significant number of trees would remain round the site boundary. The site is also not widely visibility from public vantage and the loss of the tree is not considered to have a significant adverse impact upon the visual amenity of the area.

A response received from the Authority's Tree officer states that the re-coppice of the Ash tree within G7 will increase biodiversity due to the beneficial effects of varying light levels reaching the woodland floor and the range of different ages trees/ regrowth.

Due to the requirements of widening the existing access for the development an updated tree survey will be conditioned for the Reserved Matters application to ensure any additional loss of trees are considered and compensated for.

As such, subject to a condition requiring planting details for the 6no replacement trees the impact upon trees is considered to be acceptable.

Flood risk / Drainage

As noted within point 4 of the Highway response, included above, a culvert is located below the existing access point. A condition will be attached to the decision notice to ensure that details of the culvert are submitted via condition to facilitate the access upgrade works.

The application is located outside of a flood zone due to the off-set of the application boundary from the river. NRW have been consulted on the application and have raised no concerns in regard to flooding.

A response has been received from DCWW which identifies that the application site is crossed by a 500mm watermain. The consultation response confirms that an easement of 15m is required by the development or the watermain could be diverted under Section 185 of the Water Industry Act 1991. The DCWW response has requested conditions relating to the watermain which will be attached to the Decision Notice.

The DCWW response confirms that there is capacity within the public sewerage network for the proposed development. The development would also be subject to SAB consent and an informative will be included within the decision notice.

Contaminated Land

The application site is located outside of a contaminated land area and within a low risk coal area. However, the Coal Authority have been consulted and provided a response which stated no comment. The Authority's Contaminated Land officer was also consulted and raised no objection with request for unexpected contamination.

It is noted that following responses from neighbouring properties during the consultation period, it appears that the site is identified as a Coal Tip. Following the responses from the Contaminated Land officer and Coal Authority the proposal is acceptable in terms of coal and contaminated land risk. Following the responses received, the Authority's Engineering Section have also been consulted and have provided a response which stated that there is a disuse coal tip located to the south of the proposed development site, which is located at a higher ground level. However, there is a disused railway embankment between the application site and the tip and in the unlikely event of a slippage of material from the tip, the embankment would provide adequate containment of the material, ensuring that there is no potential adverse effect on the proposed properties. As such the proposed coal tip is not considered to result in a risk that would warrant a refusal of the application. However, an informative will be attached to the Decision Notice to make the applicant aware of the site location near a Coal Tip.

Section 106 Planning Obligations

Local Development Plan **Policy SP 4** (Infrastructure) states that “Developments will be expected to make efficient use of existing infrastructure and where required make adequate provision for new infrastructure, ensuring that there are no detrimental effects on the area and community. Where necessary, Planning Obligations will be sought to ensure that the effects of no developments are fully addressed in order to make the development acceptable”.

Policy I1 (Infrastructure Requirements) then states that “In addition to infrastructure improvements necessary to make a development acceptable in health, safety and amenity terms, additional works or funding may be required to ensure that, where appropriate, the impact of new development is mitigated. These requirements will include consideration of and appropriate provision for: Affordable housing; Open space and recreation facilities; Welsh language infrastructure (in language Sensitive Areas); Community facilities including community hubs; Biodiversity, environmental and conservation interests; Improving access to facilities and services including the provision of walking and cycling routes; Historic and built environment and public realm improvements; Community and public transport; Education and training.

The Community Infrastructure Levy Regulations 2010 came into force on 6th April 2010 in England and Wales. They introduced limitations on the use of planning obligations (Reg. 122 refers). As of 6th April 2010, a planning obligation may only legally constitute a reason for granting planning permission if it is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In this case, the proposal relates to a planning application for the development of 3no dwellings.

In view of the type and form of development proposed in this location, having regard to local circumstances and needs arising from the development, the following planning obligations are considered necessary to make the development acceptable in planning terms and to meet the policy and legislative tests for planning obligations.

Public Open Space / Children’s Play Facilities

Policy OS1 states where there is a quantitative deficiency in outdoor sport, children’s play, informal space or allotments, provision will be sought, including the requirement for maintenance in conjunction with all new residential developments of 3 or more dwellings, based on the following standards:

Open Space	Standard
Outdoor Sport	1.6 hectares per 1.000 population
Children’s Play	0.25 hectares per 1,000 population

Informal Space	0.55 hectares per 1,000 population
Allotments	0.19 hectares per 1,000 population

Having regard to the 'Open Space Assessment 2013, produced in support of the adopted Local Development Plan, it is noted that there are existing ward shortfalls. Accordingly, the existing deficiencies would be exacerbated by the increase in population arising from the proposed development, and there is a need for the development to contribute towards addressing such deficiency.

