

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

APPLICATION NO: P2018/0860	DATE: 06/11/2018
PROPOSAL:	Retention of premises as café/restaurant/bar (Use Class A3) with tourism accommodation at first-floor (Use Class C1); retention and alteration of detached storage building/servery with new pitched roof in lieu of seating area and stepped access, plus formation of dedicated parking area for 6 vehicles on land to the north-east of the Angel Hotel and one disabled persons parking space on site
LOCATION:	Former Tourist Information Centre, Pontneathvaughan Road Glynneath , Neath SA11 5NR
APPLICANT:	Mr G Richards
TYPE:	Full Plans
WARD:	Glynneath

BACKGROUND INFORMATION

This application is reported to committee for decision on the basis that it is a property which is owned by the council and has been the subject of enforcement complaints. Those complaints were thoroughly investigated and a number of non-conformities with the approved plans and associated conditions were identified. The applicant has been working to address those concerns since they were identified and this application seeks consent to regularise matters in an open and transparent manner.

LINK TO RELEVANT PLANS/ REPORTS

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

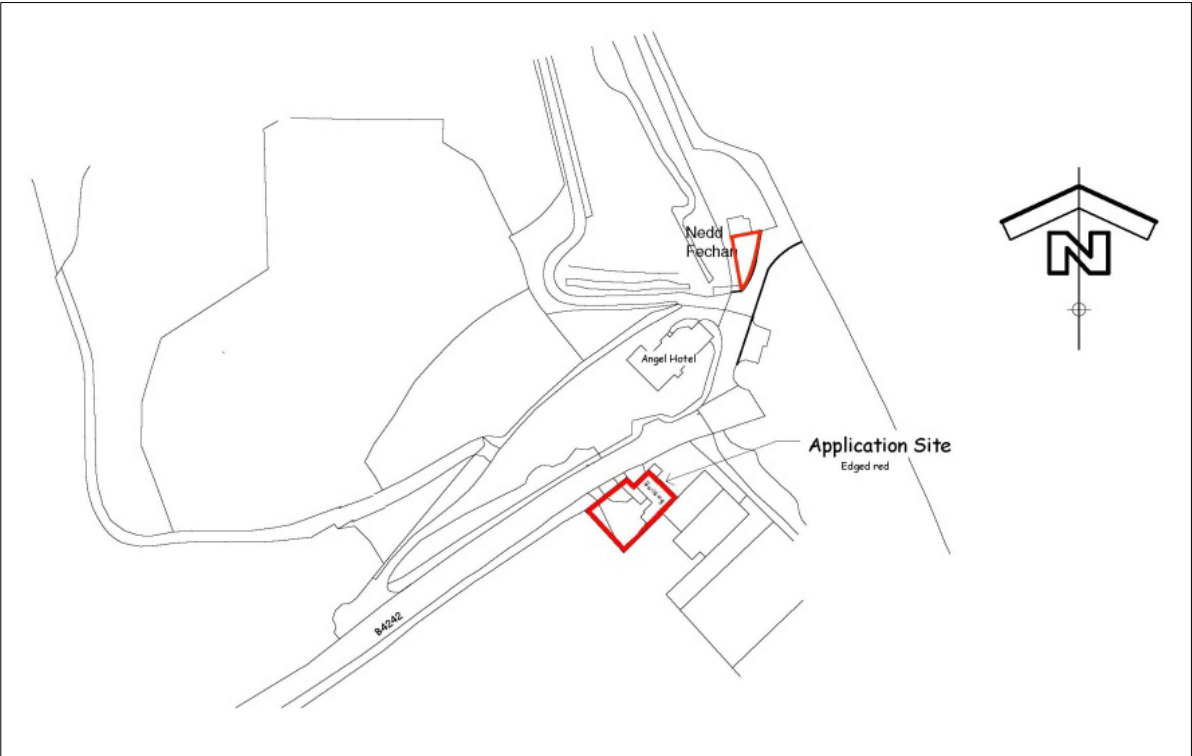
SITE AND CONTEXT

The application site relates to two parcels of land. The first is located at the former Tourist Information Centre, Pontneathvaughan Road, Glynneath (now known as Sgwd Gwladys). It measures approximately 0.036 hectares in area and comprises a two storey converted former farm building located along the north eastern side boundary of the site.

