

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2016/0593	<u>DATE:</u> 19/07/2016
PROPOSAL:	Change of use from office accommodation (Class B1) to residential use (Class C3) to provide 41 affordable dwellings, alterations to building elevations and roof, cycle, mobility scooter and refuse storage, improvements to public realm and associated works
LOCATION:	Aberafan House, Access To Port Talbot Civic Centre, Port Talbot SA13 1PJ
APPLICANT:	Mr C Davies – Hacer Development
TYPE:	Full Plans
WARD:	Aberavon

Planning History:

None

Publicity and Responses if applicable:

The application was advertised in the press and on site, and five individual properties were notified. To date, no representations have been received.

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

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

Natural Resources Wales: Raises significant concerns with the development.

CADW: advises that the proposal will have no impact on designated historic assets, but it is a matter for the authority to determine the issues in respect of listed buildings.

South Wales Trunk Agency: No reply, therefore no observations to make.

Housing: No reply, therefore no observations to make.

Play Officer: advises that the area is particularly devoid of children's play facilities and recommends that any contribution is pooled together with contributions from other developments within the locality.

Head of Property and Architectural Services (Estates): No reply, therefore no observations to make.

Building Control : No objection

Welsh Water: No objection subject to conditions

Biodiversity Officer: No objection.

Description of Site and its Surroundings:

The application site comprises a four storey rectangular-shaped concrete office building with a mansard roof which represents a landmark building within Port Talbot town centre. The ground floor of the building forms part of the Aberavon Shopping Centre, which also extends to the west, while to the east and north is a public footpath which separates the building from the River Afan beyond which are the Aberavon Bridge and Ebenezer Chapel which are Grade II Listed Buildings, a supermarket and the pedestrianised Station Road which is the town's main shopping street. To the south is the loading bay and servicing area which serves the shopping centre.

The building is currently vacant and was formerly occupied by up to 300 people.

Brief description of proposal:

The application seeks full planning permission to change the use of the building from office accommodation (Class B1) to residential use (Class C3) to provide 41 affordable dwellings, alterations to building elevations and roof, cycle, mobility and refuse store, improvements to the public realm and associated store.

The proposed affordable housing dwellings comprise 33 No 1 bed and 8 No. 2 bedroom units.

In terms of the external alterations to the building these include the remodelling of the existing mansard roof, addition of projecting bays ('pods'), replacement windows and repainting of the concrete wall panels. At ground floor level adjacent to the main entrance it is proposed to enclose the existing undercroft to provide storage for cycle and mobility scooter parking and refuse storage. It is further proposed to provide improvements to the public realm on land which separates the building from the River Afan. The proposed works include enhancements to surfacing around the entrance and riverfront walkway, access ramp and provision of street furniture.

The development forms part of a wider regeneration initiative by the council within Port Talbot and is supported among other things by the Welsh Government's Vibrant and Viable Places Programme.

EIA and AA Screening:

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

The proposed development is not located within a zone of influence for any SAC, CSAC or Ramsar sites and as such it is considered that an Appropriate Assessment as set down within the Conservation of Habitats and Species Regulations 2010 is not required.

Material Considerations:

The main issues for consideration relate to the principle of a residential development at this location having regard to the provisions of the development plan as well as the impact upon the character and appearance of the surrounding area; the residential amenity of the occupiers of the adjacent properties; highway and pedestrian safety; the effect upon biodiversity quality, drainage, flooding together with other issues raised by consultees.

Policy Context:

National Planning Policy:

Planning Policy Wales (Edition 8, January 2016)

Technical Advice Note 5: Nature Conservation and Planning (2009)
Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)
Technical Advice Note 12: Design (2016)
Technical Advice Note 15: Development and Flood Risk (2004)
Technical Advice Note 16: Sport, Recreation and Open Space (2009)
Technical Advice Note 18: Transport (2007)

Local Development Plan

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

Strategic Policies

- Policy SP1 Climate Change
- Policy SP2 Health
- Policy SP3 Sustainable Communities
- Policy SP4 Infrastructure
- Policy SP5 Development in the Coastal Corridor Strategy Area
- Policy SP10 Open Space
- Policy SP11 Employment
- Policy SP12 Retail
- Policy SP15 Biodiversity and Geodiversity
- Policy SP16 Environmental Protection
- Policy SP20 Transport Network
- Policy SP21 Built Environment and Historic Heritage

