

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2014/1122	<u>DATE:</u> 18/02/2015
PROPOSAL:	Outline residential development consisting of 41 dwellings including details of access and demolition of the existing buildings
LOCATION:	Land Off Samuels Road, Cwmllynfell,
APPLICANT:	All Sites Development Co. Ltd.
TYPE:	Outline
WARD:	Cwmllynfell

Background information

The application has been called to Committee by Councillor Kristine Lloyd (Cwmllynfell), who considers there are many reasons for bringing the application to committee, noting that she has received many objections from local residents. Problems that would be made worse by this development relate to the number of dwellings, sewerage, unsuitability of Samuels road for amount of traffic predicted etc. However the main concern is in relation to the local primary school, its playground yards and the adjoining car park. She states that facilities there are inadequate for any influx of new pupils, classroom numbers and numbers of classrooms being of particular concern.

Councillor Arwyn Woolcock (Lower Brynamman), has reiterated the concerns of the community council, and also requested the application is brought to Committee due to local concerns over the impact on the character of the village, on sewerage and traffic generation, and given that the site is not allocated for development in the development Plan,

Planning History:

The site has the following relevant planning history:

- **P2006/0448** Residential development of 40 dwellings (including demolition of 8 and 9 Ochr y Waun Road and deletion of plots 27 and 16(Outline).
'Disposed' 26/03/14

At the Planning and Development Control Committee on 13th March 2007 (and following a Members' site visit), a resolution was made that planning permission should be granted subject to conditions, upon the signing of a Section 106 legal agreement which would include the following heads of terms:

- A commuted sum of £17,000 for the maintenance, improvement, upgrading or development works at the nearby children's play area.
- The construction and occupation of 8 dwellings, as affordable housing provision and agreement on their occupation and future re-sale and re-occupation.

The application, however, was never formally determined given that the required legal agreement was never signed by the applicant, with the application subsequently 'disposed of' in March 2014.

Publicity and Responses if applicable:

The application was publicised through display of site notice and local press advertisement, with 23 neighbouring properties also consulted.

In response, to date 17 letters of objection have been received which are summarised below:

Ground and Drainage

- a) Sewerage system will not take any further capacity and welsh water have been out several times as it keeps blocking, which then needs to be pumped out.
- b) The applicant has marked No on the application form where it asks if they are proposing to dispose foul sewerage.
- c) Concerns have been raised with surface water and drainage of the land, there are springs that emerge at the surface at various points, water continually flows from the land via culvert and pipes, any changes or blockages may cause flooding. Furthermore more hard surfaces will result in more run off.
- d) There is a pipe linked to a drainage ditch that runs alongside and underneath the outbuildings at 3 Harris Road and runs the length of the properties off Harris Road. The entry point of this system must be recognised and included in any development plans as neglecting maintenance will result in flooding on the properties on Harris Road.
- e) The site is a boggy marsh and unsuitable to build on. Properties would need a raft foundation.

Highways and Safety

- f) The road and access are not adequate to accommodate a development of this size and raises health and pedestrian safety issues and an accident waiting to happen.
- g) It is possible the applicant would seek a supplementary access point off Harris Road which in part is a single track lane with no pedestrian provision. Harris Road as an access via ochrywaun is unacceptable and is already traversed by HGV's that have collapsed drains and damaged walls in the past.
- h) The width of Samuels Road is too narrow for the building traffic as some houses have no garages and park on the road.
- i) The junction from Samuels Road onto Gwilym Road the main road 4068 is poor as it is. An additional 41 dwellings all with probably 2 cars per house would result in additional cars travelling up and down Samuels Road. This would cause a hazard on the junction as people do not adhere to the 30mph speed limit.
- j) The applicant states the development would generate additional traffic along Samuels road and the A4068 Gwilym road, but would have little impact on the existing road network due to the small increase in traffic which the objector disagrees with.
- k) The junction has been reviewed by the developer for possible improvements however with existing houses adjacent to the junction there would appear little opportunity to improve it.
- l) A similar application was proposed in 2006 (P2006/0484) the conclusion then relating to Samuels Road was that only 5 dwellings were allowed access owing to the problem and non-suitability of the junction on Samuels Road to the A4068 Gwilym Road.
- m) Noise generated from the increase of traffic would be unacceptable.
- n) There has been a long term weight restriction on Gwilym Road before Neath and Port Talbot came into existence because there are two bridges in its short length.
- o) In relation to LDP Highways Transportation Development (HTD) Part 3, design guidance relating to new residential site Section DG2 road layout. It expresses the point, that a visibility splay should be carried out, because there is a junction, bend and vertical crest involved with Samuels road. It seems that none of this has been carried out.
- p) It also states in HTD part 3 it is advisable to run a computerised tracking assessment of appropriate vehicles such as refuse lorries, fire engines, ambulances etc. with regard to parking problems, width of road and bend radii. If this was carried out the objector is sure you would not achieve a satisfactory result.

Trees

- q) Within the proposed development there are a number of protected and no protected trees and their felling would have an unacceptable detrimental impact upon the wildlife and the character and appearance of the area and existing residents should they be removed. And could also have a detrimental impact upon house prices.

Biodiversity and Ecology

- r) Concerns have been raised about the wildlife which consists of a diverse variety of species. They are already impacted upon by the open cast working to the West of the site which pushes wildlife further East. This development would further disturb and destroy them.

Density of Development

- s) The proposed development lies within an area of low density housing, the proposed development would be high density housing and therefore would not be in keeping with the character of the area contrary to NPT policies. There is little scope for landscaping and constitutes overdevelopment.

Impact upon local Facilities

- t) The Doctors surgery can't take any additional patients. At present patients on average wait between 3 to 5 weeks for an appointment.
- u) The Local Primary school is full and cannot accommodate any more children.
- v) The Dentists within the area are full and cannot take any new patients.

