

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2017/0835	<u>DATE:</u> 03/11/2017
PROPOSAL:	Reserved matters application for 34 dwellings including details in respect of conditions 4 (drainage), 6 (construction method statement), 10 (public open space) and 11 (affordable housing) pursuant to outline planning permission P2013/0038 allowed at appeal (reference: APP/Y6930/A/14/2218029) on 21.08.15 (Request to discharge condition 7 (contamination) withdrawn on 29.11.17)
LOCATION:	Alltwen Industrial Estate, Lon Hir, Alltwen, Pontardawe SA8 3DE
APPLICANT:	Morganstone Ltd
TYPE:	Reserved Matters
WARD:	Alltwen

BACKGROUND INFORMATION

Councillor Christopher Jones (Alltwen Ward) has requested that the application be heard at Committee on the grounds that local concerns have been expressed over the impact of the development on drainage and highways, as well as concerns over the potential raising of ground levels and associated issues with delivery vehicles. He also requested that a site visit be undertaken prior to the committee meeting.

The “committee call-in panel” has agreed to the request for the application to be heard by Planning Committee, but declined the site visit on the grounds that outline permission has already been granted at the site and the issues raised are not considered to require the benefit of a site visit by Members.

Having regard to the above, Members are advised that this application is the reserved matters pursuant to the approval of outline planning permission P2013/0038 granted at appeal on 21st August 2017. The outline planning permission relates to the demolition of 8 existing industrial units and with the erection of up to 34 residential units with all matters relating to appearance, landscaping, layout, scale and access reserved for subsequent approval.

It should therefore be noted that the principle of residential development at this site has already been accepted and approved and as such is not under consideration as part of this application.

Members are also advised that the Local Planning Authority (LPA) determined a prior notification application for the demolition of the buildings at the application site on 29th November 2017. This decision allows the developers to commence the demolition of the buildings at the application site separately to and in advance of any reserved matters approval being granted.

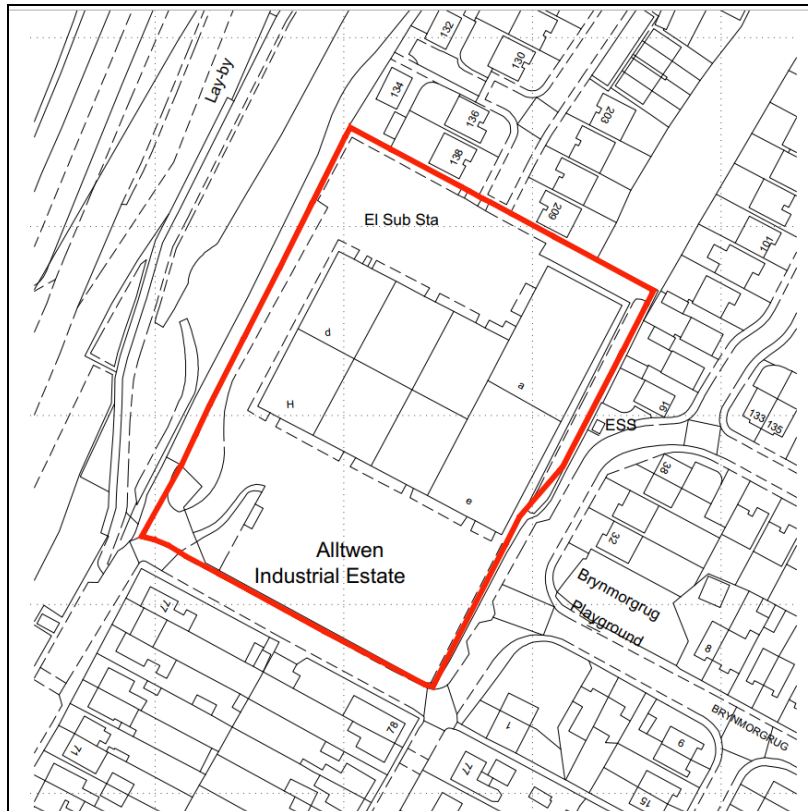
SITE AND CONTEXT

The application site is the Alltwen Industrial Estate, Lon Hir, Alltwen, Pontardawe, situated around 800m to the north east of Pontardawe Town Centre. The site measures approximately 1.09 hectares and is currently occupied by an industrial building which is subdivided into 8 separate units. The industrial units are currently not occupied. The remainder of the site is made up of servicing and parking areas.

The site is bounded by new residential development to the north and east, with the south of the site bounded by the upper part of Edward Street which leads to Brynmorgrug around which lies a relatively substantial area of residential housing. The west of the site is bounded by a public right of way and track leading to a farm. Beyond this boundary is the A4067 which links Pontardawe to Cilmaengwyn.

The existing access point into the site is off Lon Hir towards the south west boundary of the site. The application site is generally level, with only a gentle slope down from the existing Redrow development to the North towards slightly lower land at Lon Hir. There is a more pronounced upwards slope towards the north eastern edge of the site leading from the application site towards the existing phase 1 Redrow residential development.

The site is located within the settlement limits as defined by the Neath Port Talbot Local Development Plan (LDP) but is not allocated for any industrial / employment or residential use.



Plan 1: Location of Site

DESCRIPTION OF DEVELOPMENT

This application has been submitted to cover all the outstanding reserved matters and therefore considers the following matters of detail:

- Access, appearance, landscaping, layout and scale

This application therefore proposes a residential development of 34 dwellings, parking, landscaping and associated works. The proposed dwellings include detached, semi-detached and terraced units, with the mix of new homes as follows:

- 21 No. Two-bedroom dwellings
- 10 No. three-bedroom dwellings
- 3 No. four bedroom dwellings

A new access road will be created within the site from southern boundary off the Lon Hir Edwards Street Link road. The proposed layout indicates a main spine road running through the site, with 4 connected shared drives with contrasting surfacing. A turning area is provided towards the northern end of the site to facilitate access and vehicular manoeuvring. Towards the south east boundary of the site,

there will be an area dedicated as an 'informal play space' which in general terms proposes landscape strategies to provide opportunities for children to play.



