

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2020/0486	<u>DATE:</u> 05/06/2020
PROPOSAL:	Leisure Centre, incorporating Swimming pool, health suite and gym with ancillary cafe, 6 commercial units (A1, D1 uses) plus first floor public library. Together with associated service yard, public realm and landscaping improvements.
LOCATION:	Land At Water Street, Neath
APPLICANT:	Neath Port Talbot Council
TYPE:	Regulation 3 (Council Development)
WARD:	Neath North

SITE AND CONTEXT

The site is located within Neath Town Centre, as designated under Policies R1 and R2 of the Neath Port Talbot Local Development Plan.

The site extends to both the area of the former multi-storey car park, Wilko, and Tesco Metro Stores, which have been demolished, extending from Wind Street through to Fairfield Way, and encompasses Fairfield Way itself to the side of the existing Wilko store, which was constructed under Phase 1 of this regeneration scheme.

The site is bounded to the east by Prince of Wales Drive which provides one of the main circulatory routes around the Town Centre, and provides access to the south of the site to the multi-storey car park. The site area incorporates proposed public realm improvements to Water Street to the West.

Plan 1 below identifies the position of the development within the town centre.

Plan 1: Location of proposed development



BACKGROUND

Previously full planning permission was granted for the demolition of the Magistrates Court and adjacent demountable buildings, and the development of a 4 deck, 604 space multi-storey car park, 1 No. Retail unit (Class A1), and Shop mobility unit; together with associated permanent and temporary public realm improvements.

In addition outline planning permission was granted for the demolition of existing multi-storey car park (incorporating Wilkinson and Tesco) and the Greyhound PH, and the development of 9 No. Retail units (Class A1); 7 No. Retail/Food and Drink units (Classes A1/A3); 2 No. Retail/office units (Classes A1/A2); 1 No. Office/Community facility unit (Class B1/A2/D1), and up to 31 No. Residential Units, together with associated public realm improvements, reconfigured service yard and car parking.

Development of the first phase (granted full planning permission) has been completed. This includes the existing Wilko Store and Multi-storey car park.

A further phase of that development, was granted full planning permission under P2016/0654 on the 9th January 2017 for a 3 Storey mixed use block comprising 6 commercial units (Class A1/A2/A3 with 12 No. residential units and associated works, including changes to existing service yard and public realm improvements.

In addition off site highway works to Water Street have been undertaken that allow for the stopping up of Fairfield Way whilst retaining access and Parking to those properties on Water Street, and access for service vehicles to the service yard serving Boots and other stores sited within the town centre.

A more recent planning permission ref. P2018/1024 for 'Redevelopment of Neath town centre consisting of 8 No. A1 retail units and 1 No. first floor unit (A1,A3 or D2 use) together with associated service yard and hard and soft landscaping' was granted planning permission on 12th February 2019, although the proposals within this application are intended to supersede such development scheme.

DESCRIPTION OF DEVELOPMENT

This is a full application made under Regulation 3¹ for the next phase of the Neath Town Centre redevelopment.

In total the development will provide 7,082 sq m of development providing a new leisure centre, with swimming pool, gym, health suite and ancillary café with 6 commercial units, plus library, together with service yard, and public realm

At ground floor (5375 sq.m.) the development provides swimming pool, health suite and café, plus 6 commercial units, and foyer to first floor.

At first floor the development proposes an additional 1,707m² of floor space (First floor Gym within the leisure centre, and library over Units 3-6) with separate access onto the main Water Street frontage to Unit 7 serving the library.

An illustration of how the proposed development would look is shown below.

¹ Town and Country Planning General Regulations 1992 (SI 1992/1492) - Consents issued under Regulation 3 are for the benefit of the Council as applicant only.

Illustration 1: Artists impression showing the proposed development



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

PRE-APPLICATION CONSULTATION

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, statutory Pre-Application Consultation (PAC) was carried out by the developer.

The consultation exercise took place between 23rd April and the 26th May 2020. The consultation involved notifying local residents within the surrounding area, together with Ward members, and specialist consultees.

In addition to statutory consultees, twenty six public responses were received, which have been outlined in the Pre-Application Consultation Report at section 4.3.

PLANNING HISTORY

The application site has the following relevant planning history: -

- **P2013/0863** Full Planning Application for the demolition of the Magistrates Court and adjacent demountable buildings, and the development of a 4 deck, 604 space multi-storey car park, 1 No. Retail unit (Class

A1), and Shop-mobility unit; together with associated permanent and temporary public realm improvements.