Overlooking and Privacy

- w) Concerns have been raised in relation to overlooking and loss of privacy from the development.

Other General comments

- x) Not all neighbours on Samuels Road received letters relating to the proposed development.
- y) The construction phase of the development would cause a mess, odours, vibration and noise which would have an unacceptable impact on existing residents. Furthermore they have already been subject to years of disturbance from the open cast within the area.
- z) 41 new dwellings in an existing community would increase the crime rate in an area where drug use is prolific and the police already stretched.

- aa) An objector has advised that they were advised that they could only build a bungalow, and how can a large firm build houses next to a bungalow (17 Samuels Road)
- bb) A similar application was proposed in 2006 (P2006/0484) raised the above points and was part of its refusal amongst other points raised.
- cc) The villages of Rhiwfawr and Cwmllynfell and deemed a high risk fire area by the fire and rescue service because an appliance is not guaranteed to arrive at the scene of a fire in the minimum time set by the Welsh Government of 12mins.
- dd) In relation to NPTCBC LDP Vol 4 alternative sites, the present site does not fall in the LDP's strategy. The majority of large housing sites are in the coastal corridor strategy area, along with Pontardawe and the upper Neath valley as growth points. In the valleys it also states that these two valley growth areas are supported and supplemented by other settlements identified as "settlement hierarchy". Within the settlement hierarchy Cwmllynfell has been classified as a small local centre and therefore can only provide limited potential to accommodate new development.

A letter has also been received from **Gwenda Thomas AM** for Neath. The letter reiterates the concerns of one of her constituents.

Cilybebyll Community Council: Object in relation to the scale of development, sewerage and other services, traffic and the site not being allocated. These points have been raised by residents in the above section which have been addressed thorough the report.

Head of Engineering and Transport (Highways): No objection subject to conditions

Head of Engineering and Transport (Drainage): No objection subject to condition

Welsh Water: No objection subject to condition

Arboricultural Officer: No objection

Natural Resources Wales: No objection subject to conditions

Biodiversity Unit: No objection subject to mitigation

Coal Authority: No objection subject to condition

Play: Advises that the development could have a significant impact upon play facilities and requests the developer contribute to provide for play opportunities

Housing: Housing originally requested 20% contribution towards affordable housing, however the LDP has now been adopted and this is a valley strategy area and no contribution is required.

Crime Prevention Design Advisor: Raises matters of security and general crime awareness and prevention measures that should be considered in the detailed design of the development (reserved matters stage). The reserved matters application will also be inspected by the crime prevention design advisor.

Description of Site and its Surroundings:

The application site comprises an existing farm located between Harris Road and Samuels Road, Cwmllynfell, which occupies an area of approximately 1.43 Hectares.

The site is currently occupied by a farm house known as 6/7 Harris Road, a number of farm buildings and agricultural land. The site has a frontage of 56 metres onto Harris Road and an existing vehicular access off Samuels Road. The land slopes steadily from Samuels Road up to Ochr y Waun. The site is surrounded by residential properties.

Brief description of proposal:

This is an application for outline planning permission, but including details of access (with all other matters reserved) for the development of up to 41 No. residential units. The application also seeks outline permission to demolish the existing farm house.

Given that this is an outline application, it seeks to establish the principle of the proposed development on the site and as such sets out the parameters to be followed in further detailed applications (reserved matters). Therefore, the applicant, as required on all outline planning applications, has submitted scale parameters of development which include maximum and minimum length, width and heights, together with the uses and amount of development within each part of the site. These indicate that in terms of scale, the housing is largely proposed to be 2 storeys in height which is broadly in line with the local context. A mix of detached, semi-detached, and terraced dwellings

In terms of scale parameters, the dimensions of the houses will correspond to the following:

House Type	Maximum Parameters (width x length x ridge height)	Minimum Parameters (width x length x ridge height)	House Nos.
A	7.5 x 8.5 x 8.5	7.0 x 8.0 x 7.5	8, 11, 12, 15, 16, 17, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 40, 41
B	5.5 x 8.5 x 8.5	5.0 x 8.0 x 7.5	1, 7, 32, 33, 37, 38, 39
C	4.5 x 8.5 x 8.5	4.0 x 8.0 x 7.5	2, 3, 4, 5, 6, 34, 35, 36
D	8.5 x 8.5 x 8.5	8.0 x 8.0 x 7.5	9, 10, 13, 14, 18, 20

Access to the site will be off Samuels Road. The development will incorporate a loop system and a narrowing of the road at the entrance to proposed development to act as a traffic calming measure.

As this is an outline application, there are no details of external finishes or appearance and layout provided only gives an indicative indication of the larger parameters, in order for the Planning Authority to consider the potential acceptability of the proposals and the potential impacts of the scale of development having regard to the potential worst case scenarios.

EIA Screening/Scoping Opinion & Habitat Regulations:

With regards to Environmental Impact Assessment the proposal is of a type that requires a decision as to whether an Environmental Impact Assessment needs to accompany the application. This is called a 'Screening Opinion'. A screening opinion has been undertaken and it was concluded that the development was not likely to have significant effects on the environment by virtue of factors such as nature, size or location. As such, these matters can be fully assessed and considered as part of the usual application process, with the relevant supporting documentation and therefore the development was not considered to be EIA development.

Material Considerations:

The main issues in the consideration of the application are the principle of the proposed development having regard to development plan policy, along with the impact upon the character and appearance of the surrounding area, residential amenity, highway safety, drainage and ecology.

Policy Context:

National Policy - Planning Policy Wales (Edition 8 2016)

The main thrust of Planning Policy Wales is to promote sustainable development by ensuring the planning system can provide for an adequate and continuous supply of land, available and suitable for development to meet the needs of society that is consistent with the overall sustainability principles.