Plan 2 Site Layout

7 affordable housing units are proposed (as required by condition 7 of the outline planning permission). Beyond these seven dwellings, it is the intention of the developer to develop the remaining homes through affordable home ownership models and in particular the new models being developed by Welsh Government in the sphere of shared ownership. However, it should be noted that outside of the 7 dwellings controlled as affordable housing units by planning condition, the precise tenure of the remaining units is a marketing decision for the applicant and therefore subject to change.

All plans / documents submitted in respect of this application can be viewed on the [Council's online register](#).

Conditions Imposed on Outline Planning Permission

As part of this reserved matters application, the developer has also provided submissions to deal with the discharge of the following planning conditions of the outline planning permission:

- Condition 4 (drainage)
- Condition 6 (construction method statement)
- Condition 10 (public open space)
- Condition 11 (affordable housing)

Members are advised that as part of this reserved matters application the developer originally provided details in support of the discharge of condition 7 (Contamination) of the outline planning permission. This condition requires that no development shall commence until an assessment of the nature and extent of contamination affecting the site is submitted to and agreed in writing with the local planning authority. However, the Council's Contaminated Land Officer has assessed the Site Investigation Report provided and advised that it contained insufficient information to allow the condition to be discharged. Similarly, Natural Resources Wales (NRW) has also confirmed that they cannot recommend the discharge of the whole of condition 7 as only part (i) of the condition which relates to a preliminary risk assessment (PRA) can be discharged. A number of objections were also received concerning the matter of contaminated land as a result of the publicity exercise.

As such, the developer has withdrawn their request for condition 7 to be discharged as part of this reserved matters application and will submit this detail to cover all of the requirements of this condition at a later date as part of a discharge of condition application. In turn, the objections raised in respect of this matter while noted within this report will be addressed by the submission of details that are required to be submitted in support of the discharge contaminated land conditions imposed at the time of the outline planning permission. For the avoidance of doubt and in the interests of clarity, the matter of contaminated land must be fully addressed by the developer to the satisfaction of the local planning authority prior to any work commencing on the proposed development.

PRE-APPLICATION CONSULTATION / NEGOTIATIONS

Officers have engaged in pre-application discussions covering a number of planning issues including the layout, open space, parking and affordable housing requirements.

PLANNING HISTORY

The application site has a detailed planning history, of which the following is of relevance to this application: -

- P2013/0038 – Application for outline planning permission to demolish and replace the existing 8 industrial units with up to 34 residential units. Refused 10/12/13
- P2017/0884 - Prior notification for the demolition of 8 industrial units Approved 29/11/17

CONSULTATIONS

Cilybebyll Community Council: Advise that they are unable to provide a formal response prior to the report being finalised, but have forwarded a holding response to ensure that the council is aware of concerns on the part of residents particularly as to traffic.

Natural Resources Wales: No objection to the discharge of conditions 4 and 6 but raise significant concerns in respect of condition 7 (Land contamination)

Welsh Water: No objection, subject to condition

Designing out Crime Officer: Is pleased with the site layout and states that this development is suitable for the Secured by Design (SBD) Award to be made as long as long as the necessary SBD standards are met.

Contaminated Land: Raise concern in respect of the level of information submitted in support of condition 7

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

The Head of Engineering and Transport (Highways): No objection to the layout and development in general, but raise concerns in respect of the lack of a continuous footpath leading to Brynmorgrug from the site and state the plan should show the footpath extended and continuing up to the existing play area

Biodiversity Unit: No objection, subject to conditions and advisory notes

Play Development Officer: No objection, but raise concerns in respect of the position of the proposed public open space and also its related means of enclosure

Arboricultural Officer: No objection, subject to condition

Public rights of way section: No objection, subject to condition

Parks and neighbourhood services: No objection, provide comments in respect of roadside waste/recycling collection

REPRESENTATIONS

Neighbouring properties were consulted and a site notice displayed on 13th November 2017. The application was also advertised in the South Wales Evening Post on Saturday 18th November 2017 as a major development affecting a public right of way.

In response, to date 10 no. representations have been received, together with 1 letter from Councillor Christopher Jones on behalf of existing adjacent residents outlining their concerns. The issues raised are summarised as follows: -

- Impact on Highway and Pedestrian safety
 - Speeding, lack of parking and congestion at Lon Hir and Edwards Street. Roads unsuitable for articulated lorries to use safely and level of traffic generated from development - accident waiting to happen. The road is dangerous and emergency vehicles would struggle with cars already parking on both sides of the road. Traffic survey carried out during quiet period 11 – 13.00 and doesn't reflect a true reading

- Houses will be in a cul-de-sac with single access exceeding the 300 dwellings advised at time of planning application P2012/1116 (Redrow development)
- Contamination and asbestos removal
 - Correct demolition of site. Disposal of hazardous waste
 - Site office should have an on-site register so residents can give details should any asbestos issues arise at a later time and dates given when demolition is to start and finish
 - Asbestos removal concern on phase 2 not carried out correctly with it being flattened by a digger and taken out in open top lorries open to the elements and surrounding properties / people
 - Proposed dwellings will be built on contaminated land containing chemicals, and asbestos
 - Contaminated Land, insufficient ground investigation works to date. Raising ground levels how controlled to eliminate Toxic Gases and substances. Public health risk
- Ecology
 - Concerns in respect of the wildlife on the site. Bats at the industrial estate building and trees
- Noise and disturbance
 - Noise during construction and demolition and disturbance from construction traffic – will residents be notified of any excessive noise in advance
 - What will site working hours be – will residents be noted of extended hours
 - The application states an increase of 600mm ground level. How is this to be achieved? How many lorry loads of materials would be needed to achieve this level? Would there be a plan for deliveries to site?
- Drainage
 - Drainage and sewerage issues in Redrow Development / Brynmorgrug since phase one and an additional 34 dwellings being added to a system that is not fit for purpose

is going to have a major impact on the surrounding properties.

