

## SECTION A – MATTERS FOR DECISION

### Planning Applications Recommended For Approval

<b><u>APPLICATION NO:</u> P2019/5237</b>	<b><u>DATE:</u> 29/07/2019</b>
<b>PROPOSAL:</b>	Partial demolition of the rear section of Grade II listed building, erection of replacement extension and change of use of whole building to mixed use community facility comprising cafe (A3), hall (D2), multi-purpose rooms (D2), gymnasium (D2) and ancillary facilities, 2no A1/A2/A3 units, offices (A2/B1) and associated car parking, cycle store, bin store, employee amenity area, drainage, highways and engineering works. (20/08/19 - Revised plans consultation on Preliminary Risk Assessment Report and associated appendices A-G).
<b>LOCATION:</b>	Plaza Cinema, Talbot Road, Port Talbot
<b>APPLICANT:</b>	Neath Port Talbot Council
<b>TYPE:</b>	Major General Regulations (Regulation 3)
<b>WARD:</b>	Port Talbot

### SITE AND CONTEXT

The property comprises the former ‘Plaza Cinema’, a Grade II Building listed “*as a very rare example in Wales of a building type which expresses the distinctive architectural vocabulary of 1930s cinema architecture*”. The three storey, art deco Listed building largely fills the 1646 sq.m. site with the exception of a small yard area to the rear of the property.

The Listed Building description notes that the building is of a modernist style with art deco influences. The front elevation is clad in a cream faience tile with eau-de-nil band, with a large self-supported canopy over the ground floor. There is a central projecting block with two curved columns to either side. There are first and second floor windows to the front and both side elevations of the projecting block. A plain section of tiled wall is located to either side of the projection block which screens the main body of the cinema building. The two projecting pillars extend down through the canopy to the ground floor with two semi-circular convex shopfronts located to the outside of each of the pillars. To the rear of this decorative front elevation is a plain rough cast structure with ground to roof rib deals set at regular intervals along the side and rear elevations. The rear of the building has an extended

sloping hipped roof design, with a small plant room and associated flue. The northern corner of the structure has a doorway which is set below the ground level and is accessed via a set of steps down to a sub-basement.

## DESCRIPTION OF DEVELOPMENT

The proposed development seeks planning permission (under Regulation 3 of The Town and Country Planning General Regulations 1992 – Local Authority application to develop land) for the partial demolition of most of the rear section of the former cinema building, with the exception of the two ribbed sections closest to the front of the building, and the construction of a replacement two storey structure with a similar footprint as the demolished part of the building.

The proposal also seeks to use the resultant remaining front section of the original building together with the proposed two storey replacement extension as a mixed use community facility comprising a cafe (A3), hall (D2), multi-purpose rooms (D2), gymnasium (D2) and ancillary facilities, 2 retail units (A1/A2/A3), offices (A2/B1) and associated car parking, cycle store, bin store, employee amenity area, drainage, highways and engineering works.

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

It should also be noted that the applicants have also submitted a separate Listed Building application – P2019/5238. As the building is owned by the Authority and the Authority is also the applicant for the development then the Listed Building application must be referred to Welsh Ministers for their determination in consultation with Cadw.

## NEGOTIATIONS

Pre-application advice was given in relation to the content of the proposed application.

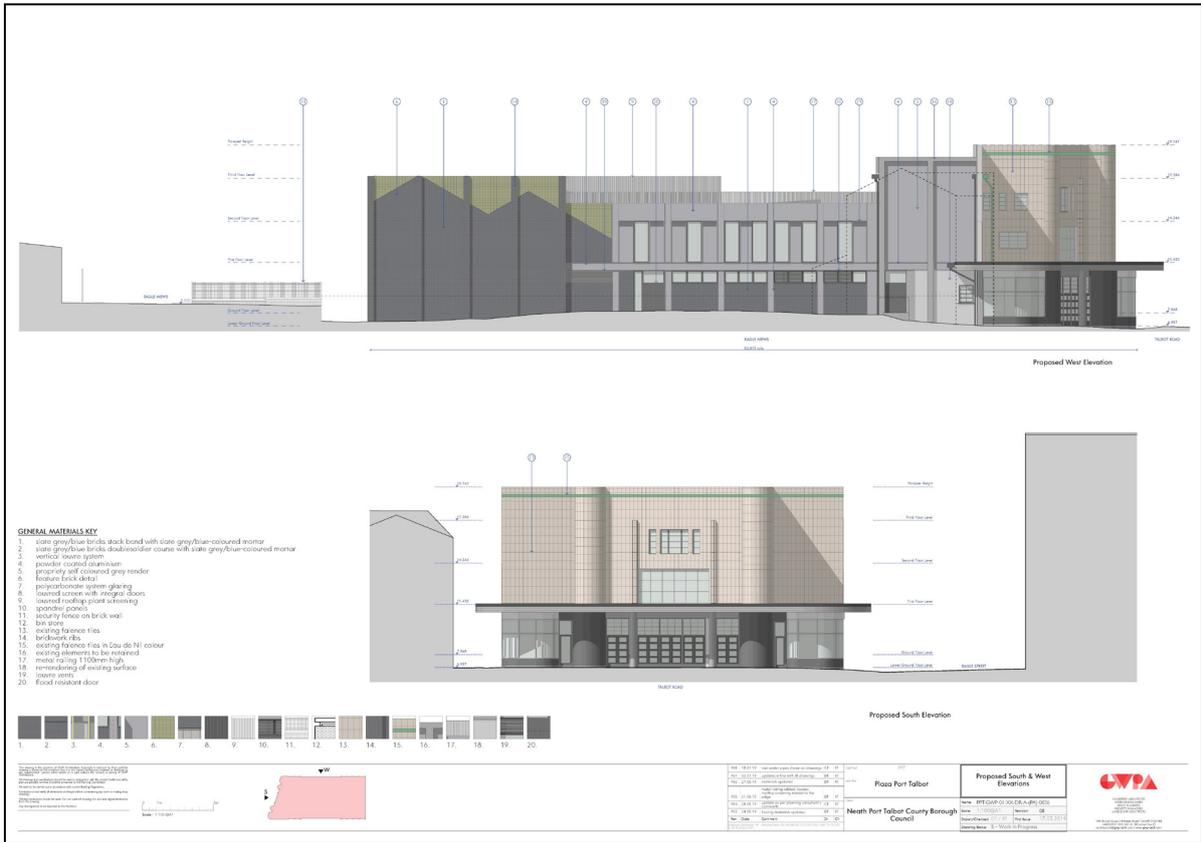


Figure 1: South and West Elevations (Proposed)



## PRE-APPLICATION CONSULTATION / NEGOTIATIONS

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 a Pre-Application Consultation (PAC) was carried out by the developer. The consultation exercise took place between 3 June 2019 and the 1 July 2019, and involved notifying 95 local residents within the surrounding area by letter, displaying site notices, together with notifying Ward Members and specialist consultees, who were directed to the website where the details of the development were available.