In particular it seeks to promote resource efficient settlement patterns that minimise land take and urban sprawl, locate developments so as to minimise the demand for travel, ensure that all communities have good quality housing for their needs, promote access to shopping, education, employment, health, community, leisure and sports facilities and open space.

Paragraph 9.3.1 states *“New housing developments should be well integrated with and connected to the existing patterns of settlements.”*

Local Planning Authorities should ensure that the proposed developments should not have an unacceptable impact upon the character and amenity of an area. Sites with higher densities can help to conserve land resources, and adverse effects can be overcome by sensitive design and good landscaping.

Further advice contained in paragraphs 9.3.3 and 9.3.4 warn that insensitive, infilling or the cumulative effects of development should not be allowed to damage an area's character and amenity. In determining applications local planning authorities should ensure that the proposed development does not damage an area's character and amenity.

National Guidance

The following Technical Advice notes are also of relevance

- Technical Advice Note 5: Nature Conservation and Planning
- Technical Advice Note 12: Design
- Technical Advice Note 18: Transport

Local Policy

The Development Plan comprises the Neath Port Talbot County Borough Council Local Development Plan (2011 – 2026) (LDP) 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 SP8	Affordable Housing
Policy SP10	Open Space
Policy SP15	Biodiversity and Geodiversity
Policy SP16	Environmental Protection
Policy SP20	Transport Network
Policy SP21	Built Environment and Historic Heritage
Policy SP22	Welsh language

Topic based Policies

Policy SC1	Settlement limits
Policy I1	Infrastructure
Policy H1	Housing
Policy AH1	Affordable Housing
Policy OS1	Open Space provision
Policy EN6	Important Biodiversity and Geodiversity Sites
Policy EN7	Important Natural Features
Policy EN8	Pollution and Land Stability
Policy TR2	Design and Access of New development
Policy BE1	Design
Policy WL1	Development in Language sensitive areas

Principle of Development

Strategic Policy SP 3 Sustainable Communities states *“The delivery of Sustainable healthy and cohesive communities and the conservation of the countryside will be promoted”*, with Policy SC1 - Settlement Limits – stating 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 considered to be 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.

The identification of a Settlement Hierarchy has been used to provide a balanced approach to managing growth, directing development to areas reflecting the attributes contained within that community and their ability to accommodate growth. As well as assessing the role and function of settlements, the Council assessed the capacity of land within settlements to accommodate development and also considered the potential opportunities for settlement expansion. The settlement limits identified in the Deposit Plan provide clarity of where development may be directed.

The settlement of Cwmllynfell is identified as a small local centre, as the settlement offers a good range of services and facilities including a Primary School, GP surgery and shops. As a result of the range of facilities, it has been designated to allow some new development, albeit more limited development than other areas.

The proposed development at Samuels Road, is located within the residential settlement for Cwmllynfell as defined by the LDP and it is considered that it is of an appropriate scale to meet the settlement hierarchy. It therefore comprises an infill site where the general principle of a residential development within settlements on this site is generally acceptable subject to an assessment of the acceptability in terms of other policies within the LDP.

Having regard to the above, it is also noted that a resolution has previously been made at Committee in March 2007 that the principle of residential development is acceptable such resolution subject to

conditions and the signing of a Section 106 legal agreement (albeit such consent was never issued due to the legal agreement never being signed).

Finally, to meet the economic-led growth strategy of 7,800 new dwellings over the period 2011-2026 the LDP makes provision for 8,760 new homes (Policy SP7). Whilst the site is not identified as a housing allocation in Policy H1, it is anticipated that 825 of the 8,760 dwellings will be built on windfall sites, which are sites that may unexpectedly become available over the plan period. The site is therefore considered to be a windfall site that will help to meet the plan's housing requirement.

Affordable Housing Provision:

With regards to affordable housing the application site lies within Cwmllynfell which is located within the valley areas, wherein Affordable Housing **Policy AH1** includes no requirement for affordable housing. This is based on the Viability study undertaken by the Council in 2012, which found that the valley areas did not support the provision of affordable housing. As such no contribution is required for this development.

Visual Amenity:

Strategic Policy SP21 seeks to conserve and enhance the built environment and historic heritage, with Policy BE 1 - Design – expecting all development proposals to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. The Policy then provides the following criteria which need to be met where relevant: -

- 1. It complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment;*
- 2. It respects the context of the site and its place within the local landscape, including its impact on the important arterial gateways into the County Borough, its effects on townscape and the local historic and cultural heritage and it takes account of the site topography and prominent skylines or ridges;*
- 3. It utilises materials appropriate to its surroundings and incorporates hard and soft landscaping and screening where appropriate;*

4. *It would not have a significant adverse impact on highway safety, the amenity of occupiers of adjacent land or the community;*
5. *Important local features (including buildings, amenity areas, green spaces and green infrastructure, biodiversity and ecological connectivity) are retained and enhanced as far as possible;*
6. *It achieves and creates attractive, safe places and public spaces, taking account of 'Secured by Design' principles (including where appropriate natural surveillance, visibility, well lit environments and areas of public movement);*
7. *It plays a full role in achieving and enhancing an integrated transport and communications network promoting the interests of pedestrians, cyclists and public transport and ensures linkages with the existing surrounding community;*
8. *It uses resources, including land and energy, as efficiently as possible through:*
 - (a) *Making the best and most efficient use of the land available through being of appropriate density taking into account the character and appearance of the area, normally a minimum of 35 dwellings per hectare in the Coastal Corridor Strategy Area or a minimum of 30 dwellings per hectare in the Valleys Strategy Area;*
 - (b) *The layout and form of the development does not preclude the reasonable use of other adjacent land;*
 - (c) *Developing brownfield land in preference to greenfield land where possible;*
 - (d) *Minimising building exposure while maximising solar gain.*
9. *Its drainage systems are designed to limit surface water run-of and flood risk and prevent pollution;*
10. *The layout and design of the development achieves inclusive design by ensuring barrier free environments, allowing access by all and making full provision for people with disabilities.*

As this is an outline application, detailed plans have not been submitted in support of this application. Should outline planning permission be granted, the details associated with the design, finishes and landscaping will be submitted at reserved matters stage. Nevertheless the illustrative site plan together with the parameters indicate that the site is capable of accommodating a development which will satisfactorily safeguard the character and appearance of the surrounding area.