- Other comments
 - Request confirmation that the fence between phase 2 and the Industrial Estate will remain as promised by Redrow. If fence removed would need permission of neighbour who owns it.
 - Demolition application is separate from the planning application, is this an attempt to get the demolition application quietly through
 - Insufficient parks or recreational areas for the population increase
 - Decrease in surrounding property values due to the type of housing being developed and possible increase in anti-social behaviour
 - Overcrowding of schools
 - Where will the electric power substation be located for the new development
 - Concern in respect of access to healthcare due to new people coming into the area

Jeremy Miles AM has also written in, stating that following a public meeting he has been asked to pass on the concerns of many residents, these relating to: -

- Conditions surrounding the demolition and removal of asbestos from the former industrial estate
- Traffic management surveys that were conducted during quiet periods of the day therefore not taking into account difficulties surrounding access to this location during peak times;
- The movement of heavy plant carrying equipment, materials and topsoil along roads that are deemed inadequate;
- Potential exacerbation of historic issues with drainage and sewage at this location.

REPORT

National Planning Policy:

The main thrust of [Planning Policy Wales](#) (Edition 9, November 2016) 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.

The following [Technical Advice Notes](#) are also of relevance:-

- TAN 2: Planning and Affordable Housing (2006)
- TAN 5: Nature Conservation and Planning (2009)
- TAN 11: Noise (1997)
- TAN 12: Design (2016)
- TAN 16: Sport, Recreation and Open Space (2009)
- TAN 18: Transport (2007)

Local Planning Policies

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

Strategic Policies

- **Policy SP1** Climate Change
- **Policy SP2** Health
- **Policy SP3** Sustainable communities
- **Policy SP4** Infrastructure
- **Policy SP6** Development in the Valleys Strategy Area
- **Policy SP8** Affordable Housing
- **Policy SP10** Open Space
- **Policy SP15** Biodiversity and Geodiversity
- **Policy SP16** Environmental Protection
- **Policy SP18** Renewable and Low Carbon Energy
- **Policy SP19** Waste Management
- **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 EN7** Important Natural Features
- **Policy EN8** Pollution and Land Stability
- **Policy W3** Waste Management in New Development
- **Policy TR2** Design and Access of New Development
- **Policy BE1** Design

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- [Planning Obligations](#) (October 2016)
- [Parking Standards](#) (October 2016)
- [Affordable Housing](#) (October 2016)

- [Pollution](#) (October 2016)
- [Open Space & Greenspace](#) (July 2017)
- [Design](#) (July 2017)

EIA and AA Screening

It should be noted that at the time of the original outline planning application, the development was of a type that required a decision (screening opinion) as to whether an Environmental Impact Assessment (EIA) needed to accompany the application. It was determined that the development was not considered to be EIA development.

However, the legislation has now changed and the current application site does not exceed the Schedule 2 threshold for development of this type as outlined within the Environmental Impact Assessment Regulations. As such this 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.

Key Issues/Material Considerations/ Principle of Development

The principle of replacing the existing industrial units with housing has already been accepted following the 2015 appeal decision that granted outline planning permission for residential development.

In this regard, the appeal Inspector agreed that the principle of residential development would be acceptable, and that the proposal met the terms of the relevant policies of the adopted Development Plan at the time. Accordingly, the assessment of this application below must therefore be confined to the material considerations relating to the reserved matters applied for and the included request to discharge planning conditions of the outline planning permission.

Impact on Visual Amenity

In terms of scale, there are 6 different variations of house type proposed, with all of these properties either two or two and a half storey, with the general scale of the proposed dwellings considered to reflect and follow the general vernacular of the immediate area.

Detailed information has been provided demonstrating how the proposed site wide development can be constructed to harmonise with and not have an unacceptable impact upon the existing adjacent properties and ground levels.

Access and Layout

The proposed layout of the development is heavily influenced by the rectangular shape of the application site and also the position of existing adjacent roads and landscape features. One vehicular access to the site is proposed located towards the south boundary, which would be formed and lead directly from Lon Hir to Edwards Street link Road creating a main spine road through the centre of the development. Four shared driveways would spur out from the principal spine road.

Condition 5 attached to the appeal permission included a requirement for provision of a direct vehicular link through the site to the land to the north of the site. In this regard, at pre-application stage the developer was made aware that the access road into the site should be extended up to the northern boundary and a direct vehicle linked provided with the existing road serving the Redrow Development to the north. The proposed plans do indicate that the access road is to be extended up to the boundary, thereby complying with the requirements of the outline planning permission. However, the developer has confirmed that the ability to create an actual physical vehicular link to the site to the north is dependent upon Redrow extending their road up to the southern boundary and therefore is outside their control. As such, the proposed plans indicate that neither a vehicular or pedestrian link will be provided to the existing development to the north, which is regrettable.

Nevertheless, it is accepted that the ability to physical create this link is outside of the applicants control, and that the submitted layout goes as far as they can to facilitate such a link in accordance with thre aims of the condition. Furthermore, by continuing the highway to the boundary, the proposed layout in this area also follows the existing pattern of development and broadly harmonies with the existing development to the north in terms of proposed road and house ridge levels.

In terms of wider layout issues, the curved access road, sensitive siting of dwellings and varied building lines together with an area of public open space is considered to add a sense of place and interest within

the site, and provide a form of development that is consistent with that of the surrounding area. The layout of the road also clearly distinguishes what is the main road through the site and what are private drives through the use of different road surface materials (i.e. block paving).

The design of the scheme also takes account of the importance of the facades of corner/prominent plots with these having been designed as such to improve and create a positive street-scene internally within the development site. In addition, boundary treatment in prominent positions are brick as opposed to fencing. Further details, will be requested by condition of the railings surrounding the public open space / play area and at plot 1 together details of gates as the entrance and access points to the public open space are currently shown open to the road.

The use of soft landscaping throughout the development, as well as within the area of public open space located in the south-eastern corner, helps create a sense of place and belonging for residents and visitors to the development

The houses are broadly arranged to ensure that the fronts overlook streets and public spaces, whilst the private garden areas are secured to the rear.

Condition 2 on the outline approval requires a 2m wide footway along the southern boundary, which is shown on the plans. The Head of Engineering and Transport (Highways Sections) raised concerns in respect of the lack of a continuous footpath leading to Brynmorgrug from the site and state that a footpath link should extend and continue up to the existing play area adjacent to Brynmorgrug Playground. It is agreed that such a footpath link would enhance the pedestrian connectivity of the area, particularly making the playground more accessible. In order to provide the footpath, removal of one of the existing car parking laybys opposite the Brynmorgrug playground would be required together with a full footway construction with a suitable crossing. The applicant has confirmed agreement to meet this requirement subject to the footpath being able to be provided on Highways controlled land and that the layby (parking space) does not need to be provided elsewhere.