As a result of the consultation 1 response was received from a local resident. The submitted comments sought clarification on proposed arrangements relating to dust and contractors parking. These are addressed within the PAC report.

In response to the specialist consultee replies, the project team stated that they would carry out a site investigation and submit it as part of the application in response to NRW's comments and that they would produce a traffic management plan, and an amended Construction Method Statement in response to the Highway Authority's reply. They also had a response from the Theatre Trust who suggested changes and additional information was included within the Heritage Impact Statement that is required to be submitted as part of the Listed Building Application.

## PLANNING HISTORY

The application site has the following relevant planning history: -

- P1999/0704 – Residential Development (Outline) – Refusal 22/02/2000.
- P1993/9218 – Carrying on the business of a bingo and social club. Conditional approval. – Conditional approval 08/11/93.
- P1990/7758 – Section 53 application to use cinema as a bingo / social club.
- T1980/3394 – Alterations and modifications to foyer – Conditional approval 01/12/80.

## CONSULTATIONS

**Natural Resources Wales:** Requested additional information which was submitted and to which they raised no objection.

**Air Pollution:** No objection subject to a condition.

**Contaminated Land:** No objection subject to conditions.

**Environmental Health:** No objection subject to conditions to control noise, construction operations, piling and external lighting.

**Crime Prevention Design Advisor:** Made recommendations in relation to external lighting, CCTV, perimeter and internal security, bin storage, and signage.

**Head of Engineering and Transport (Drainage):** No comment other than noting that the detail of submitted drainage has not been agreed since consent will be required under SAB approval.

**Head of Engineering and Transport (Highways):** No objections subject to conditions including traffic management scheme for deliveries

**Biodiversity:** No objection subject to conditions.

**Glamorgan Gwent Archaeological Trust:** No objection subject to a condition and an informative.

## REPRESENTATIONS

Six neighbouring properties were consulted on 31<sup>st</sup> July 2019 with site notices also displayed around the site on the 31<sup>st</sup> July 2019. The application was also advertised in the press on 5<sup>th</sup> August 2019.

In response, to date 3 representations have been received, all of which support the redevelopment but 2 (from the same address) also raise 'major concern' on the following summarised grounds: -

- the effect on car parking for residents of Eagle Street who already pay for resident permits and struggle to park in the designated bays and on the unrestricted areas of Eagle Street.

- The huge increase in footfall expected from the development is inevitably going to exacerbate parking conditions further.
- People will attempt to park in Eagle Street for free. This already happens with the Royal Mail Sorting Office and the train station.
- Parking conditions need to be reconsidered in this planning application to prioritise Eagle Street resident permit holders.

## REPORT

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

### National Planning Policy:

[Planning Policy Wales](#) (Edition 10) was extensively revised and restructured at the end of 2018 to take into account the themes and approaches set out in the Well-being of Future Generations (Wales) Act 2015, and to deliver the vision for Wales that is set out therein.

PPW10 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision making process.

PPW is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -

- TAN12: Design.
- TAN15: Development and Flood Risk.
- TAN18: Transport.
- TAN23: Economic Development.
- TAN24: The Historic Environment.

## 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 SP5** Development in the Coastal Corridor Strategy Area
- **Policy SP11** Employment Growth
- **Policy SP12** Retail
- **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

### Topic Based Policies

- **Policy SC1** Settlement limits
- **Policy SC2** Protection of Existing Community Facilities
- **Policy CCRS1** Coastal Corridor Regeneration Schemes
- **Policy R3** Out of Centre Retail Proposals
- **Policy TO4** Walking and Cycling Routes
- **Policy EN7** Important Natural Features
- **Policy EN8** Pollution and Land Stability
- **Policy EN9** Developments in the Central Port Talbot Area
- **Policy RE2** Renewable and Low Carbon Energy in New Development
- **Policy TR2** Design and Access of New Development
- **Policy W3** Waste Management in Developments.
- **Policy BE1** Design

## *Supplementary Planning Guidance:*

The following SPG is of relevance to this application: -

- [Planning Obligations](#) (October 2016)
- [Parking Standards](#) (October 2016)
- [Pollution](#) (October 2016)
- [Renewable and Low Carbon Energy](#) (July 2017)
- [Design](#) (July 2017)
- [Biodiversity and Geodiversity](#) (May 2018)
- [The Historic Environment](#) (April 2019) (incl. [Schedule of Buildings of Local Importance](#) and [SPG: Schedule of Designated Canal Structures](#))

### EIA and AA Screening.

The application site does not exceed the Schedule 2 threshold for development of this type as outlined within the Environmental Impact Assessment Regulations 2017 and is not located within a sensitive area. As such the application does not require screening 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.

### Issues

Having regard to the above, the main issues to consider in this application relate to the principle of development including its uses (having particular regard to the impact on the listed building / historic environment), together with the impact on visual amenity, the amenities of neighbouring residents, highway safety, Drainage and Flood Risk, Biodiversity, Contaminated land and Archaeology.

## Principle of Development

### *Impact of Proposed Uses*

Turning to the principle of the uses at this location, the Plaza building has been vacant since it closed in 1999. The building is located within settlement limits where there is a presumption in favour of development. Whilst located outside the defined retail centre for Port Talbot, it is located in very close proximity and its multi-purpose use will complement the vitality and viability of the town centre. Policy R2 of the LDP identifies a number of uses which are considered to be appropriate within a town centre to maintain its attractiveness as a retail destination. It also indicates that non retail uses should be carefully assessed to ensure that they do not dilute the centres retail function. The application site is located outside but close to the retail centre where the character gradually changes from a commercial area, to a mixed use area. The mix of uses as proposed within this building which include two retail units, a gym/fitness area, a café, office /workspace, meeting rooms and a multi-function hall, will complement rather than compete with the town centre and should also encourage footfall down Station Road towards the south eastern side of the town centre. It is therefore considered that the proposed mix of uses at this location are in keeping with the character of this established mixed use commercial and residential area and will reinforce the vitality and viability of Port Talbot's retail centre. The development does not therefore undermine the objectives of Policies SC1, SP12 or R2 of the adopted Local Development Plan.