Detailed Policies

- Policy SC1 Settlement limits
- Policy I1 Infrastructure Requirements
- Policy AH1 Affordable Housing
- Policy OS1 Open Space Provision
- Policy R2 Proposals within Retail Centres
- Policy EN7 Important Natural Features
- Policy EN9 Developments in the Central Port Talbot Area
- Policy TR1 Transport Proposals
- Policy TR2 Design and Access of New Development
- Policy BE1 Design

Principle of Development:

Strategic Policy SP3 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 focused 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 the community and their ability to accommodate growth. As well as assessing the role and the 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 application site is located within Port Talbot Town Centre which is identified in the LDP as a regionally important settlement providing the widest and most diverse range of functions, located on a strategic road network and fully accessible by a variety of transport modes. The site represents the redevelopment of previously developed land, the development of which is favoured over the use of greenfield sites (PPW Para 4.9.2). Housing led regeneration, and in particular, the provision of affordable housing is promoted due to its recognised contribution to community regeneration and social inclusion (PPW Para 9.2.15).

As the proposal does not affect the ground floor frontages to the shopping streets and will enhance the vitality, viability and attractiveness of the town centre it accords with Policy R2 of the LDP.

In respect of the loss of office/ employment use, the applicant has provided information which indicates that the building would be unlettable in its current condition. The report suggests that even if it was

brought to a useable standard, the rental value would be below that of other premises in the local market. Furthermore, due to the scale and layout it would take a number of years to reach full occupation. Consequently, this has an impact on the viability of the building as useable employment space and as such it has been demonstrated that the employment use is no longer viable or appropriate and satisfies the criteria in Policy EC4.

The redevelopment of the site, and the associated external alterations accords with the Authority's Waterfront Strategy (2011) which seeks to develop the town centre through an integrated physical regeneration of the town centre and the attraction of new investment and improve the physical appearance within urban areas, improving quality of life and making the area of Port Talbot an attractive place to live, work and invest.

The commitment to this principle has been demonstrated through the award of Vibrant and Viable Places Grant for this proposal along with other schemes within Port Talbot Town Centre, the aim of which is to increase the number of people living within the Town Centre through the provision of quality housing schemes to enhance and extend the vitality of the town.

Accordingly, there are considered to be no objections to the principle of converting this building for residential purposes, subject to an assessment of the specific impacts of such development.

Affordable Housing:

Policy AH1 states that all new housing developments, including conversions, on sites accommodating 3 or more units will be required to contribute towards affordable housing provision. It continues on to state within Port Talbot area a percentage target of 25% will be sought.

While the applicants are not a social housing provider the development is on behalf of an RSL and is not part of the social housing grant scheme. Therefore, although the residential units are to be provided as affordable housing it is necessary to ensure that should any of the units be sold at some point in the future on the open market the requirements of Policy AH1 can still be met. In this instance, it is considered that due to the VVP grant conditions requiring the units to remain affordable for at least 60 years that a suitably worded condition would be the appropriate mechanism for securing future compliance with Policy AH1.

Visual Amenity:

Policy BE1 - Design expects all new 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.

This concrete building is one of the most visually prominent structures within Port Talbot Town Centre, both from the town centre itself and wider viewpoints, notably the raised sections of the M4. The design of the building and external appearance with its regular fenestration pattern on all elevations identifies it as a commercial building and, while not necessarily detracting from local character, it could be considered to be in need of modernisation to enhance its appearance.

The need for a 'transformational' approach to the design of this conversion scheme was at the forefront of pre-application discussion with the developers, which also included a design review by the Design Commission for Wales, the outcome of which led to the proposed changes to the mansard roof and a greater emphasis on the ground floor and associated public realm.

In terms of alterations to the building's external appearance and fenestration, the existing windows are to be removed and replaced together with the introduction of 'pop out' bay windows ('pods') in a random fenestration pattern, bridging the gap between floors. This, together with the proposed external cladding materials and introduction of various elements of colour (both to the recesses of the pods and colour film to some windows) will transform and enhance the appearance of the building, including at night. External materials have been selected to take account of the buildings position close to the M4, Steelworks and prevailing salt winds. It is proposed that the majority of the existing concrete panels are retained and coated with a self-cleaning paint system, which will bring new life to the building, although conditions are recommended which seek to ensure tight control is placed on the exact colour of the paintwork, having regard to the visual prominence of the building. The projecting bay window 'pods' are proposed to be clad in zinc sheeting with elements of colour being introduced.

