

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Refusal

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

Background

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

At the Planning Committee on 7th July 2015, Members resolved that the application be deferred for a site visit, which will take place on 28th July 2015.

The report which follows is the same as that reported to the Planning Committee on 7th July 2015, albeit amended to refer to additional comments from the applicant and objector which were received after the deadline for the original committee report.

Planning History

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

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

Publicity and Responses (if applicable)

Blaenhonddan Community Council – No objection

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

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

South Wales Trunk Road Agency – No response

Welsh Water – No objection, subject to conditions

Biodiversity Section – No objection, subject to conditions

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

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

- The objector has submitted a further letter of objection which gives examples of other similar applications which were refused as they were considered as backland development and had adverse issues on the residential amenity of neighbouring properties as vehicles would need to travel the full extent of the neighbouring property to access their proposal.
- The access does not meet minimum requirements of Part B of Schedule 1 of the Building Regulations 2000 (as amended).
- The objector has stated past decisions and appeals by different councils (some English councils) regarding planning decisions and appeal decisions in relation to backland development.
- The objector wishes to be provided with a copy of the agenda and officer report 5 days prior to the Planning Committee and he wishes to make representations at Committee

Further representations from the objector were received after the deadline for the original planning committee report (but summarised in the amendment sheet to Committee). These are summarised below:

- The objector's consultant states that the officer report does not respond to comments made in the Independent Planning and Urban Design Assessment completed by the objector's consultant.
- Concerns regarding backland development and that the proposal is a cramped form of development have been reiterated.
- The officers report fails to consider the fundamental change in the nature and intensity of the use of the site and the way in which that it would unacceptably adversely impact on the amenity of all the neighbouring properties.
- The planning officer has not viewed the application site from the objectors garden.
- An additional reason for refusal has been suggested in the consultant's report.

Further representations from the applicant were received after the deadline for the original planning committee report, and after the deadline for the receipt of late representations. These are summarised below:

- While PPW states that tandem development consisting of one house immediately behind another and sharing the same access should be avoided, this statement does not relate to this proposed dwelling as the access is not shared. It is accepted that other vehicles gaining access through a resident's front garden would impinge on their amenity, however this is not the case and therefore PPW does not seek to resist this proposal.
- The applicant states that there are at least 8 properties on Ffynnon Dawel where the main estate road runs along the length of their rear gardens and at least one where an access road to another property does the same. This is typical of most residential estates. There is no evidence that vehicles travelling along the proposed access drive would create an echo when their speed would be very low. In addition to this the applicant has offered to construct walls of permanent materials along the drive which would reduce noise.
- The applicant states that the restrictive condition on the original 2010 consent was on highway safety grounds and not on amenity grounds. This has now been re-evaluated by the highway officer who now considers that it is acceptable.
- The applicant requests that the application be considered on the grounds that the application site is an existing farm yard with animals and machinery which would have a more harmful effect on neighbouring properties than this proposal, hence only one objection from residents of neighbouring properties.

Description of Site and its Surroundings

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

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

The site is currently accessed off Main Road, with access available to the site bypassing adjacent to the existing dwellings 'Fairview' (the applicant's house) or 'Sunnybank' (with both dwelling's in the applicant's ownership). While an

access lane exists between the modern detached properties to the north, 30A and 32A Ffynnon Dawel – which at its widest measures 3.3 metres and at its narrowest 3.2 metres (3.1 metres between the downpipes) - the use of this lane is restricted to pedestrian access only by condition 10 planning permission ref. P2008/0429 (The permission for 30a & 32a)

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

Brief Description of Proposal

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

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

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

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

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

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

The plans show that the boundary treatments will be 1.82 metre high close boarded fence along the frontage of the property and along the parking spaces and boundary between the dwelling and the donor property. The boundary with 32A Ffynnon Dawel will remain as a close boarded fence.

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

EIA Screening/Scoping Opinion & Habitat Regulations

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

Material Considerations

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

Policy Context

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

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

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

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

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

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

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

Visual Amenity

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

The proposed dwelling will be located in a cluster of dwellings of varying scales, appearance and design with no definable character and located behind the dwellings on Ffynnon Dawel. There will be limited sight of the proposal

from the public realm. The proposed dwelling would be visible from a public footpath to the north of the site but views would be limited in duration and partially screened by an existing 2 metre high fence. It is therefore considered that this modest dwelling can be suitably accommodated on the site without have a significant impact upon the visual amenity, or character of the area.

The originally submitted plans showed a dwelling with the proportions of a two storey house with a high eaves and ridge level commensurate to a two storey property. A contrived half hip design to the over dominant roof structure attempted to give the appearance of a dormer bungalow, and to lessen the potential impacts upon the adjoining properties. The scale and massing did not reflect this style of dormer property, and appeared contrived to provide a larger and in the Authorities view an overdevelopment of this restricted plot, to the detriment of visual amenity.

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

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

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

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

Residential Amenity

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

Whilst it is accepted that there will be an impact from a new dwelling at the rear of the existing gardens (of all nearby properties), taking into account the existing use of the land and the nature of the proposed development, it is considered that these impacts are not sufficiently detrimental to justify a reason for refusal.

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

The condition states that:

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

Reason: In the interest of highway safety.

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

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

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

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

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

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

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

In addition, it is notable that the site is already accessed via Main Road via the existing dwelling(s) which were historically related to the use of the site as a farm, and this access would remain for use by this site, and the existing

properties if this development were to be approved. It is clear therefore that there are alternative means of access to this development site, that could overcome the impacts upon amenity, however, the Applicant wishes the Authority to consider this proposal in its present form.