### *Heritage Impacts*

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes on Local Planning Authorities a statutory duty, when considering whether to grant planning permission for development which affects a listed building or its setting, to have *special regard* to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (emphasis added).

Case law has established that '*preserving*' in the context of the statutory duty means "*doing no harm*" and that there should be a "*strong presumption*" against granting planning permission for development which would result in harm. Moreover, decision-makers should give "*considerable importance and weight* to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise."

## *Impact of Demolition*

The building was originally constructed in 1939 (with construction being completed by 1950 due to the outbreak of WW2) and while there have been alterations to the original structure the main frontage of the building largely remains unchanged. The building remained in use as a cinema with some incidental use as a bingo hall until 1983 when it became a full time bingo Hall. The cinema reopened in 1985 and was converted into a 4 screen multiplex in 1989. The building last closed in 1999.

The building is a local landmark, with a distinctive design that was historically a focus for social activity within the community in which it is situated. It has now been vacant for approximately 20 years and while efforts have been made to maintain the unused building, the decay has now progressed beyond the decorative features to the physical structure of the building. This includes a large hole within the roof of the building which has allowed water ingress into the part of the building that connects the main decorative foyer portion of the building with the large auditorium section.

In recent years a number of attempts have been made to bring this building back into use, but none has progressed to the planning application process stage. It is therefore clear that action needs to be taken to secure the future of the building.

The Heritage Impact Statement submitted in support of the Listed Building application includes a detailed description of the existing structure, its history and significance, and its current condition. This includes details relating to the interior of the building as well as the findings of the condition surveys that have been carried out on the building over the last 7 years. These surveys identify the area of damage and decay that would require repair, refurbishment or where necessary replacement.

It describes the existing building as being very much a building of two parts. The front part of the building occupies about 1/3 of the overall footprint of the building with an impressive cream faience tiled clad front façade. A central projecting block is flanked by two half round turrets to either side. To the sides the frontage steps back with the same cream faience tiling.

The rear section of the building is made up of the auditorium and occupies the remaining two-thirds of the footprint of the building. The three elevations of this portion of the building are largely plain and featureless with the exception of the eaves to ground projecting ribs. The structure has a hipped roof which descends to a lower eaves level at the rear of the property.

The poor condition of the building is such that in order to facilitate a beneficial re-use of the listed building, the proposed development seeks to demolish much of the large auditorium section of the building - with the exception of the two bays (the area between the external ribs on the rear structure). The architecturally significant front portion of the building (including many internal features) will be retained, repaired and sympathetically restored, with a replacement two storey, flat / green roof extension constructed to the rear that will allow the whole of the building to be brought back into use as a mixed use community resource that could once again become a social focus for the community.

Glamorgan Gwent Archaeological Trust (GGAT) has stated that the proposal will ensure the survival of the façade, albeit noting that removal of the rear portion of the building will result in the loss of significant elements of the building, including the interior. They state that this will be a 'significant and permanent change to the listed elements of the building including the removal of the auditorium' and will need to be mitigated. This permanent change is not disputed, but is considered to be the only way forward to ensure the preservation (and restoration) of the remainder of the building.

Accordingly, while raising no objection to the demolition/ development, GGAT recommend a condition is attached requiring that a 'Level 4' historic building recording survey is carried out prior to the proposed development in accordance with "Understanding Historic Buildings: A Guide to Good Recording Practice" (Historic England 2016). For Members' information, a level 4 survey provides "a comprehensive analytical record" which is appropriate for buildings of special importance and "will draw on the full range of other sources of information about the building and discuss its significance in terms of architectural, social, regional or economic history". They also recommended an informative be put on the decision which would provide further archaeological advice.

Subject to such matters being conditioned, and having particular regard to s66, it is thus considered as a matter of principle that the demolition

of the rear part of the building is justified in order to secure the long-term preservation of the remainder of the heritage asset / Listed Building.

### *Restoration Matters*

Repair proposals and specifications for the retained part of the building have been submitted, while the associated application for Listed Building Consent includes a detailed Heritage Impact Statement assessing the impact of the proposals.

It is clear that the repairs to the existing frontage structure, including the restoration of the faience tile cladding, the metal-framed windows, the lower level render and curved glass, the canopy, and the 'PLAZA' sign, will all have a hugely beneficial and indisputably positive impact on the exterior of the building. While a glazed external screen will be added to the first floor central recess (an external balcony) this glazing is contemporary in design and would be identifiable as a new insertion, having no adverse impact on the building or wider area.

The associated Listed Building Consent (to be determined by Welsh Government) will be responsible for dealing with the precise matters of restoration and architectural detail, and for this reason no specific 'details' conditions are recommended for inclusion in the planning permission relating to such external and internal matters.

### *Relationship of New Extension to Listed Building*

The proposed rear extension has been carefully designed to create a modern active elevation to Eagle Street, while its selection of dark muted tones would ensure that this more detailed façade will neither compete nor detract from the historic Art Deco frontage. Detailed matters relating to the connection to the frontage element would be dealt with under the Listed Building Consent.

As a consequence of the above it is considered that the proposed development would ensure and safeguard the historic architectural features of the front elevation of this important landmark Listed Building, while also facilitating a new and vibrant community facility that has the potential to re-invigorate the community's interaction with this important feature. The proposal therefore accords with the important strategic policies SP2, SP3, SP4, and SP21 as well as policies SC2, and BE1.

## Impact on Visual Amenity

Having accepted the principle of demolishing the rear section of the building (above), the Design and Access Statement states that in designing the new replacement structure they have looked to the scale, massing and pattern of development within the immediate surrounding area as well as the design features of the main front elevation. The proposed elevation to Eagle Street has been divided into different sections through the use of a varied roof line, decorative features and a varied pallet of materials, including a green brick that would create triangular patterns on the side elevation of the last four sections of the building reflecting the pattern and roof line of the terraced properties opposite.

The resultant elevation to Eagle Street would have a modern, vibrant and active appearance compared to that of the current structure, and would not be a pastiche of the design of the front of the structure. While the two different sections of the building would indisputably have very different designs, the use of shades of green coloured features such as the feature bricks and green coloured louvers would reflect the use of eau-de-nil on the front and side elevations of the original façade. Similarly the use of muted tones of slate grey/blue bricks with slate grey/blue coloured mortar, grey powder coated aluminium and grey render would help to ensure that the proposed new extension would both respect and not be overly dominant or detract from the vibrancy of the historic Art Deco design of the retained front and side façades. These features, colours and materials are also used on the Eagle Mews side elevation and the rear elevation of the new portion of the structure, but with fewer features to create a less active frontage to these quieter roads.