Outline Planning Application for the demolition of existing multi-storey car park (incorporating Wilkinson and Tesco) and the Greyhound PH, and the development of 9 No. Retail units (Class A1); 7 No. Retail/Food and Drink units (Classes A1/A3); 2 No. Retail/office units (Classes A1/A2); 1 No. Office/Community facility unit (Class B1/A2/D1), and up to 31 No. Residential Units, together with associated public realm improvements, reconfigured service yard and car parking.

Approved 13th Nov 2013.

- **P2014/0196** Details pursuant to discharge Condition 6 (Alignment of access and exit to car park) of planning permission P2013/0863 (Approved on the 12/11/2013)
Approved 7th March 2014.
- **P2014/0638** Details pursuant to Condition 5 (Site Waste Management Plan) of Planning Permission P2013/863 (Approved on the 13/11/13). 28th July 2014
- **P2014/0639** Details pursuant to Condition 14 (Surface Water Drainage Strategy for Phase 1) of Planning Permission P2013/863 (Approved on the 13/11/13).
Approved 24th October 2014
- **P2014/0651** Details pursuant to Condition 4 (Construction method statement) of Planning Permission P2013/0863 (Approved on the 12/11/13)
Approved 16th October 2014.
- **P2014/0824** Details pursuant to Condition 17 (Bat and Bird Boxes) of Planning Permission P2013/0863 (Approved on the 13/11/13)
Approved 16th September 2014

- **P2014/927** Details pursuant to the discharge of Condition 2 (External Materials) of Planning Permission P2013/0863 (Approved on the 13/11/13)
Approved 3rd October 2014
- **P2015/0083** Non-material amendment to Planning Permission P2013/0863 (Approved on the 24/09/2013) for the reduction of car parking spaces from 604 to 594, widening of exit door to stair tower, alteration to vehicular car park entrance, removal of feature structure at pedestrian access to car park plus removal of Conditions 18, 19 and 20 in respect of BREEAM.
Approved 29th May 2015.
- **P2015/0354** Variation of Condition 3 (Timing of installation of advance car parking capacity signage) of Planning Permission P2013/0863 (Approved on the 13/11/13)
Approved 9th July 2015
- **P2015/0545** Details pursuant to Conditions 2, 8, 10,15 (Service bay layout, landscaping, street lighting and external materials: Mesh screen) of Planning Permission P2013/0863 (Approved on the 13/11/13)
Approved 7th July 2015
- **P2016/0654** 3 Storey mixed use block comprising 6 commercial units (Class A1/A2/A3 with 12 No. residential units and associated works, including changes to existing service yard and public realm improvements.
Approved 9th January 2017
- **P2018/0765** 3 storey mixed use block comprising of 5 commercial units (Class A1/A3) with 12 No residential units and associated works, including changes to existing service yard and public realm improvements.
Approved 6th November 2018
- **P2018/1024** Redevelopment of Neath town centre consisting of 8 No. A1 retail units and 1 No. first floor unit (A1,A3 or D2 use) together with associated service yard and hard and soft landscaping
Approved 12th February 2019

CONSULTATIONS

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

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

Head of Engineering and Transport (Drainage): No objection, SABs application required

Contaminated land: No objection, subject to conditions

Gwent Glamorgan Archaeological Trust: No objection

Welsh Water: No objection, subject to condition

Crime Prevention Advisor: No objections details of design to be included within the development.

Environmental Health (Noise): No objection, subject to conditions

Biodiversity: No objection subject to conditions

REPRESENTATIONS

The neighbouring properties were consulted on 9th June 2020. Site notices were also displayed on that date, with the application also advertised in the South Wales Evening Post on the 9th June 2020.

In response, to date no representations have been received.

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:

The main thrust of [Planning Policy Wales](#) (Edition 10, December 2018) is that retail and commercial centres are hubs of social and economic activity and the focal point for a diverse range of services which support the needs of local communities. They are highly accessible to different modes of transport and are the most sustainable locations for new development.

Para 4.3.18 States *“The Welsh Government operates a ‘town centres first’ policy in relation to the location of new retail and commercial centre development.”*

The Welsh Government identifies a number of overarching objectives for retail and commercial centres, which planning authorities should aim to deliver through their development plan and development management decisions ensuring their maximum contribution to the well-being goals.