In addition, it is proposed to undertake alterations to the mansard roof which involve the retention of the existing steel structure with new walls to be built off the inner edge of the building. The new rainscreen

cladding will disguise the mansard roof incorporating a sloped parapet detail. Whilst the overall height of the building would be raised by approximately 0.5 metres, the parapet detail and the increase in the size of the window openings giving a more vertical emphasis ensures that the proposed roof alteration is in keeping with the proportions of the building. The scheme has been amended since originally submitted with the removal of pods on the fourth floor and replaced by extended 'picture frames' and deep reveals. As with the pods, the picture frames would be powder coated aluminium to the same colour scheme as the pods and coloured film would also be applied to the associated window.

As identified above, the scheme also includes improvements to the public realm on land which separates the building from the River Afan, including enhancements to surfacing around the entrance and riverfront walkway, access ramp and provision of street furniture. The importance of this area has been emphasised by Officers and the Design Commission for Wales, with detailed submissions illustrating that the scheme has been mindful to consider its contribution alongside other regeneration initiatives including the recently approved transport hub through the use of complimentary external hard surfacing materials to be used in the improvements to the public realm. The scheme has also been amended through the introduction of anti-graffiti coloured strip to the bin/bike store which seek to enhance the attractiveness of the building from the riverfront public realm.

Subject to appropriate control through conditions, it is thus concluded that the design of the scheme will significantly transform this landmark building which will significantly improve both the character and appearance of the area.

Residential Amenity:

In terms of residential amenity, the application site stands within the retail centre of Port Talbot where there are no residential properties in close proximity to the application site. As a consequence it is considered that as the proposal seeks permission to convert an existing building together with the acceptable separation distance between proposed habitable rooms and the nearest residential properties the development would not result in any overlooking, overshadowing or overbearing.

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

The application is supported by a Transport Statement which details the rationale and approach to both access and servicing. Consideration has been given to how the building is to be serviced in terms of waste collection and delivery of goods. The building has no direct road frontage with the closest opportunity for delivery and collection being off the main square in front of the Civic Centre. The bin store is proposed to be located adjacent to the main entrance and as close to the main refuse vehicle collection point located some 30 metres from the northern elevation of the building. As access to the square is controlled the delivery of goods will need to be appropriately managed, which will be secured by an appropriately worded condition.

A site compound is proposed to the north of the building within the existing pedestrianised area, access to which would be through the civic centre car park. To ensure that there would be no unacceptable conflict between both pedestrians and vehicles a condition is imposed requiring the submission of a construction method statement.

In terms of parking, the site currently has no off street car parking facilities and there is no parking proposed as part of this application.

Although not formally approved, the emerging Parking SPG (Post-Consultation draft October 2016) encapsulate the CSS Wales' Wales Parking Standards 2014, and state that residential developments outside Zone 1 locations (city centres) will require 1 space per bedroom and 1 visitor car parking space per 5 units. Where sites score sufficient sustainability points less provision is required.

The draft SPG/ CSS standards also advocates a flexible approach to number of car parking spaces in cases “where clear evidence has been supplied that car ownership levels will be lower than normal”. The applicant has identified in their Planning Statement (Para 5.23) that the 2011 Census revealed that 76% of social rented tenants within this area of Port Talbot lived within households which did not have access to either a car or a van. For those residents who do require the use of a car, the application site is within easy walking distance of Bethany Square and St Mary’s public car parks where free overnight parking is available.

In addition, the site is in a sustainable location being accessible to cyclists and pedestrians located within a pedestrianised area that

provides excellent access to the town centre services and facilities that are available. The pedestrian bridge provides a convenient and direct crossing of the River Afan in order to access the facilities located to the east. To the south-east of the site the town's mainline railway station is within easy walking distance and Port Talbot Bus Station is linked to Aberavon House via the Shopping Centre.

Moreover, the existing lawful use of the building is as offices, and the Head of Engineering and Transport (Highways) has stated that, due to its location, the development would reduce the current parking requirement of the building. The inability to provide any off street parking to serve the development would not therefore be grounds to refuse the application. Accordingly, he offers no objection to the proposal subject to the imposition of a suitable condition requiring a delivery management plan addressing agreed timings for deliveries and waste collection during and post construction.