In this respect, while the proposed development would result in the loss of the rear portion of the building, the proposed replacement extension has been designed to respond to the retained section of the building in a sympathetic and well-ordered manner. The development as a whole would also bring about the retention, refurbishment and reinvigoration of the more architecturally important portion of this historic local landmark Art Deco building, ensuring a secure future for the listed building by bringing it back into use, placing it at the heart of community activity and learning within both the immediate and wider surrounding area.

It is therefore considered that the proposed development would have no adverse impact upon the character and appearance of the surrounding area while securing a future for the historic architectural features of the listed building and would accord with Policies SP21 and BE1 of the Neath Port Talbot Local Development Plan.

### Impact on Residential Amenity

The closest adjacent residential properties to the development site are accommodated within a three storey block of 6 two bedroom flats at units 1 to 6 Eagle Mews. This is a relatively recent development dating from the 1990s and at its closest is located approximately 3m from the north western side elevation of the Plaza building. While it is difficult to see along the side elevation of these flats due to the narrowness of the gap between the properties, and the construction hoardings surrounding the application site, there appear to be some small windows in the side elevation facing towards the application site. The proposal shows the re-opening of a number of original windows within the side elevations of the former cinema. On the section of elevation which directly faces the side elevation of the Eagle Mews Flats, the proposal shows a ground floor window being re-opened and serving a storage room, as well as a set of double doors serving stair lobby 1. The proposed set of doors are shown to have no glazing and the window to the store can be conditioned to be obscure glazed. A condition can be imposed to ensure that the form of obscure glazing chosen is in keeping with the historic character of the listed building.

The rear facing windows of these existing flats currently look out along the length of the side elevation of the former cinema. The proposed development would result in the demolition of the rear section of the existing building in line with the rear elevation of the block of flats. While the proposal seeks permission for a replacement structure it would have a flat roof design with a varied roof height of between 9.5m to 10.5m, compared to the existing structure which has an eaves height of 12m and a maximum ridge height of 17m. As such the proposed development would be lower in height and arguably less overbearing than the existing structure. The proposed development by virtue of its reduced scale will improve upon the existing situation and thus result in no greater overshadowing or overbearing than that which currently exists.

While a number of windows are shown within the proposed side elevation, the ground floor windows are high level and the first floor windows are located at a right angle to the residential block. To ensure that there is no indirect overlooking of the flats' windows a condition is recommended to require a scheme to ensure adequate obscuring of these windows.

Numbers 7 to 15 Eagle Mews are two rows of terraced properties that face towards the rear section of the former cinema building, its small service yard and Eagle Mews roadway. As stated above, the ground floor windows in this elevation are high level windows. The closest proposed first floor window would be located 16m from the closest dwelling, however as stated above to ensure that there would be no indirect overlooking or perceived loss of privacy a condition is recommended to ensure that adequate obscuring treatment is applied to the windows. As stated earlier the resultant reduction in massing of the proposed two storey rear extension would ensure that there would be no overshadowing or overbearing to the existing residential properties.

The Royal Buildings, a modern 5 storey block of flats with mixed use commercial space on the ground floor, is located on the corner of Eagle Street and Talbot Road. The ground floor windows within the side elevation of the proposed development will face the existing commercial units and as such would not result in any overlooking or loss of privacy. The existing windows within the side elevations of the front projecting section of the former cinema originally served offices on the first floor and a storage area at second floor. The proposed development shows that all these windows would serve offices. As such there would be no material change in the function of the rooms that these windows would serve and no material loss of privacy to the flats at Royal Buildings or Eagle Mews.

The proposed rear extension has a number of windows shown on the first floor side elevation facing towards the first floor flats within the projecting wing of Royal Buildings that runs along Eagle Street. The buildings are located only 12m apart with the one way section of Eagle Street located between. The proposed first floor windows closest to the building's frontage are shown to serve an open plan office area, while the windows further along the elevation would serve the gym and fitness area. Due to the positioning of the buildings, the first proposed office window closest to the front of the building is shown to be located opposite the last residential window within the flats which serves a

lounge area. The very last window in Royal Buildings serves a staircase. Due to the limited distance between these buildings the proposed office window would have the potential to overlook the flat opposite. As such a condition is recommended to ensure the submission of a suitably designed scheme to obscure views towards the flats from this window. The other two windows which would also serve the open plan office area would be located at an angle which together with the positioning of vertical slats to the sides and middle of the windows would limit overlooking.

The remaining proposed windows within the first floor would serve the gym and fitness area. These windows would be located largely opposite the junction of the link lane with Eagle Street. However the last two panels of the last window would be almost opposite the first floor window of 1 Eagle Street at a distance of approximately 15m. To ensure that there would be no overlooking or loss of privacy to this property these two sections of the window should also be conditioned to ensure that suitable treatment is applied to the windows to obscure overlooking from them. Again the reduction in massing of the proposed replacement extension would ensure that there would be no overshadowing or overbearing to either 1 Eagle Street or the flats within the Royal Buildings.

It is therefore considered that the proposed development subject to the imposition of suitable conditions would result in no unacceptable overlooking, overshadowing or overbearing impacts over and above those experienced by the existing relationship between the original building and the neighbouring properties.

### *Construction and Demolition*

While all construction and demolition works have the potential to cause noise and disturbance to the occupiers of adjacent properties these are usually short term, for the duration of the demolition/construction operations. While the applicants have submitted a Demolition Method Statement to support their application, the statement in relation to the construction phase of the development is only a brief Outline Construction Methodology which provides some details of the measures that will be put in place to help ensure that the construction works on site are appropriately managed to minimise the noise and disturbances to the occupiers of the adjacent properties.

The statement explains that: -

- all deliveries will be managed to avoid school drop-off and pick-up times;
- they will use available NPT land to hold deliveries in a safe and convenience location away from the site until the appropriate time when they will be called to the site;
- Eagle House has been leased to use as temporary construction offices and welfare facilities and its car parking area will be used in association with the development;
- operatives working on the site will be directed to follow all local parking regulations and to use spaces within the Eagle House site or the NCP car park to the rear of the opposite side of Talbot Road and they will all be issued with a detailed delivery and transportation plan.

The statement also continues on to address special considerations relevant to the development site. It states that in the weeks prior to the demolition works and for the duration of the construction works pest control will be employed to clear the area of any vermin as a precautionary measure.