The Highways Section has no objection to the loss of one car parking space / layby and will not require its replacement elsewhere. Critically it has also been confirmed that the proposed footway can be provided on

highways owned land. As such, a condition will be imposed requiring a footpath link, as described above, to be provided as part of the proposed development.

Comments have been made by the Council's parking and neighbour services that waste / recycling vehicles will only use the main road and not enter private roads / paths / shared drives and in respect of the location of the bin collection points. The Highways Section have assessed the submitted detail and have no objection to the siting of these 3 no. collection points that are located adjacent to the main spine road of the development and will therefore be able to be easily accessed by waste collection operatives.

Finally, the area to the front of plot 1 facing the Lon Hir to Edwards Street link road is shown on the proposed layout as being highway land and has therefore not been incorporated into the proposed layout. Notwithstanding this, a condition can be imposed requiring details of the 'stopping up' of this section of the highway and an associated landscaping / boundary treatment scheme to ensure this area is fully integrated into the development. This condition will also include restrictions to prevent the introduction of any future access points at this location (also governed by condition 5 on the outline consent). The highways section is content with this approach given that the area of highway in question is no longer needed.

Appearance

As noted above there are 6 different variations of house type proposed which provides a variety and choice of housing types and also a varied street scene. These properties will have pitched roofs with a simple gabled form. With a mix of building heights proposed there will be variety of eaves and ridge heights throughout the site which will add visual interest. Following observations made at pre-application stage, the elevations of corner/ prominent plots have incorporated windows so they do not appear as blank elevations.

The applicant has provided details of the proposed elevational treatments that generally includes the use of both brick (red multi-blend) and render (heavy roughcast) finishing. These materials are similar to other houses in the vicinity and are therefore considered to be in keeping with existing built form.

In respect of boundary treatment, the applicants have provided a detailed layout plan which indicates the positions, design, materials and type of boundary treatment to be erected. A mixture of 1.8m and 1.2m close board fencing together with 1.8m high screen walls and 0.9 steel railings are proposed. Brick walls, rather than fencing, are used in prominent areas and side boundaries of properties facing the main access road. Similarly railings are proposed around the public open space and adjacent to plot 1, both being prominently located. The different types of boundary treatment proposed and their siting are considered appropriate, subject to a condition requiring final details of the design of the 0.9m railings referred to above.

It is considered that the design of the proposed dwellings and development in general reflects and follows the general vernacular of the immediate area.

As such, it is considered that the appearance, layout and scale of the proposed development within the context of the application site and wider surrounding area would be appropriate, and would accord with the objectives of Policies BE1 and TR2 of the Local Development Plan, and the Design SPG.

Impact on Residential Amenity

In respect of the amenity of the occupiers of the proposed dwellings, together with the impact upon the amenities of existing residents adjacent to the site, the main issues to consider are privacy and overlooking, together with any potentially unacceptable overbearing and overshadowing impact.

With respect to privacy and overlooking, the proposed dwellings and plots vary in size and orientation, and, as is often the case in modern estate developments, there are varying degrees of mutual overlooking. However, this is not unusual and in the cases where there are considered to be unacceptable levels of overlooking, such as from first floor side facing windows, conditions are imposed requiring that these windows are fitted with obscure glazing.

As such, it is considered that the proposed development while offering good levels of natural surveillance of roads and public space also maintains adequate distances between habitable room windows directly facing each other. This ensures that there will be no unacceptable

overlooking issues experienced by future occupiers of the proposed dwellings.

With regard to amenity space, it is considered that the proposed layout and choice of boundary treatments ensures a satisfactory level of privacy and private amenity space will be provided for all the future occupiers.

Turning to the impact of the proposed development on existing properties located adjacent to the site. The site is bounded to the north by existing residential properties located within the Redrow estate, with those most likely to be affected being plots 134, 138, and 209 whose boundaries physically abut the application site. There are also existing properties located immediately opposite the south west boundary of the application site. It is therefore important to ensure that the amenity level currently enjoyed by the occupiers of these properties is not unacceptably affected as a result of the proposed development.

In respect of those existing properties towards the north boundary. A first-floor side facing window is proposed to plot 19 that looks towards the blank side elevation / front garden area of 209 Brynmorgrug. However, this window serves a first-floor bathroom and as such a condition will be imposed requiring that this window is fitted with obscure glazing in order to avoid the creation of any unacceptable overlooking issues.

Turning to proposed plots 14 to 18 and their relationship with numbers 134 and 138 Brynmorgrug, the proposed plots contain rear facing first and second (17 and 18 only) floor windows that look towards the side elevation of number 138 Brynmorgrug rear elevation of 134 and the rear gardens of both of these properties. The distance between the rear elevation of the proposed properties and the common boundary with numbers 134 and 138 Brynmorgrug is approximately 10.5m. While this is not a significant separation distance, in this case it is considered that there will be no direct overlooking issues created given that the rear facing windows mainly look towards the blank side elevation of number 138 and at a distance and the rear garden areas of the existing properties.

Where the distance between first floor habitable room windows of proposed plots 14, 15 and 16 and existing properties (134 and 138 Brynmorgrug) falls below the privacy standard of 21m, views are either at an oblique angle or where they are more direct, the distance only

falls just below the privacy standard of 21m. Notwithstanding this however, it is considered that an element of mutual overlooking is commonplace in urban situations, particularly in high density housing estates. Providing this would not cause significant harm, as is considered to be the case in this instance, it is generally accepted.

Finally, in respect of any potential overlooking issues from the proposed properties located towards the south west boundary. While the council's privacy standard is not strictly met in terms of habitable room windows directly facing each other, given that there is an intervening road between the proposed and existing properties that creates the perception of a greater separation distance, together with the fact that the proposed dwellings generally look towards the side elevations of the existing properties, it is considered that in this instance there will be no unacceptable overlooking issues created.

In terms of potential overbearing or overshadowing impact, the dwellings that could potentially be affected most by the proposed development are those properties located within the existing development to the north, particularly plots 128, 134, and 209 that adjoin the application site. Notwithstanding this, it is considered that the orientation and layout of the scheme, together with the separation distances maintained between existing and proposed properties, is such that it would not have an unacceptable overbearing or overshadowing impact on the occupiers of these, or any other properties located adjacent to the site.