The planning system must:

- promote viable urban and rural retail and commercial centres as the most sustainable locations to live, work, shop, socialise and conduct business;
- sustain and enhance retail and commercial centres’ vibrancy, viability and attractiveness; and
- Improve access to, and within, retail and commercial centres by all modes of transport, prioritising walking, cycling and public transport

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

- TAN 2 Planning and Affordable Housing (2006)
- TAN 4 Retailing and Commercial Development (2016)
- TAN 12 Design (2016)
- TAN 21 Waste (2014)
- TAN 23 Economic Development (2014)
- TAN 24 The Historic Environment (2017)

Local Planning Policy:

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

Strategic Policies

- **Policy SP1** Climate Change
- **Policy SP2** Health
- **Policy SP3** Sustainable communities
- **Policy SP4** Infrastructure
- **Policy SP5** Development in the Coastal Corridor Strategy Area
- **Policy SP10** Open Space
- **Policy SP12** Retail
- **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 I1** Infrastructure Requirements
- **Policy CCRS1** Coastal Corridor Regeneration Schemes
- **Policy OS1** Open Space Provision
- **Policy R1** Retail Allocations
- **Policy R2** Proposals Within Retail Centres
- **Policy EN8** Pollution and Land Stability
- **Policy RE2** Renewable and Low Carbon Energy in New Development
- **Policy W3** Waste Management in New Development
- **Policy TR2** Design and Access of New Development
- **Policy BE1** Design
- **Policy BE2** Buildings of Local Importance

Supplementary Planning Guidance:

The following approved [SPG](#) are of relevance to this application: -

- Planning Obligations (October 2016)
- Parking Standards (October 2016)
- Pollution (October 2016)
- Open Space & Greenspace (July 2017)
- Renewable and Low Carbon Energy (July 2017)
- Design (July 2017)
- Biodiversity and Geodiversity (May 2018)

Transforming Towns

[Transforming Towns](#) is a Welsh Government Initiative to encourage investment within town centres, for businesses, housing, leisure facilities, commercial premises or community facilities. The scheme has been launched to increase viability, and to increase footfall and the attractiveness of town centers for multiple uses, thereby removing its reliance on retail alone, but complementing it with other uses that attract people and businesses into centres that have seen decline due to the changing retail market.

The Transforming Towns package includes measures to increase footfall by making sure the public sector locate services in town centre locations, tackle empty buildings and land to help bring them back into use, and greening our town centres.

Towns are vital to environmental, economic, social and cultural well-being in Wales –around 40% of our population live in small towns of less than 20,000 people but nearly everyone identifies emotionally with a town – or city – in some way.

Many towns are struggling in the wake of declining retail sales and the way we use town centres has changed.

To help breathe new life into town centres, the Welsh Government unveiled a new 'Town Centre First' approach, which means locating services and buildings in town centres wherever possible. As part of this approach, all Welsh Government departments will put the health and vibrancy of town centres as the starting point for their location decision-making processes.

Utilising this approach, the public sector is also being encouraged to support towns by locating offices, facilities and services within them in order to drive footfall and create or sustain vibrancy.

Town centres play a vital role in Wales, and they have long been a hub of day-to-day life. However, it is no secret that they have faced huge difficulties in recent years in the wake of retail closures, online shopping, public sector cutbacks and continued lack of investment.

The Town Centre First approach, which will ensure that their strategic importance is considered in any new planning and investment decisions. Local authorities recognise the value of town centres for whole communities, which is why many councils have decided to open new civic offices, public sector offices, one stop shops, or schools in their local town centres.

Although a town centre location will not be appropriate for all services and facilities, this approach will ensure that these locations are given primary consideration, and that any decisions for locating elsewhere should be backed by evidence.

EIA Screening

The application site exceeds the Schedule 2 threshold for development of this type as outlined within the Environmental Impact Assessment Regulations. As such the application has been screened.

The findings of the screening report were that the scale and nature of the potential impacts associated with the development both alone and in combination with other developments within the area would not be of a type that would require the carrying out of an Environmental Impact Assessment or the subsequent submission of an Environmental Statement in support of the application

The proposed development is also 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 2017 is not required.

ISSUES

Having regard to the above, the main issues to consider in this application relate to the principle of development, impact on visual amenity and the character of the area, the amenities of neighbouring properties, highway and pedestrian safety and the free flow of traffic, biodiversity, and pollution control including noise and nuisance.

Principle of Development

The principle of development has already been established with the granting of outline planning permission for the redevelopment of Neath town centre under planning application P2013/0863 in November 2013. This area was identified on the master plan as Block A which allowed for 8,662 sq.m. for retail use, a figure which included development in the area proposed under this application for 'future development'.

The retail impact statement identifies that the previous hybrid application set out to assess the quantity of development proposed and a qualitative on the existing provision, and demand identified to enhance the existing centre.