The applicants are still carrying out the necessary assessments to establish whether piling operations would be necessary as part of the construction works. While there are a variety of available piling methods available the applicants have stated that it is currently their intention to use Continuous Flight Augering (CFA) piling which is also known as Auger Cast Piling. This form of piling involves a CFA drill to excavate a hole that is then injected with concrete under pressure as the auger is extracted, reinforcement is then inserted after the auger is removed. This form of piling tends to result in less noise and vibration to adjacent properties. To ensure that the appropriate methodology is used for the application site a condition is proposed which would require a detailed scheme for piling and its control is submitted to the authority for agreement.

Despite the details outlined within the submitted construction methodology, a condition would be imposed that would require full details of a Construction Method Statement to be submitted to and approved by the Planning Authority prior to the start of construction operations on site. Similarly a condition would be imposed to require the submission of a detailed Demolition Method Statement with specific details of the dust suppression methods that will be put into operation

for the duration of any crushing and screening works as well as throughout the demolition operation.

Finally, due to the close relationship with adjoining properties, a condition is imposed restricting demolition and construction hours of operation to 08:00hrs to 18:00hrs Mondays to Fridays and 08:00hrs to 13:00hrs on Saturdays and no works on Sundays or Bank Holidays.

### *Noise*

As part of the proposed development a large multi-use hall with retractable seating will be located within the rear section of the proposed new extension. The Council's Environmental Health Officers have therefore recommended conditions to control operational noise levels, ventilation and insulation and details of operational external lighting.

In respect of the use of the building itself, it is considered that the activities associated with the mixed use of the building, including multi-purpose hall, would be acceptable within the mixed commercial/residential town centre location. The applicant proposes hours of use from 06:00 to 23:00hrs Monday to Saturdays and 09:00hrs to 18:00hrs on Sundays. While the 06:00 hour start time is early, this is proposed due to the potential for an operator to capture early morning gym use, and again within this context and notwithstanding nearby residential properties, it is considered that this would be acceptable, subject to a further condition that prevents the opening of first floor windows serving the gym or provision of amplified music in early morning (pre 07:30) and late evening (after 22:20 hrs).

While the operators have specified that they do not intend to use the building on Sundays and Bank Holidays there would not be a planning reason to prevent the use of the building on these days. It is noted that the petrol filling station and Subway take-away unit located directly opposite the application site operate 24hrs a day, and that the Taste bar and restaurant next to this operate a Sunday lunch service to 16:30 and live entertainment on Sunday evenings. As such it is considered that Sunday and Bank Holiday operating hours would be limited to 09:00hrs to 18:00hrs.

Subject to the controls referred to above being imposed through conditions, it is considered that the proposed demolition, redevelopment and use of the building would have no unacceptable impacts on the amenity of residential properties surrounding the site, such that the development accords with Policy BE1 of the Local Development Plan.

### Parking and Access Requirements and Impact on Highway Safety

While the existing building has been vacant for a number of years, its last lawful use was as a multiplex Cinema with up to four screens (use Class D2) with no on-site customer car parking. The current proposal seeks to create 6 car parking spaces within the rear yard area, three of which would be disabled parking spaces. The remainder of the area would be used for secure bicycle parking, access and manoeuvring and the provision of bin storage facilities. It is also proposed to provide a servicing bay along Eagle Street adjacent to the side elevation of the building.

The planning application has been accompanied by a Transport Statement which has concluded that there would be no significant impact on the operation of the local highway network as a result of the proposals. The TS included the results of a parking survey (undertaken in April 2019) which sought to assess the level of available on-street parking in the vicinity of the site. That concluded that much of the nearby on-street parking is subject to Traffic Regulation Orders (TROs) which limit parking to either short stay or is for residents only, but nevertheless identified a spare capacity for 8 vehicles in close proximity to the site which could be utilised by staff and visitors to the Plaza.

The submissions note that: -

- The maximum parking demand would be 12 vehicles, which would occur between 09:00 and 10:00 and could be accommodated predominantly within the available on-street parking in the vicinity.
- The extant use of the site as a cinema or bingo hall would result in greater parking demand throughout the day than the proposed use, with a maximum demand of 106 vehicles between 20:00 and 21:00.
- The greatest demand from the proposed use of the redeveloped building is likely to occur from the occasional use of the hall (max capacity 250 people) for performances. The hall therefore has the

potential to result in additional trips for a performance than on a typical day.

- Given the town centre location of the site and associated good public transport accessibility, it is reasonable to assume a significant proportion of trips will be undertaken by non-car modes. In order to estimate the potential demand, it has been assumed that 30% of trips are by non-car modes. Of the resulting car borne trips, a car occupancy of 1.5 per vehicle has been assumed, considering the propensity for people to attend events in couples or groups. Based on these assumptions, this would result in a parking demand of 117 vehicles on occasions when performances are taking place.
- It can therefore be concluded that the parking demand from the use of the hall will be similar to that which could be expected from the extant uses. This demand would only occur on ad hoc days, rather than on a typical day as for the extant uses.
- In addition to the on-street parking there are nearby public car parks which are available for use, with a total of 301 spaces.

Notwithstanding the above, in light of local concerns further surveys have been undertaken by Council officers to measure on-street car parking usage during the daytime and evenings. These surveys indicate that there is some, albeit limited, on-street parking available for use throughout the day and evening, with a maximum availability for 9 vehicles (located on Beverley Street and Talbot Road). Eagle Street is shown to be largely at capacity.

Having regard to the transport/ highways submissions, it is clear that there is insufficient parking available on site or in the adjacent streets to accommodate such numbers of vehicles. In this respect the 'worst case scenario' forecast demand of 117 vehicles from the *ad hoc* use of the hall for performances would result in a surplus demand of approximately 108 vehicles which cannot be accommodated within the on-street parking provision. The nearby car parks, however, are identified as having significant capacity during the daytime, and given that peak demand is likely to occur in evening periods, when the parking demand from commuters is significantly less and therefore the spare capacity in the car parks would be greater, it is considered that parking demand can be met locally by such car parks, which lie in close proximity to the site as shown below: -

- Railway Station Car Park (to the rear of the west side of Talbot Street) approx. 100m from front entrance.

- New Railway Station Car Park – approx. 185m from front entrance.
- Station Road Car Park – approx. 210m from the front entrance.

It is also noted that local representations raise some concern about the effect on car parking for residents of Eagle Street who already pay for resident permits and struggle to park in the designated bays and on the unrestricted areas of Eagle Street. The Highway Authority has been made aware of these local concerns, but has not recommended changes to the existing TROs on Eagle Street, other than where required (as noted below) to facilitate the loading/unloading bay and to protect the proposed new access off Eagle Street into the car parking area. It is noted that the loading bay would affect existing unrestricted parking bays but not residents parking bays.