The development would trigger an Open Space contribution, due to the shortfalls located within the Glynneath ward. The following table conveys the breakdown calculations of the Open Space contribution.

LDP Policy Categorisation	OS1	Total Development Proposal Open Space Requirement	Scheme total cost
Outdoor sport pitch		79	£852
Outside sport non-pitch		31	£3,090
Designated play space		17	£2,565
Informal space		0	£0
Allotments		13	£144
Total			£6,651

As conveyed within the table an Open Space contribution of £6,651 would be sought from the development for all Open Space categories. The applicant has agreed to the Open Space contribution which will be secured by a Section 106 agreement.

Other Matters

As identified earlier in this report, a number of objections were received in response following the publicity exercise. In response to the main issues raised which have not been addressed elsewhere in this report, the following comments are made:

- *FCA has been prepared however the area in front of the gates floods in bad weather as per land registry map – there is a culvert located near the access of the site and as such some surface water is expected.*
- *Several documents within the planning application that are incorrect which is misleading and untrue, such as within the planning statement – the Planning*

Statement has been provided by the applicant in support of the application, however a separate assessment of the impacts associated with the proposed development has been carried out by the case officer and is detailed above.

- *Planning Statement doesn't include TPO history* – A Tree Survey was carried out and submitted in support of the application which has been reviewed by the Council's Tree Officer and an assessment of the developments impacts upon the existing trees and wider biodiversity has been set out above.
- *Photos submitted are misleading* – the photographs have been provided by the applicant and don't appear to be misleading, however the case officer and Highway Officer carried out their own site visits.
- *Access onto the land is not owned by the applicant* – this has been identified within the application and notice has been published in the press by the applicant and the required certificate has been submitted as part of the application.
- *Site is not greenfield or brownfield it is a registered coal tip (category C/D). Don't believe coal tip safety is being addressed in this application* – as noted above the Coal Authority, as well as the Council's Contaminated Land officer and Engineering Sections have been consulted on the application and their responses detailed within the above appraisal.
- *DCWW correspondence ratifies that DCWW does not support this application as a lack of suitability to any possible water main in its current format* – response from DCWW discussed above and conditions will be attached.
- *Land has not been accessed regularly by vehicles, an 8 ton lorry was parked in the field gateway blocking access* – point acknowledged but access is existing.
- *Right of access formalised with Land Registry but no such agreement on Land Registry* – not a material planning matter.
- *Add published in Western Mail however newspaper add went out after document was written so no way they can know if any responses have been received as implied in this application* – applicant has carried out the required land ownership exercise with a notice also been published for previously withdrawn application.
- *Junction currently used to turn* – this is an informal arrangement, the junction is not a formal turning area.
- *Planning statement states prescriptive easement to the applicant however this is false and only recently applied for* – not material planning matter.
- *Overlooking and loss of privacy and land raised above property* – addressed in report above.
- *Flooding and the culvert from the mountain* – site will be subject to a SAB application to deal with surface water, and the proposed development is not

located within the identified flood zone and the existing culvert has been acknowledged.

- *Contaminated Land due to dumped waste* – The Authority's Contaminated Land officer has been consulted and responses noted above.
- *New entrance may uproot tree* – two trees will be removed by development and updated survey to be conditioned.
- *No utilities/ services on site so could be overuse of present drainage system* – DCWW have confirmed capacity within sewer network and condition will be attached to provide gigabit broadband trunking .
- *No notice put up for residents* – two site notices have been displayed as part of the application.
- *House building needed for first time homes, the three proposed are not in short supply* – while the number of bedrooms has not yet been established due to the outline nature of the application, it is acknowledged that the dwellings proposed are fairly large in scale. However, the Authority's Housing Need is for all types of housing not just 1 and 2 bed properties.
- *Building in the field would be difficult and expensive and take quite some time to be suitable to build on* – construction cost is not a planning matter.
- *HGVs increase and accessing the site* – HGVs accessing the site would be largely during the construction of the development, which will be temporary.
- *Site visit is essential* – a site visit has been undertaken.
- *Difficult to see how developer/ builder could mitigate against the protests put forward as no alternative access to site* – concerns have been acknowledged however the highway is existing.
- *Owner of Dan Y Graig has right of access across the field* – Private Rights of Access over land is a private civil matter.
- *P2014/0836 application previously refused on highway grounds. No change in access since 2014 application and increased number of cars has only increased pressure and hazard hasn't changed* – 2014 application reason for refusal addressed within highway section of the report.