The applicant has submitted these details in order to avoid the requirement for a pre-commencement condition, however at the time of writing this report the comments in respect of such details from the Head of Estates (since Council land is involved) were still outstanding and as such Members will be suitably updated in respect of this issue in an amendment sheet.

Having regard to the above, it is concluded that the development would represent an acceptable form of development in a sustainable location which would have no unacceptable impact on either highway or pedestrian safety.

Flooding:

The proposed site lies within Zone C1 as defined by the development advice map (DAM) referred to under Technical Advice Note 15 Development and Flood Risk (July 2004). TAN 15 advises that in Zone C1 (Areas of the floodplain which are developed and served by significant infrastructure, including flood defences) development can take place subject to application of the justification test, including acceptability of consequences.

Although the residential flats will be above ground floor level, NRW advise that in accordance with TAN 15 the vulnerability attributed to the mixed use proposal is defined by the most vulnerable use and as such, the development site as a whole is classified as 'highly vulnerable development'.

TAN 15 further advises that new development should only be permitted within zone C1 “if determined by the planning authority to be justified in that location”, noting that for development to be justified it needs to be demonstrated that:

- i. Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,
- ii. Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;

and,

It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and,

The potential consequences of a flooding event for the particular type of development have been considered and found to be acceptable.

The proposed development is considered to be acceptable under the first test, insofar as the re-use of this building comprises an integral part of the Council’s Vibrant and Viable Places (VVP) programme which seeks to regenerate Port Talbot. As a re-use of an existing site it would also concur with the objectives of re-use of previously-developed land, such that the critical issue to examine comprises whether or not the potential consequences of a flooding event have been considered and found to be acceptable.

The application has been accompanied by a detailed Flood Consequences Assessment (FCA) which has been reviewed by Natural resources Wales, who advise that the hydraulic modelling informing the FCA satisfactorily demonstrates the flood risk at this location. During the 100 year (1%) event plus climate change the flood depth in the building’s lobby will reach 0.35m and 1.25m in the 1000 year (0.1%) event. A blockage scenario on the High Street Bridge was also modelled and showed marginal change during both events.

Noting that the development site as a whole is classified as ‘highly vulnerable development’, NRW states that the proposal does not meet the requirements of TAN 15 and as a consequence they raise significant concerns in respect of the development. They also confirm,

however, that evacuation route and plans are a matter for the Authority, and acknowledge that there will be no third party detriment caused by the proposal.

The flood model shows that the peak flood at the development site will be 2-3 hours after the flood waters have over topped the right bank (flood defences) and can be expected to recede down to safe levels within 7-8 hours of the onset of flooding. NRW can only give 2 hours warning of an extreme flood event at this location.

TAN 15 advises that [NRW] “will advise the planning authority on the consequences of flooding for the type and nature of proposal and this should enable the planning authority to arrive at a judgement on the acceptability of the flooding consequences. Where development is allowed, developers must put plans/measures in place to manage those consequences. Such measures must be capable of being implemented at the appropriate stage as part of the development and, where necessary, long term maintenance must be provided for”.

Subject to the application of the justification test (TAN15 section 6), including acceptability of consequences (section 7 and appendix 1), TAN 15 notes acceptability criteria including that occupiers should be made aware of flood risk; that escape/evacuation routes present; effective flood warning provided; flood emergency plans and procedures; and no increase in flooding elsewhere.

If a development proposal in zone C1 meets the above tests, TAN 15 advises that “the justification will be in the knowledge that those developments will flood and will need to be planned accordingly”.

Having regard to such advice, and the clear benefits of the development for the regeneration of Port Talbot under the VVP programme and the provision of affordable housing, it is considered that the flood impacts on this development would be acceptable. In reaching these conclusions it is material that the developer is fully aware of the potential for flooding, and the proposed RSL landlord has confirmed that there will be tight management arrangements in place, noting also that the level of flooding comes nowhere near the level of the proposed residential accommodation and it is only the entrance lobby which is at risk. It is accepted that the vast majority of future residents are likely to remain within the building given its elevated position above the potential flood waters. However the speed of inundation together with the evacuation plans the applicant has suggested and will be required to be

put in place will ensure that vulnerable residents who need to leave the site during a flood event will have sufficient time to do so. Accordingly, subject to the proposed condition requiring implementation of an Emergency Flood Warning Plan, it is considered that the risks of flooding can be managed to an extent that the development would be acceptable.