These local concerns are noted, and it is accepted that bringing this site back into beneficial community use will inevitably have some impact on parking in local streets. Nevertheless, as stated above the premises has a lawful Class D2 / cinema use which, while not used for many years, would nevertheless have similar – and likely more intensive - parking requirements. In any event the proposed use of the building is intended to serve the local community within which it is sited, such that it is considered that many visitors to the centre would most likely either walk or cycle or, having regard to its highly sustainable location close to rail and bus stations, utilise public transport.

The application has also been accompanied by a Framework Travel Plan which indicates a range of measures aimed at ensuring employees and users adopt and/or promotes sustainable travel. A condition is therefore attached which requires submission and implementation of a Travel Plan prior to first beneficial use commencing.

The Head of Engineering and Transport (Highways) has assessed the Transport submissions and raises no objections to the scheme subject to submission and implementation of a traffic management scheme to include details of a loading/unloading bay Traffic Regulation Order to be located on Eagle Street to facilitate deliveries to the development and any amendments to the existing orders fronting Talbot Road to include no waiting or loading at any time, along with a no waiting at any time order to protect the proposed new access off Eagle Street into the car parking area.

Other recommended conditions include a requirement for a Construction Method statement; a Scheme detailing the reinstatement of the existing vehicular crossing to footway and the construction of a new vehicular crossing to the car park area off Eagle Street; and implementation of car park (including calculations of existing wall to Eagle Street).

Subject to the conditions recommended by the Highway Authority, and the need for a final Travel Plan to be approved prior to the use commencing, and having particular regard to the authorised use of the site and its sustainable location, it is considered that the proposed development would have no unacceptable highway impacts and would thus accord with Policies BE1 and TR2 of the Local Development Plan.

### Biodiversity / Ecology

Most of the development area is currently covered by the existing building, with the yard area to the rear and the area to the front of the building being largely hard surfaced. Nevertheless the rear yard area has patches of scrub growth that appear to have broken through the hard surface. There are also areas of vegetation growing within the building due to the hole in the roof.

The bat and owl surveys from 2016 were updated and conclude that there is no owl use of the building and no evidence or expectation of bat use of the building.

The Council's Biodiversity Officer has reviewed the submitted ecological reports and has no objection to the proposed development subject to the imposition of conditions to secure the provision of the details for, and implementation of, the proposed green roof together with a management plan.

It is therefore considered that subject to the imposition of these conditions the proposed development would have no adverse impact upon biodiversity.

### Flood Risk / Drainage

The application site is located within an area identified by the Development Advice Maps (DAM) as Flood Zone C1. In accordance with TAN15: Development and Flood Risk – Developer's Advice Maps the application has been supported by the submission of a Flood

Consequence Assessment. NRW has reviewed the relevant information and has raised no objection to the proposed development in relation to flood risk.

As the proposed development has a construction area in excess of 100sq.m the development would need to apply for consent from the Sustainable Drainage Approval Body (SAB) which would address the surface water drainage issues associated with the site and its redevelopment.

As with the current building, it is proposed that the new development would connect to the main foul sewer.

### Contaminated Land

The application was supported by a preliminary desk top assessment which identified that the site was historically used as railway lines/sidings. However as the majority of the site is covered by the building it will be difficult to carry out the necessary assessments prior to the demolition of the rear section of the building. As such the Council's Contaminated Land Officer has recommended the imposition of conditions to ensure the submission of the site investigation details and findings, remediation scheme and verification report, as well as a condition that would address any unexpected contamination that may be found on the site following demolition works / during the construction operations. NRW have also reviewed the submitted assessments and have raised no objection to the proposed development.

The applicants have identified that there are materials containing asbestos on site and have detailed within the Demolition Method Statement the appropriate methodology for the safe removal of the material prior to the demolition of the main structure.

### Energy Efficiency

Policy RE2 requires 'major development' proposals to submit an Energy Assessment to determine the feasibility of incorporating renewable and low carbon energy into development and, where viable, to implement the scheme.

An energy and sustainability statement has been submitted which states that the implementation of passive design and energy efficiency measures, alongside the inclusion of a 50m<sup>2</sup> PV array (which is

necessary to improve the buildings emission rate and comply with Building Regulations), satisfies the energy requirements for the development as a whole.

It is considered that implementation of such a PV scheme on the roof of the building would accord with Policy RE2 (while also having no demonstrable impact on the character of the listed building or wider locality).

### Waste Management

Policy W3 - Waste Management in New Development Proposals – requires ‘major development’ proposals to demonstrate that provision is made for the design, layout, storage and management of the waste generated by the development both during the construction phase and occupation.

The application has been supported by a Waste Management Plan which includes steps to reduce waste through design, and to recycle and recover through the demolition and construction phase. The proposal thus accords with the objectives of Policy W3.

### 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. Special regard has also been had in accordance with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

While the proposal would involve the demolition of the rear portion of this Grade II listed building, it is considered that the repair and refurbishment of the building’s significant frontage, and the sensitive extension to the rear, would represent an appropriate form of development that would help to secure the future of the modernist Art Deco frontage of a listed building which has been unused for a number of years and whose condition continues to deteriorate, while also creating

a vibrant landmark hub for community activity within the settlement in which it is located. The proposal would also have no unacceptable impact on the character or appearance of the immediate and wider area, upon the residential amenity of the occupiers of the adjacent residential properties, upon highway and pedestrian safety, archaeology, flood risk and drainage, biodiversity or contaminated land. Accordingly, the proposed development is in accordance with Policies R2, SC1, SP1, SP2, SP3, SP5, SP11, SP12, SP15, SP16, SP18, SP19, SP20, SP21, SC1, SC2, R3, TO4, EN7, EN8, EN9, RE2, TR2, BE1 and W3 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION: Approve subject to Conditions

#### Time Limit Conditions

1 The development shall begin no later than five years from the date of this decision.

Reason:

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

#### List of Approved Plans

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

Site Location Plan PPT-GWP-01-00-DR-A-(PA)-0001 Rev. 02  
Existing Site Plan PPT-GWP-01-00-DR-A-(PA)-0002 Rev. 02  
Topographical Survey PPT-GWP-XX-00-DR-A-(PA)-0003 Rev. 02  
Existing Ground Floor Plan PPT-GWP-01-00-DR-A-(PA)-0010 Rev. 03  
Existing First Floor Plan PPT-GWP-01-00-DR-A-(PA)-0011 Rev. 02  
Existing Second Floor Plan PPT-GWP-02-00-DR-A-(PA)-0012 Rev. 02  
Existing South & West Elevations PPT-GWP-XX-00-DR-A-(PA)-0014 Rev. 02  
Existing North & East Elevations PPT-GWP-XX-00-DR-A-(PA)-0015 Rev. 02