Similarly, across the development site itself, the proposed houses are considered to offer an acceptable level of amenity in terms of distances between the rear elevations of dwellings and orientation to ensure that there will be no unacceptable overbearing and overshadowing impact experienced by the future occupiers of these properties.

It is therefore considered that the proposed development would not have an unacceptable impact upon the privacy and amenity of the occupiers of the existing adjacent residential properties as well as the future residents.

Noise / Dust

In respect of potential noise and disturbance from the development it is acknowledged that a number of concerns have been raised locally in respect of these issues. In response, it is accepted that there will be

traffic generated from the development however the site was formerly in use as an industrial estate and it is therefore considered the noise generated from this development would not be to an unacceptable level especially when compared to its previous use and not dissimilar to any other housing development. In any event, the principle of the residential redevelopment has already been approved.

In terms of noise and dust generated from demolition and construction, it is generally accepted that during demolition and construction there will be a level of noise and disturbance created, and potential for dust nuisance, albeit transient in nature. This could particularly be the case in this instance as the site is located in close proximity to existing residential properties.

Such matters are covered by condition 6 on the outline approval which requires submission of a Construction Method Statement (dealt with under conditions assessment below). Notwithstanding this, matters relating to demolition works have already been addressed separately as part of the prior notification application for demolition submitted by the developers. Through this application, the developer demonstrated that the existing buildings on site could be safely demolished without having any unacceptable impact on the amenity of adjacent properties.

Parking and Access Requirements and Impact on Highway Safety

As part of the publicity exercise, a number of concerns were raised in respect of the impact of the proposed development on Highway and pedestrian safety. This includes concerns relating to timing of traffic surveys, and the adequacy of the roads to accommodate traffic during construction and following development. Particular concern has also been raised in respect of the potential for site levels to be increased and the associated issues with delivery vehicles.

It is emphasised again, however, that the overall highway and pedestrian safety impact of the proposed development has already been considered and addressed by the Inspector appointed during the appeal decision process. It is pertinent to note that at the time of the appeal, the Inspector considered that the proposal would actually bring some benefit to existing residents in the locality in terms of local traffic conditions and referenced that the transport assessment for the proposal concluded that the percentage increase in traffic usage of Lôn Hir resulting from the proposal would be in the order of 1.5-1.8%. At this point it should also be noted that the Inspector did not object to the

content or findings of the transport assessment. The Inspector referenced that such a modest increase would be barely perceptible, and its effect would be more than offset by the beneficial removal of heavy goods vehicle movements associated with the existing use. The Inspector concluded that subject to appropriate attention to access position and layout at reserved matters stage that he saw no reason why conditions for existing road users should be compromised by the development.

Accordingly, the objections raised to the development locally – which were also raised at the time of the original outline proposals - are not matters that can be considered as part of this reserved matters application, since they relate to the principle of development which has already been accepted at appeal.

Notwithstanding the above, it is noted that concerns have been raised locally in respect the potential raising of ground levels and associated issues with delivery vehicles required to complete such an undertaking. However, the details submitted in support of this application indicate that the proposed housing layout can be accommodated close to the existing levels that occur on site and without significant raising of site levels. Based on this information, there would therefore not be an excessive / untypical amount of vehicular movements associated with constructing this development.

The assessment that follows therefore responds must only relate to the proposed position of the access and layout of the proposed development, rather than dealing with the principle of the development in terms of highways and pedestrian safety.

Assessment of access and layout

The proposal includes parking for each dwelling through the provision of off-street dedicated parking bays. The majority of dwellings will be served by individual driveways, with the remainder of dwellings served by dedicated parking bays located adjacent to the dwelling they serve. Each driveway / parking bay will have direct access either off the main estate spine road or shared drives. As such, it is considered that the parking provision is adequate to serve the proposed development.

Pedestrians are able to access the site via pavements provided throughout. The internal road system will also benefit from traffic calming methods such as shared surfaces and a change in surface

materials used for shared drives, to contribute towards reduced traffic speeds and increased highway safety on site. No driveway or parking bay serving a residential dwelling is shown to be accessed directly off the Lon Hir to Edward Street link road, as stipulated by condition 5 of the outline planning permission.

Based on the submitted plans and Construction Method statement (CMS), the Head of Engineering and Transport (Highways Section) has raised no objection to the proposed development subject to conditions.

It is therefore considered that subject to the imposition of conditions, the proposed development would not give rise to significant issues which would unacceptably impact upon the existing highway network, existing properties or residents and highway and pedestrian safety in general.

Drainage (Condition 4 of outline permission)

A number of issues have been raised locally concerning drainage including whether the existing drainage infrastructure has the capacity to deal with the proposed development. Members will note that drainage matters were considered at outline planning application stage and appropriate conditions imposed. In this respect, as part of this reserved matters application, the developer has also chosen to submitted details to discharge condition 4 of the outline planning permission that requires details of how foul water, surface water run off and land drainage will be dealt with. Condition 4 states:

'No development shall commence until a detailed scheme showing how foul water, surface water run-off and land drainage will be dealt with has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development and retained in perpetuity.'

The applicant has submitted a Drainage Strategy, which establishes the broad principles and the philosophy behind the proposed drainage strategy.

The general principle of the proposals is to dispose of surface water from the development via a gravity surface water system given the permeability issues on site. The foul water drainage will be served by a gravity foul water system, in agreement with Welsh Water

The Council's Drainage Officer has no objection to the details submitted. Furthermore, Natural Resources Wales state that they are in support of separate drainage systems for clean and foul water as far as practical, to allow them to function efficiently and therefore also have no objection to the discharge of this condition. Finally, Welsh Water has no objection to the details that have been provided subject to a condition requiring protection of the public water main that crosses the application site.

As such, it is considered that the details submitted and the specialist consultation responses provided in respect of this matter demonstrate that the proposed drainage arrangement to serve the development is acceptable. As such, Officers are satisfied that those issues raised locally have been addressed and condition 4 of the outline planning permission can be discharged.