Ecology:

The proposal has been assessed by the Biodiversity Officer who has raised no objection to the proposal. It is therefore considered that the proposed development would not have any unacceptable impact in relation to ecology and biodiversity.

Waste:

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

Impact on Listed Building:

As identified above, the site is adjacent to the Aberavon Bridge which is Grade II listed, and approximately 30 metres to the southwest of the Grade II* listed Ebenezer Chapel and its associated Grade II listed forecourt walls, railings and gates.

Under section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, the planning authority must have “special regard” to preserving the setting of listed buildings. Recent case law has emphasised that this is more than a straightforward balancing exercise, and this must not be treated as just one among a large number of material considerations. Having regard to this legal requirement, it is considered that the proposed conversion of the building to residential use and the associated improvements to its external appearance will enhance the setting of the listed buildings and as such is in accordance with Policy SP21 of the LDP.

Drainage:

The Local Authority's Drainage Officer, Welsh Water and NRW have all been consulted and each has raised no objection to the proposal subject to the imposition of conditions.

In respect of foul water, NRW and The Head of Engineering and Transport (Drainage) has no objection to the proposal.

Welsh Water have been consulted as part of this application and have advised that they have no objection to the proposal and have suggested standard conditions relating to drainage both foul and surface water which can be imposed by suitably worded condition. The applicant has submitted these details in order to avoid the requirement for such a condition, however at the time of writing this report the comments in respect of such details from Welsh Water were still outstanding and as such Members will be suitably updated in respect of this issue at the meeting. They have also advised that a sewer and water main crosses through the site. The applicant will be made aware of this by a suitably worded condition and informative.

The application is therefore acceptable in terms of drainage.

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;
- 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 the development. At this stage, however, while the SPG informs the assessment below, the weight that may be attributed to it is limited.

As detailed above, the proposal relates to an application for 41 affordable 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 and taking into consideration the Viability Report it is necessary to assess how the following requirements will be delivered.

Affordable Housing

The provision and retention of affordable housing has been addressed earlier in this report, where it was concluded that such matters could be controlled through condition in this instance and without the need for a legal agreement

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 will be sought, including the requirement for maintenance, in conjunction with all new residential developments of 3 or more dwellings.

The site lies within the Port Talbot Ward, where there are existing shortfalls in Pitch Sport, non-pitch, children's play and allotments. There is no ward shortfall for informal open space, however the vast majority of this provision is in Baglan Moors, which is considered to be beyond a reasonable walking distance.

The POS requirement that the site will generate is as follows:

- Pitch sport 1080 sq.m.
- Non pitch sport 423 sq.m.
- Informal 516 sq m
- Children's play 46 sq m.
- Allotments 178 sq.m.

Whilst it is acknowledged that there are existing deficiencies of open space provision in the Ward, following negotiation and as a result of the Design Commission review, the proposals include significant improvements to the public realm which will comprise external improvements to the entrance and access to the riverfront walkway including improved lighting removing dark places and reducing the potential for anti-social behaviour, resurfacing and provision of street furniture. As a consequence, such improvements will benefit not only residents of the building but the whole community which on balance is considered to outweigh the requirement to contribute towards the provision of open space in this instance.

Conclusion:

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

Having regard to Policies SP1, SP2, SP3, SP4, SP5, SP8, SP10, SP11, SP12, SP16, SP20, SP21, SC1, I1, OS1, AH1, EC4, R2, EN9, BE1 and TR2; and national guidance in Planning Policy Wales (2016), TANs 5, 6, 12, 15, 16 and 18 it is considered that the refurbishment of this landmark building will contribute significantly to the character of the area and the ongoing regeneration of Port Talbot under the Vibrant and Viable Places Programme, would be acceptable in terms of managing flood risk, and would not have a significant impact on highway and pedestrian safety, residential amenity, foul and surface water discharges, ecological issues or the setting of listed buildings.