There is also a small single-storey part of the building located on the south western side of the building that is used as the entrance. The building adjoins an adjacent concrete block and metal sheet farm building along the south eastern boundary, but outside the application site. Externally, within the grounds of the property, there is an outdoor servery and bin-storage area, together with external seating and a totem sign.

A detached storage container which has been clad in timber and includes a stepped access to the roof has been constructed within the previously-approved car parking area without the benefit of planning permission. This structure is currently used as a store/servery while the roof and stepped area is used for events and as additional seating.

The second part of the application site relates to an irregular parcel of land measuring approximately 0.010 hectares in area. It is located on land to the north of the Angel Inn adjacent to the entrance to the waterfall walks. It is partly grassed and currently used as an informal parking area. It is bounded by an existing stone retaining wall to the west, open land/riverbank to the north, with High Street to the east and south.



DESCRIPTION OF DEVELOPMENT

This is a full planning application for the retention of the premises as café/restaurant/bar (Use Class A3) with tourism accommodation at first-floor (Use Class C1); retention and alteration of detached storage building/servery with new pitched roof in lieu of seating area and stepped access, plus formation of dedicated parking area for 6 vehicles on land to the north-east of the Angel Hotel, and one disabled persons parking space on site.

Members should note that following the closure of the Tourist Information centre in June 2016, planning permission was granted (ref: P2017/0310) for the change of use of the property into a mixed use café (Use Class A3) on ground-floor and tourist residential lodging accommodation at first-floor (Use Class C3). Variation of opening hours were subsequently approved in September 2017 under app. ref. P2017/0837 to allow extended operating hours from 18.00pm to 23.00pm.

Condition 9 on app. ref. P2017/0837 requires that the ground floor use shall be restricted to use only as a café and for no other use within Class A3.

Following the conversion of the property and its subsequent operation, complaints were received via the Planning Enforcement Section relating to the use of the property, car parking and deliveries, plus potential breaches of planning conditions. An investigation was undertaken, the conclusion of which was that the use of the property was now a café/restaurant/bar, while there were breaches relating to the absence of the required car parking and unauthorised operational development within the yard area. Following extensive discussions, the developer was served with an Enforcement Warning Notice requiring submission of a retrospective planning application seeking to regularise the breaches.

Following such negotiation, this application involves a number of different elements as follows:

- (i) The retention of the premises as a café/restaurant/bar (Use Class A3) with tourist accommodation at first-floor level (Class C3).

As referred to above, the authorised use of the ground floor is currently a café. There is no change to the permitted opening

hours of 8.00am to 11.00pm, but the application seeks consent for the premises to be used as a café/restaurant/bar. The kitchen and toilet facilities are located within the existing single-storey wing.

The tourist accommodation is located at first-floor level and is accessed from the front of the building via a new door. It comprises 4 x en-suite rooms. 3 of the rooms have double beds and the other room has 4 x single beds. It should be noted that there are currently small sleeping areas located on mezzanine floors above the en-suite bathrooms - accessed via small ladders. However, the developer has indicated that these have not been used due to the poor access and headroom and, moreover, their non-compliance with Building Regulations. If the application were to be approved, a condition could be imposed to ensure that they are only used as ancillary storage and not as sleeping areas.

- (ii) The retention of a detached storage building/servery with new pitched roof in lieu of seating area and stepped access.