Construction Method Statement (Condition 6 of outline permission)

Condition 6 of the outline planning approval required details of a construction method statement to be submitted to for approval. The relevant condition states:

'No development shall take place, 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 construction*
- vii. arrangements for construction traffic movements between the site and the main highway network*
- viii. hours of working and deliveries to the site, which shall in any event be restricted to between the hours of 0700 to 1900 Monday*

to Friday, 0800 to 1200 on Saturday and at no time on Sunday or a public holiday

The Construction Method Statement shall also include:

ix) a Waste Management Plan for the control, management, storage and recycling/disposal of demolition waste, excavated material and waste from construction works

x) a Site Pollution Prevention Plan detailing all necessary pollution prevention measures for the construction phase of the development

xi) procedures for the cessation of demolition work and liaison with Natural Resources Wales in the event that any bats are found or evidence appears that bats are using the site as a roost'

As part of the application and in support of the discharge of condition 6 of the outline planning permission, the developer has submitted details pursuant to the above condition in the form of a Construction and Environmental Management Plan (CEMP). These details have been assessed by both Natural Resources Wales (NRW) and the Councils Highways Section who raise no objection to the discharge of the condition. NRW responded providing the developer with advice in respect of up-to-date guidance relating to pollution prevention measures and additional guidance on vehicle washing and pollution incident response planning. NRW stated that provided the developer is made aware of this guidance and it is followed and implemented as part of their CEMP, they have no objection to the discharge of this condition. Notwithstanding this, the developer has subsequently updated their CEMP to take account of this advice.

Concerns were raised locally in respect of how asbestos will be dealt with at the application site. The CEMP addresses this matter in detail and Officers are satisfied with the proposed methods for dealing with this and other waste materials. It should also be noted that the developer was granted permission on 30th November 2017 via a prior notification application for the demolition of the buildings at the Alltwen Industrial estate. Again, the Council were satisfied with the level of information provided in support of that application.

Concern was also raised relating to what restrictions would be in place in respect of the operating hours during the development of this site. Members will note sub-section viii in the above condition that refers to the restrictions on hours of working that were set out by the Inspector at the time of the appeal. As such, it is considered that the amenity of

existing residents living within the vicinity of the application will be adequately protected in respect of this matter.

It is therefore considered that the detail submitted is sufficient to satisfy the requirements of this condition.

Public Open Space (Condition 10 of outline permission)

Condition 10 of the outline planning approval required details of a scheme of public open space to serve the development. The relevant condition states:

'The development shall not begin until a scheme for the provision of public open space/play area provision to serve the needs of the development has been submitted to and approved in writing by the local planning authority. The scheme shall cover the following matters:

- i) the layout and disposition of the public open space/play area*
- ii) the timescale for implementation and completion of the works;*
- iii) the mechanism for ensuring that the open space/play area will be available for the public in perpetuity;*
- iv) arrangements for continued maintenance of the open space/play area.*

The development shall be carried out in accordance with the approved arrangements.'

As per the above requirements, the submitted proposals detail the provision of 227 sq.m. of Public Open Space along the south-eastern boundary of the site. This will take the form of an informal/ natural play space that moves away from the more traditional children's play area that includes fixed / engineered play equipment. In this case, the play area will consist of natural features including climbing boulders, balancing logs, a winding bark mulch footpath, and a 1.2m high grass mound complimented by soft landscaping such as trees and native flower planting. This will create a less restrictive play opportunity for residents of the proposed development and surrounding area and complement the more traditional play equipment available at the adjacent Brynmorgrug Playground whilst its design, location and appearance will help create an attractive feature at the entrance to the application site and within the wider area.

The developer has also provided a landscape specification and management plan that sets out the timescale for implementation and completion of the works and the arrangements for the continued maintenance of the open space /play area and areas of landscaping.

It is proposed that the informal play area is to be completed prior to occupation of the final dwelling and that all soft landscape works shall be implemented during the first planting season post practical completion. In principle there is no objection to the timeframes set out for implementation of soft landscaping. However, to avoid a scenario that the children's play area is not available for use until the latter stages of the development, a condition will be added requiring that it shall be provided prior to first occupation of the 17th unit or any of plots 29 – 34.

The developer has also confirmed that management of landscape areas at the site will be undertaken by a suitably qualified contractor to be appointed by the site operator. While no detail is provided stating how the open space / play area will be available for public in perpetuity it is inherently part of the scheme and it is a requirement of the outline planning permission that it is provided and the LPA are therefore satisfied that it will be retained for such use in perpetuity.

The council's play development officer raised concerns in respect of the children's play area / public open space being surrounded by roads and access to driveways and that the area lends itself to group ball games open to the road – a query is also raised in respect of the type of boundary treatment in this area and whether 1.8m high close boarded fencing is proposed to prevent these issues.

While the comments are noted, the siting of the public open space / play area helps link it to the development making it an integral part of its layout and the wider surrounding area. While it is suggested that its location adjacent to the roads / driveways could result in conflict were group ball games to occur, it is considered given the nature and layout of the play facility proposed, that includes changes in levels, a path dissecting the site and interspersed landscaping features, it will not readily lend itself to group ball games and that the 0.9m high railings that will enclose the site will be suitable for the type of use anticipated in this area while also allowing adequate surveillance of the area. Notwithstanding this, a condition will be imposed requiring details of gates to be provided as the submitted plans indicate that the entrances to this area remain un-gated and open.

As such, subject to the above-mentioned conditions, it is considered that the details provided indicate that a sufficient amount, safe and attractive area of open space will be provided to serve the proposed development and occupiers of existing adjacent properties whilst at the same time addresses the concerns raised locally concerning the availability of such facilities to serve the local population. The details provided are therefore considered as acceptable and condition 10 can be discharged.

Affordable Housing (Condition 11 of outline permission)

Condition 11 requires the development not to begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the Local Planning Authority. The developer has provided details in respect of this condition with the current reserved matters and therefore seeks to discharge this condition.

In this respect, the developers have provided an affordable housing scheme that demonstrates provision of 20% affordable dwellings (in-line with the requirements of condition 11) which in the case of this 34 dwelling development equates to 7 dwellings. This figure is 10% higher than that required in the current Policy AH1 of the Neath Port Talbot Local Development for the spatial area of Pontardawe.

The developer has also included details confirming the type and location of affordable housing; the timing and construction of the affordable units in relation to the market housing; and arrangements for transfer to an RSL.