The main conclusions of that report are;

- The new Neath Town Centre development will provide a wide range of benefits for Neath Town Centre;
- It will provide much needed additional quality retail floor space, of appropriate size for current retailer needs, thereby helping Neath to extend its offer and choice.
- It will deliver new and improved anchor stores.
- It will deliver new improved customer facilities, including modern parking, modern shop mobility and a modern shopping environment.
- It will extend the town centre offer and create a much needed circular route linking to other retail and non-retail anchors for the town centre.
- It will provide a highly visible and impactful retail statement for the town centre.
- It will complement and enhance the performance of existing retail offers including the Market Hall, Morrisons, M&S and established streets.

- The development will secure new retailers for the town and extend the choice and offer for its customer base. The development is of sufficient size to build on the attraction of Neath Town Centre, to generate additional trips, recapture lost expenditure and new users.
- However it is also contained in size and is fully sustainable within the 2017 comparison goods available expenditure.
- It is also fully compliant with both local and national planning policy and aspirations.

The development as approved in 2013 remains extant and the quantum of development in respect of retail and other commercial floor space can be developed out, subject to the submission of a reserved matters application.

This application seeks full planning permission, taking into account the demand from retailers currently interested in a presence within the centre, and advice from retail consultants on the scale of unit size appropriate. But in addition it now also provides a mix of potential uses, and notably a new destination Leisure Facility which will encourage activity and visitor to the town centre, in line with the emerging Welsh Government 'Transforming Towns' agenda.

It is considered that the uses requested as part of this application, providing a modern leisure facility within the heart of the town centre, together with A1 retail and D1 leisure complementary uses at ground floor, together with a first floor use, which will provide a new library facility for the town would provide a significant enhancement to the existing town centre, and one that lies in close proximity to parking and public transport.

The relocation of the leisure centre and library into the heart of this new phase of development within the town centre, will wholly accord with the objectives underlying this emerging strategy, and compliment other retail and commercial uses, together with enhanced public realm, and landscaping. That together with 21st century parking provision within the new multi-storey car park, and a location that is accessible to sustainable means of public transport, and for pedestrians, provide a destination with multiple uses that will enhance the offer available within the existing town centre, and increase its variety, its vitality and viability, and its standing within the retail hierarchy of the region.

It is therefore considered that the provision of further development within the designated town centre, of a scale that would provide a mix of uses, will attract visitors and modern retailers and commercial operators to this

established centre, would complement the scale and offer of the commercial development within Neath and:

- Encourage existing visitors to visit more often.
- Encourage non-Neath users to visit and encourage repeat visits. Recapture leaked expenditure
- Complement existing trade without impacting on existing trade or other centres.
- Result in an overall positive enhancement of public realm and visitor expectance.

As such it would accord with TAN 4 Retail and Town Centres, and Policies R1 and R2 of the Neath Port Talbot Local Development Plan.

In addition the development is located within settlement limits as defined by **Policy SC1 – Settlement Limits** where development that is proportionate in scale and form to the role and function of the settlement as set out in the settlement hierarchy will be acceptable in principle.

The site is part of an area designated as a mixed use regeneration scheme (CCRS 1/1) and allocated as a housing site under **Policy H1 Housing**. This proposal is for retail and leisure development but part of the wider site is to remain which could be developed in the future for residential use, and there are other areas of the wider allocation remaining to deliver the residential element of the allocation. The proposal is therefore considered to be in accordance with Policy H1.

The site is also located with Neath Town Centre which is covered by **Policy R2 Proposals within Retail Centres**. In this case the site partly fronts on to a designated primary shopping street (Water Street). A1 retail units are proposed to front this street, which is in accordance with Policy R2. Details of the design of these units is detailed later within this report.

Taking into account the above it is considered that the principle of development is acceptable, subject to the impacts of the development being considered acceptable in accordance with the other policies set out within the LDP.

Impact on Visual Amenity and Character

The key objective behind the masterplan proposals was to regenerate this particular area of the town centre and in doing so stimulate economic activity and commercial enterprise in the town while delivering significant

improvements in place making and public realm provision. This was achieved through the masterplan proposals, featuring the reorganisation of this block of the town centre, reorganising and enhancing traffic and pedestrian flows in the process.

This application seeks to deliver a new sense of place making, while creating high quality public realm, exhibiting appropriate proportions and scale which integrate the new development into the phase 1 development and provide a high quality development to further enhance the town centre, characterised by and consistent with Neath's character, which consists of a series of linked, sometimes different buildings in a terrace to create an interesting and stimulating street scene.

From a commercial perspective this would create a destination lined with active frontages to bring a new dynamic to the town centre, and provide a logical flow of pedestrians around the town centres, linking to existing transport and parking hubs.

As members will be aware, the Phase 1 scheme was opened to the public in 2014, and comprised a new store for the relocation of Wilko's and a multi storey car park as well as defining a new public realm route in the form of a wide plaza space – beginning the connection from the Civic Centre to Wind Street and the remainder of the town centre; with the new Wilko's retail unit starting to define the new frontage line to accommodate and inform future phases of development down to the junction with Wind Street.