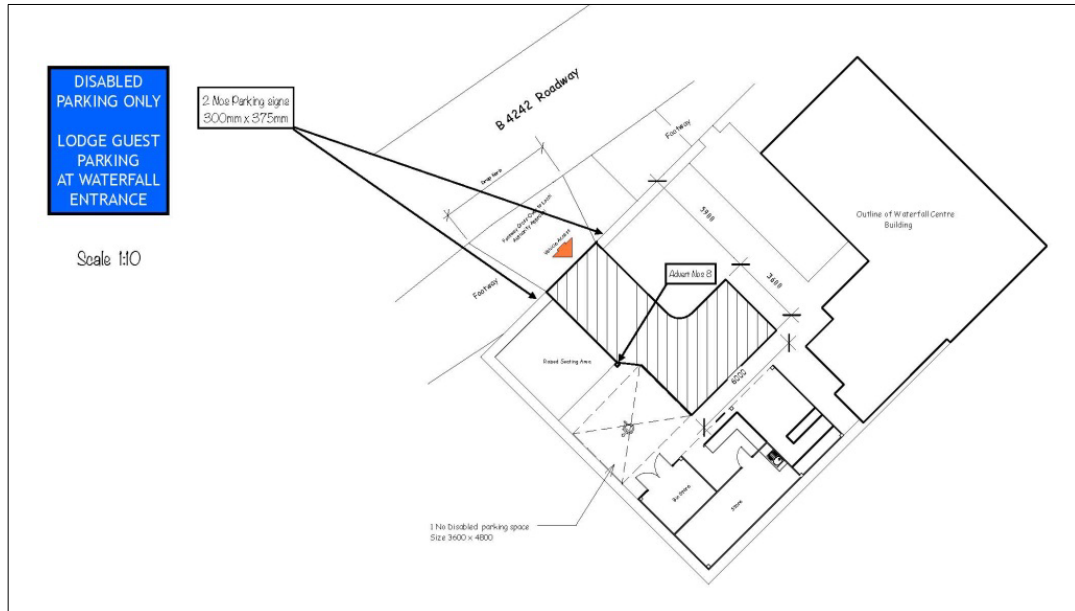
It should be noted that during the summer of 2018 a detached building for a store and servery, and with stepped access to the roof, was constructed within the car parking area without the benefit of planning permission. The developer was advised that the current building would not be acceptable in terms of visual amenity (along with the need to address issues relating to its siting within the approved car parking forecourt – see below), and as a consequence has submitted a revised scheme. The proposal now involves removing the seating area and stepped access, and replacing with a new steel-sheet pitched roof with a maximum height of 3.9m. The existing bin store located to the side of the building is proposed to be re-sited in place of the steps and an additional covered servery. The extended building is proposed to be clad with timber.

- (iii) Provision of a disabled parking space within the yard area, along with an external seating area.

The previous approval required the front forecourt/ yard to be utilised for parking of 6 vehicles (including one disabled space).

In addition to the works to the detached building, it is proposed to create 1 x disabled size parking space (3.6m by 4.8m) within the yard area, including a turning facility. To ensure that this space is

used by disabled customers only, signs will be positioned either side of the entrance advising customers accordingly. Part of the yard will also be formalised (as existing) as a raised external seating area.



- (iv) The formation of a dedicated parking area for 6 vehicles on land to the north-east of the Angel Inn.

The developer has an agreement to rent land to the north of The Angel Inn, adjacent to the entrance to the waterfall walks to provide a parking area for 6 vehicles (5 spaces measuring 2.6m by 4.8m and 1 space measuring 3.6m by 4.8m). The area is currently used as an informal parking area, and this proposal would be to formalise it. It is proposed that the area is surfaced with “turfmesh” and a plastic membrane provided along the kerb-line to intercept potential oil/fuel spills, and a spill kit will be made available for any such instances. In addition, lockable bollards will be located in the centre of each space to ensure that only authorised customers use them. Suitable signage will also be positioned on site.

NEGOTIATIONS

Negotiations were undertaken as part of the enforcement investigation, mainly in relation to the lodging rooms, car parking provision and appearance of the external storage building.

PLANNING HISTORY

The application site has the following relevant planning history: -

- P1987/0697 – Tourist and Visitor Information and Interpretive Centre. Approved 11/12/87.
- P2017/0310 - Change of use of former Tourist Information Centre to a mixed use café (Use Class A3) on ground-floor and tourist residential lodging accommodation at first-floor (Use Class C3). Approved 16/05/17.
- P2017/0505 - Details to be agreed in association with conditions 3 (Bin storage), 4 (parking scheme), 6 (delivery management plan) and 7 (car parking management scheme) of planning permission P2017/0310 granted on 16/05/2017. Approved 12/06/17.
- P2017/0805 - Non-material amendment to P2017/0310 to allow change of window to door - facilitating access to bunk house. Approved 29/08/17.
- P2017/0837 - Variation of Condition 9 (Opening Hours) of Planning Application P2017/0310 granted on 16/05/17 to allow extended operating hours from 18.00pm to 23.00pm. Approved 22/09/17.
- P2018/0859 - Retention of 1 x externally illuminated fascia sign; 6 x non-illuminated signs and 1 x non-illuminated totem sign. Approved 04/12/18.

CONSULTATIONS

Glynneath Town Council: No reply, therefore no observations to make.

Natural Resources Wales: No objection.

Welsh Water: No objection.

Brecon Beacons National Park: No objection.

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

Biodiversity Unit: No objection, subject to conditions.

Contaminated Land Unit: No objection.