In relation to density, Criterion 8(a) above states that “normally a minimum of 30 dwellings per hectare in the Valleys Strategy Area” will be required. The site has an area of 1.43 hectares which equates to approximately 32.8 dwellings per hectare (gross dph) which accords with that element of the Policy. While it has been argued by objector(s) that the site lies in an area of low density housing, and that the

development would not be in keeping with the character of the area, it is considered that the development would be making best use of available land in line with Policy BE1, with the indicative layout showing plot sizes and open space which would not be out of keeping with the character and appearance of the existing surrounding area.

Residential Amenity:

The development parameters set out the scope of the proposal, and limit any future reserved matters to these limitations. The illustrative plan indicates that distances between the proposed dwellings and the side elevations 14 Samuels Road and Brindley House would be approximately 9m, between 11m and 7m to the side of 17 Samuels road, 6m to the side of 64 Heol Y Coedcae, 11m to the side of 5 Harris Road and 15m to the side of 9 Gynol Road. All of the other proposed dwellings are in excess of 20m away from any existing dwelling. In addition to this the parameters show the maximum height of any dwelling to be 8.5m.

Although plot layout and design of dwellings, including the location of any windows, would be considered in detail under any subsequent reserved matters application, it is considered that the illustrative layout indicates that the site can be developed for 41 houses without any unacceptable detrimental impact upon amenity of existing occupiers, nor would it impact upon the amenities of future residents.

Highway Safety (e.g. Parking and Access):

As detailed above, the proposal is in outline and proposes the erection of 41 units, which consist of a mix of detached, semi-detached and terraced, dwellings. The proposal will be accessed off Samuels Road, which is accessed off the A4068, and the applicant has submitted a Transport Statement to assess the proposed development.

The indicative layout illustrates 41 dwellings based upon a looped road system and two cul-de-sacs. The entrance to the new development will be built out to act as a traffic calming measure.

Indicative gradients of the site show how the dwellings and road would be graded sloping from the North to South with a slope 1 on 14 (on average). The road will be 6.0m wide with a 1.8m wide footway on both sides designed to Local Highway Authority Standards. The road layout has been designed to enable refuse vehicles and emergency services

to enter and leave the site in a forward gear. The build out detail shows the road narrowing to 3.7m with a 1.7m wide footway. Bollards are also proposed either side of the reduction.

The Head of Engineering and Transport (Highways Section) has considered the impact of the development on the existing highway network and traffic generation together with the acceptability of the proposed layout of the development and offers no objection to the proposal, subject to the imposition of conditions.

In addition, it is noted that the Highways officer has considered the local highway objections, and advises as follows: -:

- It is agreed that Harris Road would be unsuitable based upon its varied width for vehicles and pedestrians. However this is not being considered at this stage, with the access to this site off Samuels road. (Point G)
- There are no objections to the width of Samuels Road to serve the development. There are 22 existing dwellings currently within Samuels Road, 21 dwellings have driveways and 12 of which have both garages and drives, therefore indicating that there is more than enough provision of off street car parking if the residents choose to park their car safely off the highway. (Point H)
- An assessment and speed survey was undertaken on the junction. Average speed (85th percentile) recorded was 28.6 mph which under manual for streets requires a visibility splay of 2.4 metres by 46 metres in both directions. A survey was undertaken on site and found that these visibility splays can be achieved. (Points I and O)
- the development has been assessed with a TRICS package which is design to assess the saturation levels of any junction. This process was undertaken for this project and included the proposed 41 dwellings and the existing 22 properties, the results for am and pm peak times traffic trips on an average day for both is as follows: AM arrivals 21, departures 54 (total 75 trip in the morning), and PM arrivals 43, departures 25 (total 68 trips in the evening at peak times). Whilst we agree there will be an increase in traffic trips the Transport Statement proves there will be no significant impact and is below saturation levels. (Point J)

- No additional works are required to the junction. (Point K),
- The 2006 application was for outline only and therefore no significant junction analysis together with a speed survey was undertaken, but having now fully assessed the junction it was found that the additional works are not required. (Point I)
- While noise is not a highways safety issue, the noise generated by traffic would not be considered to be unacceptable. The site is located within settlement limits where people would expect a certain amount of noise generated from traffic. (Point M)
- The highways Officer has advised that this is correct however would not be applicable to this application. (Point N)
- The existing highway (Samuels Road) varies in width from 5.5 metres to 6.1metres. The minimum width of a carriageway should be 5.5 metres to allow two vehicles such as refuse, emergency vehicles to pass without conflict. A survey was also undertaken where the highways authority measured the width of carriageway intermittently and again the highway was found to have sufficient width that a swept path analysis (or Auto Track Analysis) was not required. (Point P)

Taking into consideration all of the above it is considered that the proposed development would be acceptable in terms of highway and pedestrian safety.

Drainage:

The Local Authority's Drainage Officer, Welsh Water and NRW have all been consulted as part of this application and have no objection to the proposal subject to conditions as detailed in the following sections:

Foul Water

The Head of engineering and Transport (Drainage) has no objection to the proposal in terms of foul water drainage, they have made several standard recommendations which have been incorporated into suitably worded conditions

Natural Resources Wales (NRW) offers no objection to the proposal, they do however acknowledge that this is an outline application and no

details of foul drainage have been provided. They have advised that the site is within the catchment of Ystragynlais public sewer. They have advised that in accordance with circular 10/99 the development should connect to the public foul sewer. NRW have advised they would not support any proposal to utilise a private sewer in this location. As this application is outline NRW have recommended a scheme to dispose foul water is submitted. This can be imposed via a suitably worded condition to be submitted as part of the first reserved matters application.