In this case the Local Planning Authority is satisfied with the details provided and pleased that the location of affordable units have been 'pepper potted' across the site. As such there is no objection to the discharge of this condition.

Biodiversity / Ecology

As part of the publicity exercise, a number of objections were raised in respect of the buildings and trees located at the site containing bat habitat / bats. In response to this matter, it should be noted that the applicant has submitted an ecological and bat survey both undertaken by Hawkswood Ecology.

A bat emergence survey found no evidence of bats using the building or trees on site. The trees and scrub may support small numbers of nesting birds but the site was considered unsuitable for other protected species having very limited habitats, dominated by hard standing and a large industrial building. It is concluded that there are no overriding ecological reasons that would prevent the proposed development proceeding.

The Council's Biodiversity Officer has inspected both the ecological and bat survey and has no objection to its findings subject to details of bird boxes and a wildlife friendly lighting scheme being provided. However in this instance it is considered that requiring these details would be onerous given the findings of the ecological survey, and the fact that the appeal Inspector did not consider such provision appropriate at outline stage for this development.

In summary therefore and in response to those concerns raised locally, it is considered that the proposed development will not result in an unacceptable impact on bat habitat and ecology generally.

Landscaping and Trees

A comprehensive landscaping scheme has been submitted as part of the reserved matters application, which includes the area of public open space. The scheme has been reviewed by the Councils Arboricultural and Biodiversity Officers and is considered generally acceptable. While some concerns are raised in respect of variety of native bulbs and plants by the Councils ecologists, in this case given that it is stated that the scheme is generally acceptable, it is considered that no further amendments to this scheme would be required, particularly when considering that the existing site holds little interest in terms of landscape features.

The developer has confirmed through the Landscape Specification & Management Plan provided that all landscaping issues will be managed and maintained by a management company, including the area of public open space.

A tree survey was provided in support of the application that identified a total of 29 trees at the site including a group of Western Red Cedar. All of the trees at the application site are not protected by a tree preservation order. Out of the 29 trees 28 require removal in order to accommodate the proposed development. While it is regrettable that

the majority of the trees are to be removed, the majority are assessed as being of fair to poor quality within the submitted tree survey. Furthermore, the trees are not protected and therefore could be felled without consent. Whilst there are lots of poor specimens being felled the proposed landscaping scheme indicates that a total of 23 new trees will be planted as part of the proposed development which will provide an acceptable level of mitigation in respect of the existing trees to be felled.

Other Matters

As identified earlier in this report, a number of objections were received following the publicity exercise. It should be noted that all material issues in respect of the principle of the development have been carefully considered and addressed at the outline planning application stage, particularly in respect of highway and pedestrian safety, contamination, demolition (including relating to asbestos removal), ecology, noise and disturbance and drainage. Furthermore, many of the main issues have been addressed again elsewhere in this report.

Notwithstanding this, a small number of issues were raised that have not been considered earlier in this report, which are addressed below:

- In response to objections relating to decreases in property values, this matter is not a material planning consideration.
- Concerns raised relating to a potential increase in anti-social behaviour as a result of the development would be a matter for the responsible landlord or Police.
- In response to those concerns raised relating to overcrowding of schools and access to healthcare, the LPA have not been made aware of any specific overriding concerns relating to these matters. Notwithstanding this, it should be noted that the principle of development has already been accepted at appeal when residential development of this site was granted in outline form.
- Finally, in response to a query relating to where the electric power station will be located, this will be determined by the statutory undertaker responsible for this matter.

CONCLUSION

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

material considerations indicate otherwise. The Development Plan comprises the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016.

The redevelopment of this site will contribute towards the delivery of housing within the County Borough in a sustainable location, and that subject to the imposition of conditions the proposed development would have no unacceptable impacts upon the character and appearance of the surrounding area, on residential amenity or on highway and pedestrian safety. Accordingly, the proposed development is considered to accord with Policies SP1, SP2, SP3, SP4, SP6, SP8, SP10, SP15, SP16, SP19, SP20, SP21, SC1, I1, AH1, OS1, EN7, EN8, W3, TR2 and BE1 of the Neath Port Talbot Local Development Plan and national guidance in Planning Policy Wales (Edition 9) 2016 and associated Technical Advice Notes.

RECOMMENDATION

Approval with Conditions

CONDITIONS

Approved Plans

(1) The development shall be undertaken in accordance with the following plans and documents:

- 764 - 2 Bed 4 Person House –brick dated 03/11/2017
- 764C - 2 Bed 4 Person House – BRICK dated 03/11/2017
- 764 - 2 Bed 4 Person House – render dated 03/11/2017
- 851 - 3Bed 5 Person House – BRICK dated 03/11/2017
- 764C - 2 Bed 4 Person House – RENDER dated 03/11/2017
- 851 - 3Bed 5 Person House – RENDER dated 03/11/2017
- 851 - 3Bed 5 Person House –render dated 03/11/2017
- 851C - 3Bed 5 Person House – brick dated 03/11/2017
- 851C - 3Bed 5 Person House – render dated 03/11/2017
- 1712-HF-01_House Finishes Layout_A3_A_INF_ dated 03/11/2017
- 1016 - 3 Bed 5 Person House – brick dated 03/11/2017
- 1188 - 4 Bed 6 Person House – brick dated 03/11/2017
- 1188 - 4 Bed 6 Person House –RENDER dated 03/11/2017
- 1712-EW-01_External Works Layout_A1_A_INF_ dated 03/11/2017
- 1016 - 3 Bed 5 Person House – RENDER dated 03/11/2017

-1712-LP-01_Location Plan_A3_-_INF_ dated 03/11/2017
-1712-SS-01_Street Scenes_A1_A_INF_ dated 03/11/2017
-D01_Brick Screen Wall_A3_-_INF_ dated 03/11/2017
-1712-TP-01_Site Layout_A2_A_INF_ dated 03/11/2017
-D02_1800 Close Board Fence_A3_-_INF_ dated 03/11/2017
-D03_1200 Close Board Fence_A4_-_INF_ dated 03/11/2017
-D05_Knee Rail_A4_-_INF_ dated 03/11/2017
-D04_Close Board Gate_A4_-_INF_ dated 03/11/2017
-EL-02_Elevation Sheet 2 of 3_A3_-_INF_ dated 03/11/2017
-EL-01_Elevation Sheet 1 of 3_A3_-_INF_
-EL-03_Elevation Sheet 3 of 3_A3_-_INF_ dated 03/11/2017
-TDA.2345.01 (Detailed soft landscape proposals) dated October 2017

Reason

In the interest of Clarity

Pre-Commencement Conditions

(2) No development shall commence until details of a construction design method statement and risk assessment for the protection of the structural condition of the strategic water main crossing the site has been submitted to and approved in writing by the local planning authority. No other development pursuant to this permission shall be carried out until the approved protection measures have been implemented and completed. Thereafter, the protection measures shall be retained at all times during the lifetime of this permission.