Footpaths Section: No objection.

REPRESENTATIONS

Site notices were displayed on 09/11/18 and 02/01/19 respectively. In response, 1 no. representation has been received, with the issues raised summarised as follows: -

- Dissatisfaction how this application has been assessed and refusal to take enforcement action. It is troubling that the Local Authority is reluctant to enforce planning policy.
- Several issues in the new application assert that consent has been established. This is incorrect and this application must be regarded as a new application.
- There is no indication that the issue with the sewer connection was addressed in the original application, and relies on an existing private tank. This application also seeks increased capacity in terms of customers for the bar and restaurant and increase in number of overnight bed spaces from 12 to 20.
- There are several reports of sewage smells from the premises (including reviews on Trip Advisor) and no records of sewage tank capacity. This was raised on the previous application.
- The car parking standards were not correctly assessed on the original application and have been wholly absent. No checks were undertaken of the car park prior to opening and the current permission is invalid. Without the parking the consent is invalid, and in breach of the condition. This is not acceptable or lawful.
- It is good that the applicants have additional land to create car parking, together with the existing spaces already consented, and there should be less difficulty in providing the correct number of spaces and delivery arrangements.

REPORT

National Planning Policy

- [Planning Policy Wales](#)
- [Technical Advice Notes](#)

Technical Advice Note 12: Design

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 SP6** Development in the Valleys Strategy Area
- **Policy SP13** Tourism
- **Policy SP14** The Countryside and the Undeveloped Coast
- **Policy SP15** Biodiversity and Geodiversity
- **Policy SP20** Transport Network

Topic based Policies

- **Policy SC1** Settlement limits
- **Policy TO1** Tourism Development in the Countryside
- **Policy EN5** Conversion and Extension of Existing Buildings in the Countryside
- **Policy EN6** Important Biodiversity and Geodiversity Sites
- **Policy TR2** Design and Access of New Development
- **Policy BE1** Design

Supplementary Planning Guidance

- [Parking Standards.](#)
- [Design](#)
- [Biodiversity and Geodiversity](#)

EIA and AA Screening

As the development is not Schedule 1 or Schedule 2 Development under the EIA Regulations, a screening opinion will not be required for this application.

It is also noted that the proposed development is within a zone of influence for a Special Area of Conservation (Coedydd Nedd a Mellte SAC - Pontneddfechan waterfalls). Nevertheless, a Test of Likely Significant Effects (TLSE) has been undertaken which considers that an Appropriate Assessment, as set down within the Conservation of Habitats and Species Regulations 2010, is not required in this instance.

Issues

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

Principle of Development

It is noted that the application site is located outside the settlement limits defined by Policy SC1 of the adopted Neath Port Talbot Local Development Plan (LDP). Nevertheless, the proposal was previously considered to comprise the re-use of an existing building as a café and ancillary tourism accommodation above, which complied with one of the permitted exceptions defined within Policy SC1. The proposal, whilst slightly amended in terms of its use, continues to comply with the aforementioned permitted forms of development outside settlement limits and as such continues to comply with Policy SC1.

Accordingly, the general principle is therefore acceptable, provided there are no overriding highway, amenity or environmental objections, notably in respect of the change from a café to restaurant/bar.

Having regard to such a change, it is noted that Policy TO1 (relating to tourism proposals) states as follows:

“Tourism proposals outside of settlement limits will only be permitted where all of the following criteria are satisfied:

- 1. It is demonstrated that the proposal is viable and contributes towards the quality and economic sustainability of the tourism industry;*
- 2. It is demonstrated that either the proposal requires a countryside location or it could not be accommodated within an existing settlement;*
- 3. The proposal would not have an adverse impact upon the landscape, ecology, and cultural heritage and would not adversely impact upon the social, economic, environmental or residential amenity of the area;*
- 4. The proposal does not create unacceptable levels of vehicular traffic, cause a detriment to highway safety and access can be provided by a range of transport modes”.*

It should be noted that the former use of the building was a tourism related use, and although now seeking retention of its use as a café/bar/restaurant (rather than a café), the proposed use of the site would still be tourism related through the provision of refreshments and overnight accommodation, and the hours of operation would remain the same as approved. In this respect, it is considered that in planning terms there is little material difference between the approved café use and existing café/bar/restaurant use, as they continue to provide a service to both the tourist market for visitors to the waterfalls, and also local trade. It is noted that there is potential for a café/bar/restaurant to have greater noise impacts (through use of alcohol for example and the provision of associated entertainment). However, the property is fairly isolated in its location, with neighbouring properties also in commercial use and, as such, are unlikely to be adversely affected with the continued use of the property for the mix of uses now sought. In any event additional controls are available through the Licensing regime; while action can also be taken under the Environmental Health legislation should a statutory noise nuisance occur.