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, in principle, that would have no unacceptable impact on visual amenity, neighbouring

amenity, highway and pedestrian safety, biodiversity, trees and contaminated land. Accordingly, the proposed development is in accordance with Policies SP3, SC1, OS1, EN6, EN7, TR2 and BE1 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 and upon the signing of a Section 106 Agreement with the following Heads of Terms:

The payment of £6,651 towards the provision of off-site open space facilities within the ward of Glyneath Central and East.

It is further recommended that if within 3 months of the date of this resolution the S106 Agreement is not signed the application shall be refused for the following reason:

'Through the failure to sign the required S106 agreement to secure the required for offsite compensation for open space provision, the application fails to accord with Policies SP10 and OS1 of the Adopted Neath Port Talbot Local Development Plan.'

Conditions:

Time Limit Conditions

- 1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason:

The application was made for outline planning permission.

- 2 Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 3 The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

List of Approved Plans

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

Utility Survey Plan ALS/5690
Tree Protection Plan PC22-23
Topographical Survey ALS/4217
2229-007 Rev H Proposed site section and layout
Access Statement AMC/24
Design Statement March 2024
Flood Consequence Assessment May 2022
Planning Statement HRT 2024
Preliminary Ecology Assessment July 2023
Tree Report April 2022
Green Infrastructure Statement 21.3.23
Ownership Plan J076/01

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 5 As part of the first reserved matters application, a scheme demonstrating the measures for the protection of the structural condition of the 500mm water main located adjacent to the southern side boundary, including distance and relationship with the development, shall be submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall be implemented in full before any other development hereby permitted has been commenced, and shall be retained as such at all times thereafter.

Reason:

To ensure that the proposed development does not affect the integrity of the public water supply system in the interests of public health and safety.

- 6 As part of the first reserved matters application, full details of the site access and refuse vehicle turning area within the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate the widening of the access and the refuse vehicle turning area can be built to adoptable standards, with pavement, to ensure that the maximum of 30m from the furthest property to the adopted highway, together with details of a bin store collection points adjacent to the turning area. An updated tree survey shall also be submitted in support of the submitted details and shall include a compensation planting scheme at a ratio of 3:1 for any additional trees lost by the construction of the access and turning area. The development shall be completed in accordance with the approved details prior to the first beneficial occupation of any dwelling, and the access shall remain available for the designated use in perpetuity. The replacement tree planting for the access works shall be carried out in the first planting season following the occupation of the first buildings, and any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interest of highway safety and to ensure the development complies with Policy SP15, BE1 and TR2 of the Neath Port Talbot Local Development Plan.

- 7 As part of the first reserved matters application, full details, including section plans, of the upgrade works to the access road in proximity to the 1000mm culvert that runs under the existing access, shall be submitted to and approved in writing by the Local Planning Authority. The road and access shall then be completed in accordance with the approved details prior to the first beneficial use of the dwellings hereby approved, and retained as such thereafter.

Reason:

To ensure to protection of the existing culvert and to ensure that the development complies with Policy BE1 of the Local Development Plan.

- 8 As part of the first reserved matters application, a scheme detailing the maximum visibility that can be achieved from the existing access point along the main leg of Glan Gwrelych shall be submitted to and approved in writing by the Local Planning Authority. Development shall be completed in accordance with the approved details prior to the first beneficial occupation of any part of the development, and shall thereafter be maintained free of any obstruction exceeding 0.6m in height for as long as the development exists.

Reason:

In the interest of highway and pedestrian safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.

- 9 Notwithstanding the submitted details, as part of the first reserved matters application details of the existing and proposed site ground levels, retaining works and sections, proposed street-scene and property finished floor levels shall be submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason:

In the interest of visual amenity and to ensure compliance with Policy BE1 of the Neath Port Talbot Local Development Plan

- 10 As part of the first reserved matters application, a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings/buildings hereby permitted has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales

- 11 As part of the first reserved matters application details of the proposed siting, design and finish of all proposed means of enclosure to all property boundaries shall be submitted to and approved in writing with the Local Planning Authority. The means of enclosure shall be erected in accordance with the approved details prior to the occupation of the proposed development and retained as such thereafter.