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

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

Highway Safety (Access, Parking and Traffic flows)

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

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

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

Ecology (including trees & Protected Species)

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

Others (including objections)

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

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

safety grounds. Objections have been raised, however, to the use of this access to serve the new dwelling on amenity grounds.

- **Access to the development would result in unacceptable noise and disturbance and cause as vehicles would travel along the full length of the objectors dwelling to access the proposal** – This has been accepted within the forgoing report.
- **No provision for a vehicle turning area, therefore vehicles will need to reverse the full length of the entrance drive between two residential dwellings** – The Council's Highway Section offer no objection to the proposal, it is considered that there is appropriate room for vehicles to enter and leave the site in a forward gear.
- **Proposal is contrary to ENV5 (nature conservation) of the Neath Port Talbot Unitary Development Plan as bat and owl surveys have not been submitted for the proposal** – a bat survey has been submitted following a request by the Council's Biodiversity Section and they offer no objection to the proposal. No other surveys have been requested. However, there is legislation outside of planning relating to protected species.
- **The objector has submitted a further letter of objection which gives examples of other similar applications which were refused as they were considered as backland development and had adverse issues on the residential amenity of neighbouring properties as vehicles would need to travel the full extent of the neighbouring property to access their proposal** – Each application should be considered on its merits, and the impacts of this development and use of the access have been addressed within the report.
- **The access does not meet minimum requirements of Part B of Schedule 1 of the Building Regulations 2000 (as amended)** – This is not a planning consideration. If the proposal does not comply with building regulations the applicant would need to address this matter under those regulations.
- **The objector has stated past decisions and appeals by different councils (some English councils) regarding planning decisions and appeal decisions in relation to backland development** – This matter has previously been addressed, although it I noted that each application should be considered on its own merits.

- **The objector wishes to be provided with a copy of the agenda and officer report 5 days prior to the Planning Committee and he wishes to make representations at Committee** – The Local Ward Member has been informed and has called the application to planning committee. The agenda will be a public document on line a few days before the committee and can address the committee in accordance with the public speaking procedure.

Further representations from the objector have been received after the deadline for the original planning committee report. These are summarised below:

- **The objector's consultant states that the officer report does not respond to comments made in the Independent Planning and Urban Design Assessment completed by the objector's consultant** - In response to the comments, the lack of comments regarding the Independent Planning and Urban Design Assessment, the contents of the report have been addressed under the separate matters. As stated the planning report states, there are no unacceptable issues with regard to visual amenity and residential amenity apart from the issue of the unacceptable access to the proposal. The concern over obscuring a window of a ground floor side facing bedroom is not considered to be necessary as suitable boundary screening will be provided. The highway section has no objection to the proposal and have visited the site following the consultants report to re-check the measurements and confirm that they have no objection to the proposal. The fact that there is little garden area for the proposed dwelling has been noted, however there is a small amount of amenity space around the dwelling and this would be a matter of choice for a prospective resident.
- **Concerns regarding backland development and that the proposal is a cramped form of development have been reiterated** – These comments have already been addressed in the report.
- **The officers report fails to consider the fundamental change in the nature and intensity of the use of the site and the way in which that it would unacceptably adversely impact on the amenity of all the neighbouring properties** - The comments regarding the upgrading of the side boundary along the access way and the need for ownership details and the relevant certificates on the application were deemed not necessary as this work could be permitted development, therefore no re-consultation was undertaken.

- **The planning officer has not viewed the application site from the objectors garden** - The planning officer, together with a senior planning officer visited the site and did not feel that the application site needed to be viewed from the objectors property as all matters could be considered from within the application site.

- **An additional reason for refusal has been suggested in the consultants report** - The contents of the additional reason for refusal have been noted, however, it is considered that the existing reason for refusal stands due to the fact that it is considered that the proposal does not pose an unacceptable cramped and over intensive form of development in comparison to the existing agricultural nature of the site which could be intensified by the applicant.

The applicant has also corresponded with the planning section since the closure of the original planning report the contents of which are detailed below:

Further representations from the applicant have been received after the deadline for the original planning committee report. These are summarised below:

The applicant comments on the fact that the planning section consider that the application dwelling would constitute backland or tandem development and is generally acceptable in respect of the design, scale and location and that the planning concerns relate to the effect on the amenity to users of the rear gardens of the two properties that are either side of the access drive. Planning Policy Wales paragraph 9.2.13 states that tandem development consisting of one house immediately behind another and sharing the same access should be avoided. This statement does not relate to this proposed dwelling as the access is not shared. It is accepted that other vehicles gaining access through a resident's front garden would impinge on their amenity, however this is not the case and therefore Planning Policy Wales does not seek to resist this proposal. The applicant states that there are at least 8 properties on Ffynnon Dawel where the main estate road runs along the length of their rear gardens and at least one where an access road to another property does the same. This is typical of most residential estates. There is no evidence that vehicles travelling along the proposed access drive would create an echo when their speed would be very low. In addition to this the applicant has offered to construct walls of permanent materials along the drive which would reduce noise. The applicant states that the restrictive condition on the original 2010 consent was on highway safety grounds and not on amenity grounds. This has now been re-evaluated by the highway officer who now considers that it is acceptable.

The applicant requests that the application be considered on the grounds that the application site is an existing farm yard with animals and machinery which would have a more harmful effect on neighbouring properties than this proposal, hence only one objection from residents of neighbouring properties.

These comments are noted and have been commented upon earlier in the report.

Conclusion

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

RECOMMENDATION: Refusal

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