While there is no reason to consider the intensity of use as a café/bar/restaurant would significantly exceed the approved café use, it is nevertheless considered that such use would have no demonstrably greater impact on amenity, biodiversity or highway safety (as detailed below). Furthermore, the continued use of the property for such uses would ensure the employment of 9 full-time members of staff. As such, it is considered that the principle of this mixed use development would accord with Policy TO1 of the Neath Port Talbot Local Development Plan.

It is noted that as part of the enforcement complaint reference has been made to the development as built/operated being different to that originally proposed under the tender documents for the building. However, it should be noted that this is not a material planning issue, and all that may be considered is whether or not the use and development, as proposed, is acceptable in planning terms.

Impact on Visual Amenity

In respect of the main building, the alterations that have been undertaken (i.e. changing a window to a door) have previously been approved as a non-material amendment, and remain acceptable in terms of visual amenity.

In respect of the yard area, the existing detached building is considered wholly unacceptable in visual impact terms. Nevertheless, the applicant has submitted a scheme to amend the external appearance of the building, and subject to the changes being made to its overall design and finish (within a maximum three month period covered by condition), it is considered that the retention and alteration of the detached storage building/serverry would be more akin to the appearance of the existing agricultural buildings immediately adjacent to the site and as such more acceptable in terms of visual amenity. Furthermore, the use of the remainder of the yard area for seating and provision of a disabled parking space would also be acceptable in terms of visual amenity.

In respect of the new parking area on land to the north of the Angel Inn, as it is currently used for informal parking, it is considered that there would be no substantial changes in terms of visual amenity, provided the scheme is implemented in accordance with the agreed plans.

It is therefore considered that the overall development would not be out of keeping with the character and appearance of the area. Nevertheless, to ensure that there is no detrimental impact upon the character of the wider area and to comply with the relevant planning policies, a suitably worded condition will be imposed to ensure the alterations to the storage building which is sought to be retained and altered within the car park are undertaken within the above defined period of time

Impact on Residential Amenity

It is noted that the main part of the application site is located approximately 25m away from the closest part of The Angel Inn, which is a Public House located on the northern site of Pontneathvaughan Road, and approximately 90m away from the closest residential property. The existing building also adjoins farm buildings. As such, it is considered that the retention of the use and alterations to the yard area would not result in any unacceptable overlooking, overshadowing or overbearing issues, and the level of noise and disturbance associated with the use(s) would be comparable to that of the previously approved use and the Public House opposite. As such, it is considered that the proposed development would have no detrimental impact upon the amenity of the occupiers of the adjacent properties. Nevertheless, suitably worded conditions in terms of opening hours and restricting the A3 use to a café/restaurant/bar only (i.e. not a take-away) will be imposed to further safeguard those amenities.

In respect of the new parking area specifically, due to its location and nature, it is also considered that it would not create any unacceptable issues in terms of noise and disturbance – especially given the current informal use of the site as a parking area.

Parking and Access Requirements and Impact on Highway Safety

It is noted that the previously approved scheme included the provision of 6 parking spaces (including 1 disabled space) and a turning area within the yard area, and was also conditioned to include a Delivery Management Plan. These spaces were proposed to be accessed off Pontneathvaughan Road (B4242) via an existing gated entrance into the yard. Notwithstanding this, once operational, the developer erected the detached store/servery building (included within this application) within the yard area, and also provided outdoor-seating in the yard, thus precluding any use of the yard for on-site parking.

The provision of off-street parking to serve the use is essential, having regard to the nature of the use and the large number of vehicles which visit this tourist area. Despite the heavy tourist use of the area, the recent provision of additional 'layby' parking has improved the local situation and maintains the safe and free flow of traffic through the area. Nevertheless, in order to regularise this situation, the proposal is now to provide a new disabled parking space within the yard area, and also to

provide a new parking area (6 cars including one 'larger' space) for lodge customers on land to the north of The Angel Inn.