Ground Floor Demolition Plan PPT-GWP-GF-00-DR-A-(PA)-0020 Rev. 04  
First & Second floor Demolition Plan PPT-GWP-01-00-DR-A-(PA)-0021 Rev.04  
Roof Demolition Plan PPT-GWP-02-00-DR-A-(PA)-0022 Rev. 02  
Topographical Survey - External Levels Demolition PPT-GWP-XX-00-DR-A-(PA)-0023 Rev. 02  
Demolition Elevations (South & West) PPT-GWP-XX-00-DR-A-(PA)-0024  
Demolition Elevations (North & East) PPT-GWP-XX-00-DR-A-(PA)-0025  
Proposed External Works & Sections PPT-GWP-01-00-DR-A-(PA)-0029 Rev.05  
Proposed External Works PPT-GWP-XX-00-DR-A-(PA)-0030 Rev. 07  
Proposed Ground Floor GA Plan PPT-GWP-GF-00-DR-A-(PA)-0031 Rev. 09  
Proposed First Floor GA Plan PPT-GWP-01-00-DR-A-(PA)-0032 Rev. 09  
Proposed Second Floor GA Plan PPT-GWP-02-00-DR-A-(PA)-0033 Rev. 08  
Proposed Roof GA Plan PPT-GWP-03-00-DR-A-(PA)-0034 Rev. 08  
Proposed North & East Elevations PPT-GWP-01-XX-DR-A-(PA)-0035 Rev.09  
Proposed South & West Elevations PPT-GWP-01-XX-DR-A-(PA)-0036 Rev.08  
Proposed Sections S-01 & S-02 PPT-GWP-01-XX-DR-A-(PA)-0037 Rev. 04  
Proposed Sections S-03 & S-04 PPT-GWP-01-XX-DR-A-(PA)-0038 Rev. 04  
Condition Repair Proposals to front portion (elevations) PPT-GWP-01-XXDR-A-(PA)-0039  
Condition Repair Proposals to front portion (walls) PPT-GWP-01-XX-DR-A-(PA)-0040  
Condition Repair Proposals to front portion (floors) PPT-GWP-01-XX-DR-A-(PA)-0041  
Condition Repair Proposals to front portion (ceilings) PPT-GWP-01-XX-DRA-(PA)-0042  
External Works 01 PPT-GWP-01-00-DR-A-(SK)-0061  
Proposed Levels PPT-HYD-XX-XX-DR-C-0500  
Proposed Drainage Strategy and Constraints Plan PPT-HYD-XX-XX-DR-C-0600  
Proposed Surfacing and Kerbing Layout PPT-HYD-XX-XX-DR-C-0700

Proposed Site Clearance PPT-HYD-XX-XX-DR-C-1200  
Design and Access Statement GWP Architecture  
Planning Statement Asbri Planning  
PAC Report Asbri Planning  
Heritage Impact Statement GWP  
Transport Statement Hydrock  
Framework Travel Plan Hydrock  
Drainage Strategy Hydrock  
Energy and Sustainability Statement Hydrock  
Lighting Impact Assessment Hydrock  
Flood Consequence Assessment Hydrock  
Bat Survey Rob Colley Associates  
Phase One Ecology Survey (2016) NPTCBC  
Phase One Ecology Survey (2018) NPTCBC  
Noise Planning Report Hydrock  
Outline Demolition Plan/Method Statement BAM Construction  
Waste Management Plan BAM Construction  
Land Contamination Preliminary Risk Assessment NPTCBC

Reason:

In the interests of clarity.

### Pre-Commencement Conditions

3 With the exception of works relating to the demolition of the rear part of the building, no other development shall commence on site until an assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

- (i) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (ii) an assessment of the potential risks to:
  - human health,
  - groundwater and surface waters
  - adjoining land,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,- ecological systems,

- archaeological sites and ancient monuments; and
- any other receptors identified at (i)  
(iii) an appraisal of remedial options, and justification for the preferred remedial option(s).

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

4 Before beginning any development at the site, you must do the following: -

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

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

Reason:

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

NOTE: Templates of the required Notice and Site Notice are available to download at [www.npt.gov.uk/planning](http://www.npt.gov.uk/planning)

5 With the exception of works relating to the demolition of the rear part of the building, no other development shall commence on site until a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historic environment shall be prepared and submitted to and approved in writing with the Local Planning Authority. The scheme shall include all works to be

undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

6 Notwithstanding the submitted Demolition Method Statement, no development shall commence including demolition, until such time as a revised Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. The revised statement shall include full details of a dust suppression scheme for the proposed crushing and screening works including water suppression plant and details in accordance with IAQM guidance on demolition and construction. The approved scheme shall be fully implemented on site for the duration of the demolition operation.

Reason.

To ensure adequate air quality measures are implemented throughout the demolition works in accordance with policy EN8.

7 No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority

Reason

As the building is of architectural and cultural significance the specified records are required to mitigate impact and to accord with policy SP21.

8 No development shall commence (including works of demolition) until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method Statement shall be in accordance with the requirements of British Standard BS5228-1:2009 - "Code of practice for noise and vibration control on construction and open sites". The approved Statement shall be adhered to throughout the construction phases. The Statement shall provide for:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) Routes of vehicles taking into account the proximity of residential dwellings;
- d) storage of plant and materials used in constructing the development;
- e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f) wheel washing facilities to prevent deposition of material onto any hard surface road;
- g) measures to control the emission of dust and dirt during construction;
- h) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- i) scheme for the erection of temporary/semi-temporary signage warning drivers of speed restrictions;
- j) The frequency and size of vehicles used to transport the waste material arising from the demolition works;
- k) Measures to prevent stacking of vehicles onto the public highway;
- l) Identification of the significant construction noise sources, detailing the physical and operational management controls necessary to mitigate emissions from these noise sources, as well as noise complaint investigation procedures;
- m) details of the site compound and contractors car parking provision.
- n) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason:

In the interest of highway and pedestrian safety, the environment, and the amenity of residents, and to ensure accordance with Policies BE1, EN8 and TR2 of the adopted Neath Port Talbot Local Development Plan.

## Action Conditions

9 Prior to the first beneficial use of the hereby approved development full details of the bin storage area shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include plans, elevations and proposed materials for any proposed screening structure. The approved details shall be fully implemented on site prior to the first beneficial use of the development and shall be retained as such thereafter.