NRW have also advised that Welsh water should be contacted to ensure there is sufficient hydraulic and biological capacity available in the system to accommodate additional flows.

Welsh Water have been consulted as part of this application and have advised that they have no objection to the proposal and have advised that they envisage no problems with the Waste Water Treatment Works for the treatment of domestic discharges from this site. They have requested standard conditions relating to drainage both foul and surface water which can be imposed via suitably worded conditions. They have also advised that a sewer runs through the site. The applicant will be made aware of this via an informative as this would affect 2 plots (30 and 41) and the applicant would need to make the necessary agreements with Welsh Water.

Surface Water

NRW have advised that to fulfil the requirements of Section 8.5 of the Welsh Government's Technical Advice Note 15 (TAN 15), the applicant should ensure surface water run-off is dealt with by way of a Sustainable Drainage System (SUDS), to attenuate flows and prevent an increased risk of flooding within the catchment. NRW have provided the applicant with details on where to get more advice on SUDS. This can be imposed via an informative

If good reason can be given why SUDS cannot be implemented within a development site, any conventional drainage system installed should provide attenuation to reduce peak rates of run-off and also demonstrate an improvement on the status quo prior to discharge to a watercourse.

They have also noted that any surface water management system implemented should be designed to ensure there is no increase in

surface water run-off from the site in all events up to and including the 1% (1:100 year) storm with an appropriate allowance for climate change. As this application is Outline no details of drainage have been submitted, as such the Local Authority's Drainage Officer, Welsh Water and NRW have recommended a condition requiring a comprehensive drainage scheme to show how surface water can be dealt with.

Although there have been a number of objections raised relating to drainage (points a – e above), having regard to the responses above, and the fact that this is an outline application, it is concluded that there are no reasons to object to the development on drainage grounds, and that the comprehensive drainage scheme would illustrate how foul and surface water will be dealt with, which will also ensure that any adjoining land is not adversely affected.

The application is therefore considered to be acceptable in terms of drainage.

Ground Conditions (including land contamination and mining)

The application is within a high risk coal area, and accordingly the applicant submitted a coal mining report followed by a coal mining risk assessment desk study report.

The Coal Authority was consulted and concurs with the recommendations of the Desk Based Study Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority has therefore recommended that a Planning Condition is imposed should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.

They have also advised that in the event that the site investigations confirm the need for remedial works to treat the areas of shallow mine workings to ensure the safety and stability of the proposed development, this should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior

to commencement of the development. Both these recommendations have been incorporated into suitably worded conditions

NRW have also recommended that a condition in relation to a pollution prevention management plan detailing all necessary pollution prevention measures for the construction phase of the development is submitted. This can be imposed via a condition as part of the first reserved matters application. They have also advised if any unaccepted contaminants are found then work should stop. This again is imposed via a condition.

The application is therefore considered acceptable in terms of any possible ground conditions.

Waste

Policy W3 - Waste Management in New Development – requires proposals for new built development to demonstrate that provision is made for the design, layout, storage and management of the waste generated by the development both during the construction phase and occupation. This development, however, does not exceed the threshold for residential development (50 dwellings) where a Site Waste Management Plan is required to be produced.

Natural Resources Wales has provided general advice in respect of the waste hierarchy; controlled waste and the Duty of Care Regulations for any off-site movements of wastes; contaminated material; Environmental Permitting Regulations and Japanese Knotweed.

Ecology:

Policy EN 6 - Important Biodiversity and Geodiversity Sites – states that development proposals that would affect Regionally Important Geodiversity Sites (RIGS), Local Nature Reserves (LNRs), Sites of Interest for Nature Conservation (SINCs), sites meeting SINC criteria or sites supporting Local Biodiversity Action Plan (LBAP) or S42 habitats or species will only be permitted where:

1. They conserve and where possible enhance the natural heritage importance of the site; or
2. The development could not reasonably be located elsewhere, and the benefits of the development outweigh the natural heritage importance of the site.

Mitigation and/or compensation measures will need to be agreed where adverse effects are unavoidable.

As part of the application the applicant has provided an Ecological Survey and assessment, a bat and Owl survey and a mitigation statement with reptile clearance method statement and tree report. This has been assessed within each section of the following chapter

Species

Natural Resources Wales have advised that if protected species are encountered on site, development shall cease until NRW are contacted on how to proceed, this can be imposed via a suitably worded condition.

The local Authority's Biodiversity Officer has advised that the reptiles on site will be cleared in accordance with the Reptiles accordance with the Mitigation set out within the Reptile Clearance Method Statement submitted August 2015. This can be imposed via a suitably worded condition.

They have also advised that proposals will remove potential bird nesting/foraging habitats which must be mitigated for under the Habitat Regulations (amended 2012) and have recommended that all new buildings should include artificial nesting sites for birds. A condition can be imposed to ensure this is implemented

Habitat

The proposals would result in the loss of around 1 hectare of Purple Moor-grass and Rush Pasture which is a Section 42 habitat.

Having regard to the conclusions above in respect to the principle of development, it is considered that the development could not reasonably be located elsewhere, and the benefits of the development outweigh such impacts provided mitigation and compensation measures are agreed. Accordingly, agreement has been reached for the applicant to pay NPTCBC to manage land (a degraded bog habitat) within its ownership to the south east of the proposed site for 15 years. This will involve the following costs:

- Fencing supply and erect £3500 (500m length of fence)
- Gate supply and fitted £500 (2 gates)

- Annual maintenance costs of £200 pa, £3000 for whole 15 years
- 2 days of officer time per year £640 pa, £9600 for whole 15 years.