The Head of Engineering and Transport (Highways Section) has assessed the submitted scheme and notes that the previous lawful use as a Tourist Information Centre (Use Class A2/B1) would have required 8 parking spaces (including one disabled space). However, due to the raised flower beds in the parking area and lack of line markings, there was an under provision of approximately 5 spaces.

In respect of the approved A3 café use (with tourist accommodation above), the Council's approved SPG would normally require 3 customer parking spaces, plus 1 staff parking space and 1 commercial space, whilst the proposed lodges would require 4 spaces. This would total 9 spaces.

The use as a café/restaurant/bar would require 6 customer spaces (based on a primary restaurant use with bar), 3 staff spaces (based on 9 staff) and 1 commercial space. The tourist accommodation would require 4 spaces, which would total 14 spaces (i.e. 5 more than the approved use). It is noted that the current scheme would provide 6 spaces off-site and 1 disabled-size space (to be re-classified by condition as a parent and child space) on site (7 in total), which is one more than the previously-approved scheme. Although this is an under-provision by 7 spaces (compared to under provision of 3 on the approved scheme), it is considered acceptable in these circumstances for the following reasons.

Firstly, the previous TIC use had an under-provision of 5 spaces. Therefore, while the new use has a greater under-provision, this is not significantly greater than the original use of the building. Secondly, the A3 use is not materially different to that which was approved and whilst the parking standards require a greater provision of spaces, the practical use of the site remains largely unchanged. Thirdly, the lodge customers (who are likely to be parking overnight and not short-term) and potentially staff will have designated spaces in the new parking area. Finally, it is noted that since the original application was approved (ref: P2017/0310) new laybys have been created along Pontneathvaughan Road which provide a significant improvement in parking provision for tourists and visitors to the area, and who are likely to make up the majority of customers visiting this property.

In support of the application the developer has also submitted a Parking Management Statement which specifies that deliveries for the A3 use occur once a day between 6.00am and 8.00am (during peak season) and every other day (during low season) and are via a large transit-sized van or small lorry, with drinks deliveries every Friday by a small van. As these deliveries will be made outside of peak customer periods, it is considered that the deliveries can be made within the proposed parking/turning area on site (with vehicles reversing in) without any highway safety implications. To ensure that this is maintained, a condition can be imposed to secure continued compliance with these delivery arrangements.

In light of the above, it is considered that the overall development, notwithstanding an under-provision in parking against the approved parking standards SPG, would have no demonstrably greater impact over the previous lawful use (Tourist Information Office) or approved café/lodge in terms of parking, and would not have an adverse impact upon the safe and free flow of traffic, nor highway and pedestrian safety.

Biodiversity / Ecology

As previously stated, the proposed parking area is located adjacent to the Coedydd Nedd a Mellte SAC. However, a TLSE has been undertaken in consultation with the Biodiversity Section and Natural Resources Wales. This has concluded that the development is unlikely to have significant effects on the SAC. The Biodiversity Officer has also recommended a number of conditions in respect of a Construction Method Statement, spill procedure, lighting and installation of plastic membrane – to ensure adequate protection of the SAC. It is therefore considered that the overall development would be acceptable in terms of ecology.

Drainage

It is noted that the current foul drainage arrangements from the property is into a cesspit. Nevertheless, the principle of the development (including connection to non-sewer foul drainage) has already been established under the previous application. Whilst this type of arrangement is not normally the preferred option for Natural Resources Wales, in this instance they offer no objection to the development. It is therefore considered that the development would be acceptable in terms of drainage. Nevertheless, an advisory note requesting the

developer to consider alternative arrangements (i.e. sewer connection), as advised by NRW, will be imposed on the application accordingly.

A condition will also be imposed to limit the accommodation to a maximum of ten people (including removal of existing mezzanine accommodation) in order to limit the intensification of the use hereby approved in respect of foul drainage capacity (and car parking provision).

Contaminated Land

It should be noted that the application site(s) have been identified as potentially contaminated land. However, the Contaminated Land Unit offers no objection to the proposal, and as such it is considered that existing and future users of the site would not be adversely affected by ground contamination in terms of exposure to pollution.

Other Matters

In response to the main issues raised on the local representation, which have not been addressed elsewhere in this report, the following comments are made:

- Concerns raised relating to the handling of the application and related enforcement investigation are noted. Nevertheless, Officers are satisfied that the investigation into the ongoing breaches of planning at the property have been handled expeditiously, including appropriate negotiations with the developer to regularise the breaches of planning by submitting this new application. The assessment of the application is dealt with thoroughly in this report, and has included consideration of all matters raised in the enforcement investigation.