RECOMMENDATION: Approval with Conditions

CONDITIONS

Time Limit Conditions

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

Reason

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

Approved Plans

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

Site Location plan AL(0) 001 Rev C

Existing GF, Mezzanine Plans & 1F Plans AL(0) 002 Rev A

Existing 2nd 3rd and 4th floor plans AL(0) 003 Rev A

Proposed External Works AL(0) 004 Rev B

Proposed Ground floor and mezzanine Plans AL(0) 005 Rev G

Proposed 1st and 2nd floor Plans AL(0) 006 Rev G

Proposed 3rd and 4th floor Plans AL(0)007 Rev G

Proposed south east elevation AL (0) 008 Rev F

Proposed north west elevation AL90) 009 Rev F

Proposed SW and NE Elevations AL(0) 010 Rev F

Proposed external Materials AL(0) 011 Rev D

Site Servicing Layout (construction) AL (0) 012 Rev D

Site Servicing Layout (occupation) AL (0) 013 Rev B

Existing and proposed roof plan AL(0) 014 Rev A

Proposed landscape materials AL90) 016 Rev B

Detailed site set up and establishment AL (0) 017 Rev A

Proposed building sections AL (0) 018 Rev C

Pod detail AA (2) 001

Roof detail AA92) 002

Existing south east elevation AL (0) 019 Rev A

Existing north west elevation AL (0) 020 Rev A

Existing SW and NE elevation AL (0) 021 Rev A

Planning Statement - May 2016

Design and Access Statement - May 2016

Pre -Construction Information for refurbishment and redevelopment-
13th May 2016

Construction Phase Plan - 16-5-2016

Construction Phase Plan for Refurbishment and Redevelopment - 16-5-
2016

Flood Consequences Assessment -CB3 Consult Ltd - 10/3/16

Transport Statement - Acstro - March 2016

Reason

In the interests of clarity

Pre-Commencement Conditions

(3) No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason

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

(4) No development shall commence, including any works of demolition, until a Delivery Management Plan with agreed timings for delivery's and waste collection has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to during and post construction.

Reason

In the interests of pedestrian and highway safety.

(5) Before beginning any development at the site, you must do the following: -

a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and

b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason:

To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.

(6) 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:

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

Reason:

In the interests of amenity, and pedestrian and highway safety.

Action Conditions

(7) Notwithstanding the submitted details and prior to their use in the development hereby approved samples of the materials to be used in the construction of the external surfaces of the development hereby permitted - which shall include a sample panel of a minimum of 1m² of the proposed paint finish to the existing concrete panels - shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the visual amenity of the area.

(8) The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

Reason:

To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

(9) Prior to the first beneficial use of any residential unit hereby approved (a) the public realm improvements / landscaping identified on drawing ref. AL(0)016 Proposed landscape materials shall be completed in accordance with the approved details, and (b) a landscape management plan, including management responsibilities and maintenance schedules for all hard and soft landscaped areas, shall have been submitted to and approved in writing by the local planning authority. The completed scheme shall thereafter be maintained in accordance with the approved management plan.

Reason

To ensure that the improvements to the public realm, which form part of the justification for the development, are provided and thereafter maintained, in the interest of visual and residential amenity.

(10) Prior to the first beneficial use of any of the hereby approved dwellings, a Flood Emergency Plan shall be produced that details what measures should be taken by residents in the event of flood occurring, including detailed plans for staying in situ and measures for evacuating the property. All future residents of the dwellings shall be provided with a copy of the Flood Emergency Plan on moving into the property.

Reason

To ensure the safe evacuation of residents in the event of flooding.

(11) Prior to the first beneficial use of any of the hereby approved dwellings a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of

affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 25 % of housing units/bed spaces;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason

To ensure the satisfactory provision of affordable housing in perpetuity in accordance with Policy AH1 of the Neath Port Talbot Local Development Plan

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.

Having regard to Policies SP1, SP2, SP3, SP4, SP5, SP8, SP10, SP11, SP12, SP16, SP20, SP21, SC1, I1, OS1, AH1, EC4, R2, EN9, BE1 and TR2; and national guidance in Planning Policy Wales(1), TANs 5, 6, 12, 15, 16 and 18 it is considered that the refurbishment of this landmark building will contribute significantly to the character of the area and the ongoing regeneration of Port Talbot under the Vibrant and Viable Places Programme, and would not have a significant impact on highway and pedestrian safety, residential amenity, the setting of a listed building, foul and surface water discharges, ecological issues or the setting of a listed building.