Reason:

To protect the integrity of the public watermain(s) and avoid damage thereto.

(3) Prior to the commencement of work, the tree protection fencing as identified on the tree protection plan within the tree survey by Treescene Treesurvey dated 1st August 2017 shall be erected and maintained through demolition and construction phase of the development in accordance with the details provided and the development shall be carried out in accordance with the recommendations of the tree survey.

Reason : To ensure the root protection zones for the retained trees and in the interests of public safety

(4) Prior to the commencement of the construction of any dwellings, details of the finished floor, ridge and ground levels shall be submitted to, and approved in writing by the local planning authority. The development shall be completed in accordance with these agreed levels.

Reason

In the interest of the amenities of the area and to ensure a satisfactory street picture.

Action Conditions

(5) Prior to occupation of each associated dwelling the off street parking spaces shall be provided on site prior to first occupation of the associated dwelling and shall be retained open and free for such use thereafter.

Reason

In the interest of highway and pedestrian safety

(6) Notwithstanding the submitted information, prior to first beneficial occupation of of plot 1, a scheme for the 'stopping up' of the highway land to the front of plot 1, together with an associated detailed landscaping and boundary treatment scheme for this land shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be carried out in accordance with the agreed details prior to first occupation of plot 1 and no vehicular access shall be implemented on this area of land as such thereafter.

Reason

In the interests of visual amenity and to ensure the area of land is fully integrated into the proposed development.

(7) No dwelling hereby approved shall be occupied until such time as a pedestrian footway, linking the application site to the existing play area at Brynmorgrug, has been completed in accordance with a scheme which shall first have been submitted to and approved in writing by the local planning authority. The scheme shall include details of a full footway construction together with appropriate pedestrian crossing details.

Reason

In the interests of highway safety

(8) Samples of the materials to be used in the construction of the external surfaces of the development hereby permitted, including in respect of the block paving to shared drives, shall be submitted to and approved in writing by the Local Planning Authority prior to their use in the development hereby permitted. Development shall be carried out in accordance with the approved details .

Reason: In the interest of the visual amenity of the area.

(9) Notwithstanding the submitted information, prior to the construction of any dwelling, details of the design, colour and finish of the 0.9m high railings proposed to plot 1 and the area of public open space together with a scheme indicating the siting of gates at the access / entrance points of the public open space shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be carried out in accordance with the agreed details prior to first occupation of any of the dwellings hereby approved and retained and maintained as such thereafter.

Reason

In the interests of highways and pedestrian safety and visual amenity

(10) Prior to the occupation of any dwelling hereby approved, the associated car parking spaces shall be hard surfaced in porous asphalt or permeable block paving or a provision must be made to direct run-off water from the hard standing to a permeable or porous area within the curtilage of the dwelling house to a maximum gradient of 1 in 9 and no less than 1 in 150. The drive/hard standing shall be drained so that no surface water including roof and yard flows out onto the public highway or vice versa and maintained as such thereafter.

Reason

In the interests of highways and pedestrian safety

(11) Surface water within the curtilage of each property shall not discharge onto the highway and surface water from the highway shall not discharge into the curtilage of any property.

Reason

In the interest of highways and pedestrian safety

(12) Notwithstanding the submitted plans and information, the area of public open space / informal play area shall be provided prior to occupation of the 17th unit or any of plots 29 - 34, whichever is the sooner, and shall thereafter be managed/ maintained in accordance with the management responsibilities section of the landscape specification and management plan dated October 2017.

Reason

In the interests of visual amenity and public amenity

(13) Notwithstanding the details submitted and prior to the occupation of the relevant dwelling, all first floor side facing windows shall be glazed with obscured glass and any opening vent shall be top hinged with the lowest part of the opening a minimum of 1.7 metres above the floor level of that room, and any replacement window or glazing shall be of a similar glazing and type.

Reason

In the interest of the amenities of the adjoining property and the safety of the occupiers of the applicant dwelling.

(14) Prior to occupation of each dwelling the footway and carriageway fronting it shall be made up to binder course, from the adopted highway to the frontage of that property and drained and lit.

Reason

In the interest of highway and pedestrian safety

(15) Prior to occupation of the last dwelling both the footway and carriageway shall be completed up to surface course and retained as such thereafter.

Reason

In the interest of highways and pedestrian safety

(16) The approved means of enclosure, shall be erected prior to the first beneficial use of any dwelling and retained and maintained as such thereafter.

Reason:

In the interest of residential and visual amenity

(17) Notwithstanding the details shown on the landscaping proposals no trees shall be planted within the footway or within 2 metres of the back of footway unless a suitable root barrier is placed along the back of footway and maintained as such thereafter.

Reason

In the interest of highway and pedestrian safety

(18) Any gates fronting onto the highway shall be of a type which open inwards only, can be seen through and maintained as such thereafter.

Reason : In the interest of highway and pedestrian safety

Regulatory Conditions

(19) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), there shall be no extension or external alteration to any building forming part of the development hereby permitted (including the erection of a detached outbuilding / garage) without the prior grant of planning permission in that behalf.

Reason

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for extensions, having regard to the particular layout and design of the estate.

(20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no doors, windows or dormer windows (other than those expressly authorised by this permission) shall be constructed.

Reason

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for additional windows, having regard to the particular layout and design of the estate.

(21) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification) no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a highway, carriageway, shared driveway or footpath unless authorised by any condition of this permission, and detailed on the approved plans.

Reason : In the interests of visual amenity as the estate is open plan in character.