The development exhibited appropriate levels of scale and massing relative to each frontage and juxtaposition with neighbouring properties within the established streetscene, whilst creating a new contemporary addition to this, reflecting the evolving nature of leisure and retail within the UK, whilst being sympathetic to the local character and traditions in the area.

The alignment of the public realm and shopping environment was as important a design feature as the buildings themselves this, and this has necessarily also informed the frontage alignment of the Phase 2 proposals, and the proposals put forward for the extended and enhanced areas of public realm under this application.



The retail elements of the new proposals seek to continue and, more significantly, evolve and refine the design principles, character and design parameters inherent within the Phase 1 built scheme. The theme of continuity occurs throughout both the layout and elevations – in both scale and composition. Whilst allowing a variation within the length of this terrace to ensure that the rhythm of the existing pattern of the historic centre is respected. Given the significance and nature of its use, the leisure centre necessarily exhibits a completely different form and scale while maintaining character and continuity with the adjacent retail units via relationship of external finishes, particularly the plaza elevation.

Town centres should provide high quality place making – the public realm and street scene provide the network of routes, connections and nodes which are enclosed and defined by the buildings which line and front them. The proposals continue the public realm plaza from the Civic Centre and Phase 1 through to the intersection of the plaza and Wind Street. The development frontage alignment along the plaza continues the Phase 1 alignment between Units 1 to 6, ensuring consistency of public route, street definition and enclosure. The frontage to the leisure centre sits in a different plane to that of the retail units; this differing alignment, along with the other buildings fronting and forming the intersection with Wind Street, creates a new node within the Town Centre and is of appropriate scale and proportion as a space taking into account the heights and character of the enclosing building frontages. This node space also forms a ‘breathing space’ in the street pattern and provides a gentle funnelling effect from the Civic Centre route into the Wind Street intersection. It is considered appropriate to provide accessible parking provision along Wind Street, which is achieved within the red line with the leisure centre frontage being set back from Wind Street accordingly.

From a technical perspective this also provides further 'breathing space' in relation to the underground sewer pipework and additional clearance from the subterranean basement areas of now-demolished buildings.

The form and spatial definition within the layout provided in the street scene and public realm represents an evolution of the original town centre masterplan proposals, and has both responded to, and developed, the principles set out therein. This enhances the public realm provision in providing safe, secure and attractive routes and node points as further improvements to the network and street pattern within the town centre. In doing so, the layout and, in particular, key frontages along the plaza and the return on Wind Street, provide both appropriately scaled enclosure to the public realm but also attractive active frontage opportunities for retailers and occupiers, which are vital features in today's competitive retail markets. The leisure centre presents its entrance and café at the key corner of the plaza and Wind Street; the opportunity exists to provide al fresco style seating and tables on the plaza as the café's external space.

Along Wind Street, the proposal for the leisure centre ends on the approach to Prince of Wales Drive. The corner area between Wind Street and Prince of Wales Drive is allocated for a visual amenity soft landscaped area which will also incorporate the requirements arising out of the SuDS regulations. This area will be securely enclosed, with a highly visually permeable fence or railings on the back of the widened public footpath at the front of the landscaped area and backed at the rear interface with the service yard by a solid and secure high fence. This area will only be accessible for authorised maintenance personnel from within the service yard area.

A 2m wide 'shadow gap' between the end of the leisure centre on Wind Street and the landscaped area will permit safe and secure access for staff, access to a dedicated staff cycle park shelter and also provides a critical underground services route linking the existing Wind Street infrastructure to this regeneration proposal. This route will be secured with an appropriate solid gate set back slightly from the end elevation of the leisure centre.

The overall design of the built form represents a progressive evolution of Phase 1. Key considerations of height, scale and massing have been integrated with appearance, texture and finishes to create a set of development proposals which cohesively and comfortably sit within the town centre context.

Units 1-7

The town centre is generally characterised by a series of relatively small building units and accompanying frontages, thereby providing a human scale to the built environment. The frontages naturally vary in width and height, and therefore overall proportions also vary however, while being distinctive they relate to each other as a series of cohesive street scene enclosures.

The proposals for the retail units seek to continue and evolve this characteristic. While exhibiting a wide overall frontage area onto the public realm plaza, the overall mass and scale of the frontage has been broken down to create a series of related, linked, yet distinctly separate and rhythmical elevational forms, representing the unit configuration behind the frontages as illustrated clearly on the floor plan layouts. The architectural philosophy has been to evolve the Phase 1 built development, while still exhibiting human scale elements and proportions, thereby creating an interesting yet separate frontages linked through their overall composition fronting onto the plaza space.