Reason:

In the interest of visual amenity and to ensure compliance with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 12 As part of the first reserved matters application, samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be 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 and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan

- 13 As part of the first reserved matters application, a scheme of landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed 6no replacement trees to the front gardens and the biodiversity enhancement measures proposed within the Green Infrastructure Statement. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 14 Notwithstanding the submitted details, the first reserved matters application shall include provision for one off-street parking space per bedroom (up to a maximum of three) for each proposed dwelling which shall have a maximum gradient of 1 in 9 , the driveway shall be set back from the private drive by 6m, with each parking space measuring a minimum of 3.6m wide and 4.8m in depth.

The parking spaces shall be provided prior to first use of the dwelling hereby approved, and shall be surfaced in porous material (or a provision must be made to direct run-off water from the hard surface to a permeable or porous area within the curtilage of the dwelling) and shall be retained open and free for parking use, and permanently maintained so that they continue to comply with the above requirements.

Reason:

In the interest of highway and pedestrian safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan

- 15 No development shall commence until details of a method statement and risk assessment for the protection of the structural condition of the strategic sewer adjacent to the development site has been submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall be implemented in full before any other development hereby permitted has commenced, and shall be retained at all times for the duration of the approved operations including the restoration works.

Reason:

To ensure that the proposed development does not affect the integrity of the public sewerage system in the interests of public health and safety

- 16 Prior to the commencement of work on site, including site clearance, all the trees shown on the tree protection plan (PC22-23) and/or any trees whose canopies overhang the site shall be protected by strong fencing, in accordance with BS5837:2012 and as detailed within the Tree Report section 4.2 submitted. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

Reason:

To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 17 Prior to the commencement of development on site, a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:

-Construction methods: details of materials, how waste generated will be managed;

-General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.

-Highway Management: details of the parking of vehicles of site operatives and visitors, loading and unloading of plant and materials, storage of plant and materials used in constructing the development, the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate, wheel washing facilities, measures to control the emission of dust and dirt during demolition and construction; and a scheme for recycling/disposing of waste resulting from construction works.

-Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.

-Soil Management: details of topsoil strip, storage and amelioration for reuse.

-CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.

-Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use

-Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan. o Details of the persons and bodies responsible for activities associated with the CEMP and

emergency contact details of Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason:

To ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction, in accordance with Policies BE1, TR2, EN6, EN7 and EN8 of the Local Development Plan.

Action Conditions

- 18 Notwithstanding the requirements of condition 6, prior to the first occupation of any dwelling hereby approved, a tree replacement planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the 6no. proposed heavy standard trees to be planted, together with the planting location, species and planting methods. All planting, comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interests of biodiversity, and to ensure the development complies with PPW12 and Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 19 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 20 Prior to the first beneficial occupation of the dwellings hereby approved, the integrated sparrow terrace or similar and integrated bat block shall be provided within each dwelling, in accordance with the Green Infrastructure Statement and retained as such thereafter.

Reason:

In the interest of biodiversity, and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

- 21 No piling activities for the construction of the authorised development shall commence until a piling method statement has been submitted to and approved by the local planning authority. The Piling Method Statement shall detail all available piling options, together with the pro's and con's associated with each, before identifying the proposed method of piling and any necessary mitigation methods required. All piling works on site shall be carried out in accordance with the approved method statement.

Reason:

For the protection of residential amenity during the construction phase, in accordance with policy BE1.

Regulatory Conditions

- 22 Plot 1 to the west of the application site shall be restricted to the minimum parameters hereby approved.

Reason:

To comply with the requirements of Policy BE1 of the Local Development Plan and the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2008, and in the interests of clarity.

- 23 Notwithstanding the requirements of condition 22 in relation to Plot 1, the development hereby approved is restricted to those parameters as set out within the application drawings hereby approved.

Reason:

To comply with the requirements of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2008, and in the interests of clarity.

- 24 Notwithstanding the provisions of Schedule 2, Part 1, Class E 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), no buildings shall be erected other than those expressly authorised by this permission and identified on the approved drawings for plot 1 (the western plot) of the application site.

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 garages or outbuildings having regard to the particular layout and design of the development, residential amenity, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 25 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network including any increase in the roof area of the building /or impermeable surfaces within the curtilage.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution or detriment to the environment, and to ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

- 26 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), there shall be no extensions to Plot 1 (to the west of the application site) hereby permitted 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 development and need to protect the amenity of nearby properties, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 27 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), no doors, windows or dormer windows (other than those expressly authorised by this permission) shall be constructed without the prior grant of planning permission in that behalf, for plot 1 to the west of the application site.

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 such additional windows and doors, having regard to the particular layout and design of the development and need to protect the amenity of nearby properties, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.