This will increase the biodiversity resource in the area. The site will be grazed by 2 Section A types (e.g. Shetland) for 2 weeks-1month in dry conditions. This is the appropriate stocking density for the bog habitat found on site. The 2 days of officer time per year will involve finding and negotiating with grazers and monitoring the site. The proposed turning area to the south east of the site will be extended by the applicant to become an access point into the NPTCBC land.

It is considered that providing the above mitigation is put in place that the application would be acceptable in principle. As such this mitigation is required as part of a s106 agreement

The biodiversity Officer has also advised that no site/vegetation clearance/demolition should take place between 1st March to 31st July inclusive to minimise the potential for nesting birds to be disturbed as they are protected by law. This can be imposed via an informative.

Trees

Policy EN 7 - Important Natural Features – states that development proposals that would adversely affect ecologically or visually important natural features such as trees, woodlands, hedgerows / field boundaries, watercourses or ponds will only be permitted where:

1. Full account has been taken of the relevant features in the design of the development, with measures put in place to ensure that they are retained and protected wherever possible; or
2. The biodiversity value and role of the relevant feature has been taken into account and where removal is unavoidable, mitigation measures are agreed.

The applicant submitted a tree survey as part of the application, which identified a number of trees on site worthy of protection. A Tree Preservation Order (2015 No. 1) has since been made on the better quality trees.

Whilst it is inevitable some trees will be lost as part of the development, the majority and better specimens will therefore be retained, while a landscaping scheme will also be imposed via a condition which will

detail new tree planting. The Local Authority's Arboriculturist has no objection to the proposal subject to the protection of these trees.

It is therefore considered that the proposed development would not have any unacceptable impact in relation to Ecology and Biodiversity

Section 106 Planning Obligations:

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.

LDP Policy SP4 - Infrastructure - requires developments 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 developments are fully addressed in order to make the development acceptable.

Policy I1 - Infrastructure Requirements - 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.”

To support the above Policies, the Council has recently gone out to public consultation on a draft ‘Planning Obligations’ SPG, which sets out the approach and procedures the Council will apply where developers are expected to pay for, or contribute to, improvements to infrastructure that would be necessary as a result of development. At this stage, however, while the SPG informs the assessment below, the weight that may be attributed to it is limited.

Assessment:

As detailed above, the proposal relates to an outline planning application for the development of the site development of up to 41 no. residential units.

Having considered the nature and scale of the development, the local circumstances and needs arising from the development, and what it is reasonable to expect the developer to provide in light of the relevant national and local planning policies, the planning obligations referred to below are considered necessary.

The required contributions include:-

Public Open Space (POS)

In respect of the provision of open space to serve this development **Policy OS1** indicates that where there is a quantitative deficiency in outdoor sport, children’s play, informal space or allotment provision, provision will be sought, including the requirement for maintenance, in conjunction with all new residential developments of 3 or more dwellings.

Evidence from the Open Space Assessment undertaken by the Local Planning Authority shows that there is an existing shortfall in pitch sport, non-pitch sport, children’s play and allotments. The increase in population arising from the proposed development would add to the

identified shortfall within the ward, and accordingly there is a need for the development to contribute towards addressing such deficiency.

The Public Open Space requirement that the site will generate is as follows:

- Pitch sport 1080 sq.m.
- Non pitch sport 423 sq.m.
- Children’s play 235 sq.m.
- Allotments 179 sq.m.
- Informal open space 516 sq.m. *

* There is an existing overprovision in the ward, and this would remain after development, as a result there is no policy requirement for informal open space, however there will be some on site informal provision.

This breaks down to the following financial contributions:

- Pitch sport £11,671.94
 - Non pitch sport £42,250.50
 - Children’s play £35,208.75
 - Allotments £1,942.48
 - Informal open space £0.00
- Total **£91,073.67**

The applicant has been made aware of this requirement, and agreed to such financial contribution as part of the Section 106 Agreement. Open space provision is intended to be provided for on Heol y Coed Cae, with allotment provision to be determined within the wider Swansea Valley Spatial area.

Subject to the Section 106 agreement, the development would accord with Policy OS1 of the adopted LDP.

Welsh Language Impact

In respect of the impact on the Welsh language, **Policy SP22** states that the Welsh language will be safeguarded and promoted. In this regard, **Policy WL1** requires development in Language Sensitive Areas to provide a Welsh Language Action Plan (WLAP), setting out the measures to be taken to protect, promote and enhance the Welsh language.

There is therefore a need to mitigate any negative effects from new development through:

- Supporting the use of the language in the local community; and
- Helping residents of new housing and people who work in new retail, commercial and industrial developments to learn and use the language to offer a Welsh medium service to the public and to create opportunities in work to use the language.

The submitted WLAP has been reviewed by the Local Authority's Policy Section, and it is noted that as part of the measures proposed the applicant is prepared to offer a financial contribution to promote these services – be it through 'Menter Iaith CNPT' or through the activities arranged by the Welsh language organisation, 'Yr Urdd'.

In this respect, a Financial Contribution has been agreed with the Developers of £20,500 (£500 per unit to cover 3 years) towards the mitigating against the impact on the Welsh language. This would need to be agreed and would be likely to cover such things as bilingual site signage, welcome packs (placing the language in its context and setting out the local Welsh language provision) and use on Strategic projects to help increase Welsh usage in the community and protect, promote and enhance the Language.

Education

New housing can place added strain upon existing educational infrastructure and it is therefore appropriate that proposals for residential development are assessed in this context.

Planning obligations are only sought where it is expected that a proposed housing development will generate additional demand for school places and/or place added strain on existing school facilities. In this context planning obligations may be sought where it can be demonstrated that the existing infrastructure would require additional investment to upgrade a facility or facilities to adequately cater for the educational needs of additional pupils even though spare capacity may exist.