The design of the retail units has a series of horizontal parapets across Units 1 to 6 reflecting Phase 1. The entrance to Unit 7 is via a separate, slightly recessed lobby enclosure; this is reflected by a lower parapet height and noticeable entrance composition. This also serves to differentiate between Phase 1 and the evolved Phase 2 development.

The main 1st floor Unit 7 floorspace is defined elevationally by a large horizontal picture window positioned in a strong enclosing frame feature clad with a diagonal pattern shingle system. This creates a distinctive feature in the façade composition and will ensure that visual connections between the 1st floor occupier operation and the public plaza below will ensue, assisting with overlooking while providing an active frontage opportunity at the upper floor levels.

Leisure Centre

The leisure centre generally occupies the site previously allocated as Retail Units 1 and 2 in the 'old' Phase 2 scheme. A series of design strategy options have been explored, including organogram and relationship diagrams, to inform the proposal. The main entrance and other key public areas e.g. café needed to front onto the main plaza and there has been a strong desire to align the pool and its distinctive roof form along Wind Street, providing interest and definition to the street scene.

Relevant guidance has been utilised in assessing the design options available, most notably and primarily the relationship between the entrance, changing, pool entry on the one hand and the relationship between main pool, learner pool and public seating areas on the other. The location of the gym has also been an important consideration – not only its relationship within the floorplan configuration but also the private vs public debate about visibility into gyms from outside weighed up against privacy and security, particularly in today's climate. The team considered and explored whether the pool could be rotated 90 degrees from the final proposal and what that did to the plan layout and external appearance. This was not considered to be a valid approach. The team also explored various layouts for the 'flipping' of the main pool and learner pool and corresponding upper floor layout together with assessments as to whether the gym should be located at the front of the scheme or rear.

The leisure centre proposal consists of two floors of accommodation, together with a small basement area for pool and building plant at the rear. The ground floor footprint length is longer from the plaza to the soft landscaped area but has narrowed so that the main frontage to Wind Street has been 'pulled in' to permit space for angled, chevron-type accessible parking bays in close proximity to the main entrance and café.

The ground floor primarily comprises entrance, café, wet changing, main pool, learner pool and public seating. The first floor comprises the gym, dry changing and two flexible and different sized multi-purpose studios.

The entrance and café front the plaza, with the café located at the corner with Wind Street, permitting external seating on the piazza, providing life and activity on the plaza in this location. The pool is aligned along the Wind Street frontage with changing and ancillary areas set on the inside of the plan adjacent the retail units. The pool location allows provision of an interesting elevational composition along Wind Street, including upper

level windows to allow light into the pool area while maintaining privacy for pool users. At first floor level, the large 100 station gym fronts the plaza with visual connectivity achieved through the introduction of a large picture window. Along the internal side of the leisure centre at the upper floor level sit the two multi-purpose studios and the corresponding dry change facilities. The pool hall itself is full height from ground floor level to underside of roof.

The mass of the leisure centre is defined externally by a distinctive feature curved roof profile; to provide a cohesive form sitting over a strong linear ground floor envelope. A strong horizontal strip of curtain walling glazing on the Wind Street frontage creates the device of the roof appearing to float over the wall below, an appropriate use of solid and void in this context. Roof-lights located over the pool area will allow natural light to flood the pool volume, providing an attractive environment for pool users.

The different mass, scale and appearance of the leisure centre also serves to address the node point within the public realm and provides an appropriate sense of enclosure and height against this larger public space.

Materials

The proposed range of materials and finishes again represents an evolution from the Phase 1 development, featuring panels of masonry, stone facings or feature stonework, high quality cladding façade panels; all of which will be non-combustible or fire retardant graded, together with glazed shopfronts and entrance doors. The feature leisure centre roof will be a natural curved standing seam system with raised rib profile. Of particular significance will be the nature and high quality detailing at the junctions of the various components, providing a visually pleasing series of related detailing while delivering the levels of technical performance required of external materials and finishes including longevity and durability parameters. Materials have been proposed which satisfy BREEAM criteria in conjunction with other key criteria including ease of minimum maintenance, durability, longevity and resistance to the environmental conditions.

Accessibility

All entrances to the leisure centre and adjacent units will be flush with the external plaza paving surfaces to ensure full compliance with DDA and

accessibility requirements under Part M of the Building Regulations. Given the significant level differences along the plaza and Wind Street frontages, coupled with the objective of creating a smooth, continuous plaza surface uninterrupted by flat plateaus and noticeable slopes, the units will exhibit a series of stepped floor slab levels to ensure a flush entrance approach in each unit. The leisure centre reconciles the main entrance area with the café and ability to sit out on the piazza as the café's external space.