It is also emphasised that there has been no 'reluctance' to take formal action, with an Enforcement Warning Notice having been served. Nevertheless the investigation has been undertaken in accordance with the Authority's adopted Planning Enforcement Charter (January 2018), which states that "*in the majority of cases, even where breaches are identified, we will seek to resolve these informally*".

- In respect of the previous application, it should be noted that this was approved on 16/05/17 subject to conditions. While it has been acknowledged that some of the conditions (such as parking) were not complied with - and therefore there are breaches of planning - this does not invalidate the permission or make it 'unlawful', but does require the existing use/development to be regularised, which is the purpose of this application. The assessment of the application must have due regard to the previous planning permission.
- Turning to the comments relating to the sewer connection and increased capacity on site, it should be noted that the developer has confirmed that the existing tank has a capacity of 2500 litres. During the summer it needed emptying approximately every other day, but this will be less during the winter. The comments relating to odours are noted, but this in itself would not be a reason to refuse the application, as it would be a management issue for the developer on site. Given that the principle of the A3 use with accommodation has already been established no further assessment is therefore required. However, an advisory note will be added to the permission suggesting that the developer seeks alternative means for sewage disposal over the longer term.
- In respect of the concerns relating to the assessment of car parking on the previous application and checks of the car parking prior to occupation, it should be noted that a detailed assessment was made on the previous application balanced against the Parking Standards SPG and also the previous lawful use of the site as a TIC. Again, as part of this application, a full and detailed assessment has been made of parking. While no checks were made of the car park prior to the first operation of Sgwd Gwladys, this is not unusual, however following receipt of complaints the Enforcement Section has investigated accordingly, as previously stated.
- Turning to the comments relating to the new parking area and existing spaces already consented, it should be noted (for clarity) that only one new disabled space is to be provided within the Sgwd Gwladys yard area, with all the other parking proposed in the new dedicated parking area. The new dedicated parking area is to replace those lost from the yard area, not in addition to it.

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.

It is considered that the use of the site for a mix of uses including café/restaurant/bar with tourist accommodation above is acceptable in principle, complying with the requirements of Policies SC1 and T01. Furthermore the development would not have a detrimental impact upon residential amenity or upon the character and appearance of the surrounding area/open countryside, and subject to conditions requiring provision and retention of the parking spaces proposed under this application, there would be no adverse impact upon highway and pedestrian safety. Hence, the development would be in accordance with Policies SC1, T01, EN5, EN6, TR2 and BE1 of the Neath Port Talbot Local Development Plan.

RECOMMENDATION: Approval with Conditions

CONDITIONS

Approved Plans

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

PNF1 Sheet 1 of 6.

PNF1 Sheet 3 of 7.

PNF1 Sheet 4 of 7.

PNF SHEET 2 of 6.

PNF1 Sheet 5 of 7.

PNF1 Sheet 6 of 7.

PNF1 Sheet 9 Option 2 Revision A.

Amended Parking and Delivery Plan (Jan 19).

Assessment of Significant Effects.

Reason

In the interests of clarity.

Action Conditions

(2) Notwithstanding the submitted details, within three months of the date of this permission the following works shall be fully implemented in accordance with the approved plans: -

a) 6 new parking spaces shall be provided (and demarcated) on the land adjacent to the waterfalls entrance, as detailed on Dwg. PNF1 Sheet 6 of 7 (with the exception of the indicated disabled space which shall be re-classified as a parent and child space), including the provision of lockable posts to prevent their use other than by authorised visitors or staff associated with the premises hereby approved (Sgwd Gwladys);

b) The forecourt area shall be amended to provide a new disabled parking space (marked and demarcated), together with the display of parking signage, in accordance with Dwg. PNF1 Sheet 9 Option 2, Revision A.

The above parking spaces as detailed on Dwg. PNF1 Sheet 9 Option 2 Revision A and Dwg. PNF1 Sheet 6 of 7, shall thereafter be retained and made available for parking use associated solely with the use of the property known as Sgwd Gwladys.

Reason

To ensure that sufficient off street parking provision is made available for the premises within a reasonable period of time, in the interest of highway and pedestrian safety.