Accordingly discussion has taken place between planning and education departments to determine the existing level of educational

provision, both English and Welsh language medium education, and the potential need arising from the development proposal.

The advice received is that the local primary school, YGG Cwmllynfell (YGGC), is a Welsh-medium school serving the villages of Cwmllynfell and Rhiwfawr. YGGC is full and has no surplus accommodation; as such, a developer contribution is sought should it be necessary to provide for additional pupils. Tairgwaith Primary is an English-medium school which has been designated the catchment area school for those parents who do not wish their child to be educated through the medium of Welsh. Tairgwaith is some 5 miles away, and because of this the Council is required to provide home to school transport for pupils to attend there. Both YGGC and Tairgwaith Primary are NPT schools.

In this particular case it has been determined that the size of the development would result in a shortfall of 9 (8.61) spaces, with a financial contribution of £69,741.00 agreed, which in discussion with education would be spent on local primary school provision. The applicant has been made aware of this requirement, which will be secured as part of the S106 Agreement.

In relation to secondary education, both the 3-18 WM school (north campus at Ystalyfera) and Cwmtawe Comp would be able to accommodate the additional pupils, such that there is no requirement for a financial contribution.

Other (including objections):

While the majority of matters raised in local objections have been addressed in the above assessment, the following additional comments are made in relation to the remainder of the objectors responses:

- The doctors surgery and dentist capacity and waiting times to get a doctor's appointment is not a material planning consideration. Points (t) and (v).
- The publicity for the application was undertaken in accordance with the Local Authority's adopted procedures. In this case all adjoining neighbours were written to, site notices were erected on site and the application was advertised in the local press. Point (x)
- Any new development would have a level of noise and disturbance, however these works would only be temporary and

not have any long term unacceptable impacts in relation to residential amenity and highway safety. Whilst residents express their concerns with the disturbance they currently experience for the open cast within the area, this is not a reason to refuse a planning application. Point (y)

- The Crime Prevention Design Advisor from South Wales Police has advised that they are happy with the overall layout and have made recommendations the developer can use at the reserved matters stage which will help design out crime. In relation to the police already being stretched, this is not a material planning consideration. Point (z).
- The Local planning Authority are unable to confirm what was said at the objectors application in terms of the design of the dwelling. It should be noted that each application is determined on its own individual merits. As this application is outline the design and style of each dwelling is not being considered. However it is considered that an appropriate styled and designed dwellings could be achieved, which would be fully assessed during the reserved matters application. Point (aa)
- The time the emergency services take to arrive at a site is not a material planning consideration. point (cc)
- The site at Samuels Road was not contained within Volume 4 consultation report (Alternative Sites), as those report contained sites that were subject to objection during the Deposit Plan Consultation. No objections were received for the inclusion of the site within settlement limits. Point (dd),

Conclusion:

The proposed development is located within the residential settlement for Cwmllynfell as defined by the LDP, is of an appropriate scale to meet the LDP settlement hierarchy, and comprises an infill site where the general principle of a residential development is generally acceptable. The access to the site is considered to have no adverse impact on highway safety and, subject to detailed design at reserved matters stage, it is concluded that there would be no detrimental impact upon the character and appearance of the surrounding area, the residential amenity of the neighbouring dwellings. Accordingly, subject to the imposition of suitable conditions and a Section 106 legal

agreement covering the required contributions in respect of open space, education, welsh language impact and biodiversity mitigation, the proposed development is in accordance with Policies SP3, SP4, SP7, SP8, SP10, SP15 SP16, SP20, SP21, SP22, SC1, H1, AH1, OS1, EN6, EN7, EN8, TR2, BE1 WL1 and I1 of the Neath Port Talbot Local Development Plan.

RECOMMENDATION:

Approval subject to conditions and to the signing of a Section 106 legal agreement to seek financial contributions related to the following Heads of Terms:-

- £69,741.00 towards education provision
- £20,500 to protect, promote and enhance the Welsh language.
- £91,073.67 towards public open space provision
- £16,600 in respect of biodiversity mitigation

CONDITIONS

Time Limit Conditions

(1) Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

The application was made for outline planning permission.

(2) Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the layout, scale and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

The application was made for outline planning permission.

(3) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of 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.

(4) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of the 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.

Approved Plans

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

CS/70327/FD/100 Location Plan.

CG/5867/03/103 Rev A Proposed site Layout.

CG/5367/03/102 Rev B Proposed road narrowing build out.

077 A-00-102 Indicative site Sections.

Email dated 1st October from Rhian Lees DPP detailing parameters of development.

Design and Access Statement by DPP dated Nov 2014.

Ecological Survey & Assessment by Barry Stewart & Associates Dated Nov 2014.

Mitigation with reptile clearance method statement by Barry Stewart dated Aug 2015.

Bat and Owl Survey by Rob Colley Dated Jul/Aug 2014.

Welsh Language Action Plan by DPP dated April 2016.

Tree Report by Cedarwood Tree Care dated Nov 2014.

Coal Authority non residential mining report dated Dec 2014.

Coal mining risk assessment desk study report by Terrafirma Dated April 2015.

Transport Assessment by Capita dated October 2014.

Reason

In the interest of clarity

Pre-Commencement Conditions

(6) As part of the first reserved matters application a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be informed by an assessment which shall be carried out of the site potential for disposing of surface water by means of a sustainable drainage system, with the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a period for its implementation; and
- iii) provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme as agreed shall be fully implemented prior to the first beneficial use of the development.