Reason: In the interests of the provision of appropriate bin storage facilities

10 Notwithstanding the details submitted, prior to the insertion of any window frames into the new building section of the development, full details of an obscure glazing scheme to the approved development shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall fully detail the method of obscuring vision from the following windows:

- Ground floor window in north western side elevation serving store 5.
- All first floor windows in north western side elevation serving meeting room 1, meeting room 2, staff room and stair 2.
- The furthest south, first floor window panel in the south eastern side elevation serving the open plan office area.
- The furthest north, first floor full window panel in the south eastern side elevation serving the gym area.

The development shall be construction in accordance with the approved details and shall be retained as such thereafter.

Reason :In the interest of the amenities of the adjacent properties, and to ensure accordance with Policy BE1 of the adopted Neath Port Talbot Local Development Plan.

11 Prior to the installation of any external lighting units, full details of the proposed external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include full details of the lighting unit specifications, the proposed locations, the method of installation and proposed lux levels. Only the approved details shall be implemented on site and shall be retained as such thereafter.

Reason: In the interests of visual and residential amenity as well as highways safety and to comply with policy BE1 and TR2.

12 Prior to the installation of any external CCTV camera units, full details of the proposed CCTV camera scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include full details of the CCTV unit specifications, the proposed locations, the method of installation and field of view. Only the approved details shall be implemented on site and shall be retained as such thereafter.

Reason

In the interests of visual and residential amenity and to comply with policy BE1 and TR2.

13 Prior to the start of works on the construction of the roof of the hereby approved extension, full details of the proposed green roof, including species mix/density, shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also include full details of a Green Roof Management Plan to include details of the long term design objectives, management responsibilities, and maintenance schedules for the green roof. The development shall be constructed and thereafter managed in accordance with the approved details and retained as such thereafter.

Reason

In the interests of drainage and biodiversity and in accordance with policy EN7.

14 Prior to their use in the construction of the development hereby permitted, full details and samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

In the interest of the visual amenity of the area and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

15 Prior to the start of any piling operations on site, full details of the proposed justification for the piling methodology to be used for this development shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of all mitigation measures to be implemented on site to prevent noise and nuisance to adjacent noise sensitive receptors, including details of hours of piling operations. The development shall be undertaken in full compliance with the approved details.

Reason.

In the interests of residential amenity and to comply with policies EN8 and BE1.

16 The noise rating level emitted from external mechanical plant serving the approved use shall not be greater than the existing background noise level. The noise levels shall be determined at the nearest noise-sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made in accordance with BS4142:2014 Method for Rating and Assessing Industrial and Commercial Sound.

Reason

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with policies SP16, EN8 and BE1.

17 Prior to the start of construction works on site a detailed scheme demonstrating that the sound insulation performance of the hereby approved development is such that the internal ambient noise levels do not exceed the values detailed in British Standard BS8233:2014, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be fully constructed in accordance with the approved scheme and shall be retained as such thereafter.

Reason

In the interests of residential amenity and to accord with policies SP16, EN8 and BE1.

18 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

19 Prior to beneficial use of the proposed development commencing, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in accordance with condition 5 shall have been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

20 Notwithstanding the submitted Framework Travel Plan, no less than six months prior to first beneficial use of the development hereby approved, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The updated Travel Plan shall include details of the appointment of a Travel Plan Coordinator, and address the means to encourage staff and customers to use more sustainable means of transport and reduce the demand on private transport. The Plan should also include a detailed monitoring scheme/schedule, which shall include regular reviews covering the initial five year period, together with details covering submission and approval of subsequent updated Travel Plans every five years for the duration of the operation of the development. These updates shall seek to address any issues that have failed to reduce the use of the car and meet the agreed targets set in the travel plan. All measures identified within any approved Travel Plan required by the scheme shall be implemented within three months following its approval.

Reason:

In the interests of promoting sustainable transport and to ensure the development complies with Policy SP20 of the Neath Port Talbot Local Plan.

21 The use hereby approved shall not commence until such time as the kerb to the existing vehicular crossing has been reinstated and a new vehicular crossing constructed to the car park area off Eagle Street.

Reason:

In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.

22 The use hereby approved shall not commence until such time as a traffic management scheme has been submitted to and approved in writing by the local planning authority, and the approved scheme implemented. This scheme shall include details of a loading/unloading bay Traffic Regulation Order to be located on Eagle Street, to facilitate deliveries to the development and include any amendments to the existing orders along with a no waiting at any time order to protect the proposed new access off Eagle Street into the car parking area.

Reason:

In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.

23 The use hereby approved shall not commence until such time as the car parking layout shown on Drwg No PPT-GWP-01- DR-A-(PA)-0029 has been provided and permanently marked out on site, and the approved parking shall thereafter be retained to serve the development hereby approved.

Reason:

In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.

24 Prior to work commencing on construction of the proposed car park an assessment shall be undertaken (including calculations) of the existing retaining wall to Eagle Mews, with the results of the assessment submitted to and approved in writing by the Local Planning Authority, and any recommendations for improvement implemented prior to first use of the car park.

Reason:

In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.

### Regulatory Conditions

25 Demolition and construction works shall not take place outside the hours of 08:00hrs to 18:00hrs Mondays to Fridays and 08:00hrs to 13:00hrs on Saturdays and no works on Sundays or Bank Holidays.

Reason

In the interests of residential amenity and to ensure the development complies with policies BE1 and EN8 of the Neath Port Talbot Local Development Plan.

26 No deliveries shall be taken in or dispatched from the site between the hours of 08:30hrs and 09:00hrs, and 15:00hrs and 16:15hrs Mondays to Fridays.

Reason

To ensure that deliveries to the site avoid school pick-up and drop-off times and in the interests of highway and pedestrian safety and to accord with conditions BE1 and TR2.

27 The hereby approved mixed uses shall not be carried out outside the hours of 07:00hrs to 23:00hrs Monday to Saturdays and 09:00hrs to 18:00hrs on Sundays.

Reason:

In the interest of residential amenity and to ensure the development complies with Policy BE1 and EN8 of the Neath Port Talbot Local Development Plan.

28 Between the hours of 22:00 and 07:30, the first floor windows serving the gymnasium shall remain closed, and there shall be no amplified music played (audible outside of the building).

Reason:

In the interest of residential amenity and to ensure the development complies with Policies BE1 and EN8 of the Neath Port Talbot Local Development Plan.

29 Any gates provided across the access to the rear compound area shall be of a type which open inward only and can be seen through, and shall be retained as such thereafter.

Reason:

In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.