Accordingly, it is concluded that the proposals will reflect the overall design principles set in Phase 1 and further enhance the overall experience for visitors and the public realm within the Town centre, which accords with Policy BE1 of the Neath Port Talbot Local Development Plan, and reflects the aspirations for design quality within Planning Policy Wales and Technical Advice Note 12: Design (2016)

Impact on Residential Amenity

There are residential properties within proximity to the development, both sporadic residential flats and houses within the town centre itself, and larger areas of residential development to the opposite side of Prince of Wales Drive.

The proposed development will be significantly lower than the previous multi-storey development that previously existing on the majority of the site, and the building line at the rear is set a greater distance from Prince of Wales Drive than the former building. As such the overall physical impact of the development in terms of overlooking or overshadowing is minimal, and it is not considered that there will be any unacceptable impacts.

Noise

The application site is located within the town centre however there are residential premises that bound the application boundary and the teaching rooms of a Primary School and a church are located less than 50 metres away.

The application has been assessed by the Local Authority's Environmental Health Section who has advised that he is satisfied with the submitted Noise reports which adequately address the key elements of noise impact for both the construction and operational phases of the development.

In relation to potential noise and nuisance from the construction, a construction and traffic management plan will ensure that deliveries and noise and disturbance from this are minimised.

Whilst all construction will lead to disturbance these impacts are transient in nature and short lived. Nevertheless, there will be controls within the construction method statement which will ensure these impacts are minimised, to appropriate levels. In addition a management plan for the service yard use, including consideration of quiet delivery strategies, will be imposed, ensuring that servicing for these units will minimise any potential disruption.

The reports also considers the impact the development will have on the surrounding area; the impact the surrounding area will have on the development; and the impact of noise and vibration transmission within the units themselves. The Environmental Health Officer agrees with the suggested conditions/standards proposed and contained within the Report and he is satisfied that operational noise e.g. from the gym and deliveries, plant and fixed noise and construction noise have been considered in detail by the applicant and appropriate mitigation is proposed. However, to protect current receptors within the vicinity of the development a condition is suggested to control noise from plant and machinery. In respect of the potential noise impact from internal sport and leisure facility he advises that music should be considerably below background noise levels and recommends conditions are imposed on any consent requiring music noise to be no greater than 5 dB(A) and windows to remain closed when music is playing.

Subject to these conditions, the proposal is considered acceptable and accords with Policies SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan.

Parking and Access Requirements and Impact on Highway Safety

Policy TR2 identifies that proposals will only be permitted where there are appropriate levels of parking and cycling facilities are provided and that the development is accessible by a range of travel means, including public transport and safe cycle and pedestrian routes.

Insofar as this site is located within the town centre where there are several public car parks, the main bus station, train station, and pedestrianised area of the town centre, the proposal is considered to be

easily accessible by a wide range of transport and therefore considered to comply with the above.

In terms of the impacts from the proposed development; this can be split into construction and post occupation phases.

Construction

During the construction phase a suitable construction and traffic management plan (CTMP) will be implemented to ensure that disruption to existing businesses and residential properties from construction traffic including deliveries will be minimised. For example, deliveries and traffic avoiding peak times, especially school pick up and drop off periods. This will ensure that disruption is minimised and that the free flow of traffic around this confined construction site are minimised.

Post Occupation

Upon occupation of each unit, the applicant has advised that welcome packs to each operator addressing the following matters will be provided;

- Promotion of active travel
- Supporting public transport.
- Managing parking and traffic.

These packs will promote sustainable transport, and public transport, providing incentive, examples and key sources of information.

It is also proposed to provide post monitoring of the development, especially the use of the adjoining multi-storey car park. This will take the form of data collection on the use and capacity of the car park, with suitable triggers for mitigation measures to be implemented to address any issues of congestion arising from any capacity issues going forward.

The Head of Engineering and Transport has assessed the submitted TA which is the same as that previously submitted and is satisfied that the proposed development will generate less traffic and will be below the trips threshold already approved in the original TA and that staff and visitors will use existing facilities within the town centre together with other modes of transport. Consequently, he has raised no objection to the proposal subject to the imposition of conditions in respect of a condition survey of the existing highway prior to the storage of any materials or plant, Road

Safety Audit and Management Plan for the operation of the Yard which will service all buildings in terms of deliveries.

It is considered that subject to the mitigation and controls highlighted within this report, that can be dealt with through the imposition of suitable conditions, the proposals would accord with Policies SP20 and TR2 of the Neath Port Talbot Local Development Plan.