Reason:

To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

(7) As part of the first reserved matters a scheme for the temporary traffic management at the site entrance fronting No's 13 – 17 Samuels Road to prevent vehicular obstruction shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented prior to commencement of development on site, and retained in operation during the construction phase of the development until such time as the build out as approved on the 'Proposed Road Narrowing / Build out' Drawing No CG/5367/03/102 Rev B. has been completed.

Reason

In the interest of highway and pedestrian safety and to ensure the free flow of traffic during and post construction.

(8) No dwelling shall be occupied until such time as the build out detailed on Drawing No CG/5367/03/102 Rev B 'Proposed Road Narrowing / Build out' has been completed, and the build out shall thereafter be retained in accordance with the approved plans.

Reason

In the interest of highway and pedestrian safety

(9) No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

The statement shall provide for:

- a. the parking of vehicles of site operatives and visitors
- b. loading and unloading of plant and materials, and the routing of construction and delivery vehicles
- c. storage of plant and materials used in constructing the development
- d. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- e. wheel washing facilities
- f. measures to control the emission of dust and dirt during construction
- g. a scheme for recycling/disposing of waste resulting from demolition and construction works
- h. scheme for the erection of temporary/semi temporary signage warning drivers of the presence of children and speed restrictions.
- i. a demolition method statement including mitigation measures to minimise the impacts of the demolition upon noise and nuisance to adjoining properties.

The approved statement, schemes and mitigation shall be adhered to throughout the demolition and construction period of the development.

Reason

In the interest of highway and pedestrian safety

(10) As part of the first reserved matters application a scheme shall be submitted to and approved in writing to the local authority detailing the following ;

a) The submission of a scheme of intrusive site investigations to assess the potential risks from formal coal mining activity relevant to the risks associated with the proposed end use of the site.

b) The scheme of investigation, as approved by (a) shall be carried out , and the report of the findings, with full details of any remedial works to be undertaken, together with the timescales for these works, shall be submitted to the Local Planning Authority prior to the commencement of any development on the site.

c) If remedial works are identified in (b) these shall be fully carried out and completed in accordance with the timescales identified and approved.

Reason

To fully identify and implement the potential remedial works necessary from former mine workings or activity.

(11) As part of the first reserved matters application a scheme to address the impacts upon the Welsh Language shall be submitted to and approved in writing by the Local Planning Authority. The details shall be based upon the recommendations set out within Welsh language action plan submitted by DPP Planning dated April 2016. The scheme as approved shall be fully implemented prior to the first beneficial use of any dwelling, or any other timeframe as approved as part of the scheme.

Reason

To ensure Welsh language is safeguarded and promoted

(12) Prior to the commencement of development, including site clearance, the reptile mitigation shall be implemented in accordance with the methodology and timescales set out within the "Mitigation with Reptile clearance method statement by Barry Stewart and Associates dated August 2015"

Reason

In the interest of protected species, and biodiversity.

(13) As part of the first reserved matters application a scheme for landscaping, which shall contain a majority of native and/or wildlife friendly species, including indications of all existing trees and hedgerows on the land, and details of any to be retained, taking into account potential growth, together with measures for their protection in the course of development shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(14) As part of the first reserved matters application a pollution prevention management plan detailing all necessary pollution prevention measures for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The details of the plan shall be implemented as approved and must be efficiently communicated to all contractors and sub-contractors and any deficiencies rectified immediately.

As a minimum the plan shall include the following points:

- Identification of surrounding watercourses and potential pollution pathways from the construction site to those watercourses.
- How each of those watercourses and pathways will be protected from site run off during construction.
- How the water quality of the watercourses will be monitored and recorded.
- How surface water runoff from the site during construction will be managed/discharged. Please note that it is not acceptable for ANY pollution (e.g. sediment/silt/oils/chemicals/cement etc.) to enter the surrounding watercourses.
- storage facilities for all fuels, oils and chemicals
- construction compounds, car parks, offices etc.
- details of the nature, type and quantity of materials to be imported on to the site

- measures for dealing with any contaminated material (demolition waste or excavated waste)
- identification of any buried services, such as foul sewers, so that they are protected
- details of emergency contacts, for example Natural Resources Wales hotline 0800 807 060

Reason

To prevent pollution of controlled waters and the wider environment.

(15) Prior to first beneficial occupation of any dwelling hereby permitted, a stock proof gated access into the SINC habitat which is located to the south of the site shall be provided, in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The gate shall be retained in its approved form and position at all times thereafter.

Reason

In order to provide controlled access to this SINC habitat to ensure it can be grazed in line with the proposed ecology mitigation

(16) Prior to first beneficial occupation of any dwelling hereby permitted, details of a scheme to provide artificial nesting sites for birds within the site/ on the buildings shall be submitted to and approved in writing by the local planning authority (16).

Reason

In the interest of ecological mitigation, since the proposals remove potential bird nesting /foraging habitats, and to comply with Policy EN6 of the Neath Port Talbot Local Development Plan.

Regulatory Conditions

(17) 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.

(18) The means of vehicular access to the development hereby approved shall be from Samuels Road only.

Reason

In the interest of clarity and highway and pedestrian safety

(19) There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site. Any drainage pipe, highway drain or highway run-off entering, crossing or discharging into the development site must be accommodated into the site development works by the developer. No buildings shall be erected over or within the safety zone of any culvert or watercourse

Reason

In the interest of drainage

REASON FOR GRANTING PLANNING PERMISSION

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

The proposed development by reason of the siting, design and size of the proposed dwellings would have no detrimental impact upon the character and appearance of the surrounding area, the residential amenity of the neighbouring dwellings or upon the highways safety of the existing road network. As such, subject to the imposition of suitable conditions the proposed development would be in accordance with policies SP3, SP4, SP7, SP8, SP10, SP15 SP16, SP20, SP21, SP22, SC1, H1, AH1, OS1, EN6, EN7, EN8, TR2, BE1 WL1 and I1 of the Neath Port Talbot Local Development Plan.