(3) The area shown hatched on Dwg. No. PNF1 Sheet 9 Option 2 Revision A shall at all times be kept clear from any obstructions (including any storage, paraphernalia or external seating) and retained to facilitate the manoeuvring of a vehicle into/from the approved disabled parking space.

Reason

To ensure that access/ egress for the approved disabled space is maintained at all times in the interest of highway and pedestrian safety.

(4) Within three months of the date of this permission the alterations to the external store and servery, as detailed on Dwg. PNF1 Sheet 5 of 7, shall be fully implemented on site and, notwithstanding the submitted details, the building roof and external cladding shall be finished in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority, and thereafter retained in accordance with such approved details.

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

(5) No development shall take place on the dedicated parking area until a Construction Method Statement containing details of measures to protect the adjacent Coedydd Nedd a Mellte Special Area of Conservation (SAC) has been submitted to and approved in writing by the Local Planning Authority. This statement shall include pollution prevention measures and measures of temporary enclosure. The approved CMS shall be fully implemented on site throughout the construction of the dedicated parking area.

Reason

To ensure the adjacent SAC is protected during construction and to comply with the Conservation of Habitats and Species Regulations 2017.

(6) No development shall take place on the dedicated parking area until details of a fuel/oil spill procedure, including provision of an 'oil spill kit' which shall be available at all times on site to deal with any potential pollution incidents, has been submitted to and approved in writing by the Local Planning Authority. The approved procedure shall be implemented through the use of the dedicated parking area.

Reason

To ensure the adjacent SAC is protected during construction and subsequent operation and to comply with the Conservation of Habitats and Species Regulations 2017.

Regulatory Conditions

(7) Notwithstanding the submitted details, the tourist accommodation hereby approved (Use Class C1) shall be limited to a maximum of 10 people, and the additional mezzanine beds above the en-suite bathrooms shall be removed within 1 month of the date of this permission, and this area shall be used as ancillary storage only, and retained as such thereafter.

Reason

In order to limit the intensification of the use hereby approved in respect of car parking provision and foul drainage capacity.

(8) All deliveries on site shall be undertaken strictly in accordance with the Amended Parking and Delivery Plan (Jan 19) hereby approved.

Reason

In the interest of highway and pedestrian safety.

(9) The tourist accommodation hereby approved (Use Class C1) shall be occupied as holiday accommodation only, and shall not be occupied as a person's sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Reason

To ensure that the accommodation is used for tourism purposes only, in compliance with Policy TO1 of the Neath Port Talbot Local Development Plan.

(10) The café/restaurant/bar hereby approved shall only be open to customers during the following hours:

8.00am to 23.00pm.

Reason

In the interest of the amenities of residents living in the vicinity of the application site.

(11) Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales), and the Town and Country Planning Use Classes Order, 1987 (or any order revoking or re-enacting that order), the ground-floor use hereby permitted shall be restricted to use only as a café/restaurant/bar and for no other use within Class A3, and the use as a hot food takeaway is expressly excluded.

Reason

To allow the Local Planning Authority to control the nature of development, since an unrestricted Class A3 may not be acceptable in this location.

(12) Any gates erected along the front boundary of the property known as Sgwd Gwladys shall open inwards only and not open out over the public maintained highway, and maintained as such thereafter.

Reason

In the interest of highway and pedestrian safety.

(13) No permanent or temporary lighting shall be erected on the dedicated parking area hereby approved.

Reason

To ensure the adjacent SAC is protected and to comply with the Conservation of Habitats and Species Regulations 2017.

(14) The parking spaces on the dedicated parking area hereby approved shall be constructed utilising the kerb and plastic membrane details, as set out in the Assessment of Significant Effects (Figure 3), and retained in accordance with such details thereafter.

Reason

To ensure the adjacent SAC is protected and to comply with the Conservation of Habitats and Species Regulations 2017.

REASON FOR GRANTING PLANNING PERMISSION

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Neath Port Talbot Local Development Plan adopted January 2016.

It is considered that the use of the site for a mix of uses including café/restaurant/bar with tourist accommodation above is acceptable in principle, complying with the requirements of Policies SC1 and T01. Furthermore the development would not have a detrimental impact upon residential amenity or upon the character and appearance of the surrounding area/open countryside, and subject to conditions requiring provision and retention of the parking spaces proposed under this application, there would be no adverse impact upon highway and pedestrian safety. Hence, the development would be in accordance with Policies SC1, T01, EN5, EN6, TR2 and BE1 of the Neath Port Talbot Local Development Plan.