Drainage

Surface Water

The application is accompanied by a Drainage Strategy Statement which confirms that surface water will be disposed of in line with SAB requirements and as such The Head of Engineering and Transport (Drainage) has raised no objection to the proposal subject to conditions in respect of ground water seepage, alteration of any ditch, watercourse or culvert, foul and surface water are discharged separately and drainage of adjoin land is unaffected by the development.

Welsh Water advises that the proposed development is positioned outside the protection zone of the aforementioned public sewerage assets and acknowledges surface water flows will discharge to a culvert as detailed in the Drainage Statement. No objection is raised by them to in respect of surface water.

Foul sewerage

Welsh Water has raised no objection subject to the imposition of appropriately worded informatives.

Water Supply

Welsh Water advises that the site is crossed by a number of public sewerage assets and, in order to establish what would be required to serve the development with an adequate water supply, it will be necessary for the developer to fund the undertaking of a hydraulic modelling assessment on the water supply network and suggests that a suitably worded condition is attached to any consent requiring the submission of a potable water scheme.

Land Contamination

Policy EN8 states that proposals which would be likely to have an unacceptable adverse effect on health, biodiversity and/or local amenity or would expose people to unacceptable risk due to the following will not be permitted:

- Air pollution;
- Noise pollution;
- Light pollution;
- Contamination;
- Land instability;
- Water (including groundwater) pollution.

Proposals which would create new problems or exacerbate existing problems detailed above will not be acceptable unless mitigation measures are included to reduce the risk of harm to public health, biodiversity and/or local amenity to an acceptable level.

The Local Authority's Land Contamination Officer advises that the site is in close proximity to land formally used as a textile and products manufacturer and an animal production process whilst the site was previously used as builders' yard. A Contamination Statement has been submitted with the application and assessed by the Land Contamination Officer who has raised no objection to the proposal subject to conditions requiring an assessment of the nature and extent of contamination, remediation scheme, verification report and unexpected contamination.

Biodiversity and Ecology

The proposed development has been supported by an ecological assessment which shows the development will incorporate additional and replacement landscaping and tree planting within the public realm, and this planting will be of a type that is of local provenance and wildlife friendly, to ensure that this does not only enhance the visual appearance of the street scene, but also provides enhancement for ecological reasons.

Further enhancements are proposed through the introduction a Sustainable drainage scheme that will incorporate water features, including an area to the rear of the buildings adjoining the proposed service yard where a surface water detention basin will be developed,

that provides opportunities for enhancement through planting and habitat creation together with the provision of bird boxes to the building.

The Local Authority's Biodiversity Officer has assessed the proposal and has no objection subject to conditions relating to bird nesting provision and landscaping. These recommendations can all be imposed via suitably worded conditions. As such it is considered that the proposal would provide biodiversity enhancement opportunities within the town centre and as such the application is considered to be acceptable in ecological terms.

Trees

As part of the submission, a tree survey has been submitted. The only loss of trees are the four Birch trees in Area 2. Due to the scale of the development and the proposed replanting the loss of these trees will have a minor impact on the local landscape. They have recommend that the protection of the remaining five trees in Area 1 must be undertaken in accordance with BS5837:2012 Trees in relation to design, demolition and construction. This can be imposed via a condition.

The trees to the rear of the site, in proximity to the proposed access to the service yard will need to be removed as part of the development. Street tree planting will occur to both the Prince of Wales Drive frontage and to Water Street as part of wider hard and soft landscape scheme to be submitted that will consider the most appropriate native and wildlife friendly planting in this location and secured by a suitably worded condition can be imposed to secure the above enhancements.

It is considered that subject to the completion of the development, incorporating the above matters, that the proposals will enhance the biodiversity and ecological value of the site.

Archaeology

Glamorgan Gwent Archaeological Trust (GGAT) has advised that their records show that the proposed application is situated within the medieval town, with Water Street known to have been a major route through the town since 1557. The proposed application area has previously undergone extensive development, as evident from the historic Ordnance Survey maps dating from 1877 to 1935. The first edition OS map of 1877, shows the footprint of the Independent Chapel, which was built in 1849. The second edition OS map of 1899 depicts

Woollen Mills, adjacent to the Chapel with numerous Post medieval buildings situated to the east and west, across the proposed development area, as also illustrated on the third and fourth edition maps of 1919 and 1935.

They previously advised that the construction of the multi-storey car park at the site would have already had an adverse effect on any potential archaeological remains that may have been present in the area. Therefore, it is considered that it is unlikely that significant archaeological structures or features will be encountered during the proposed works. As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently have no objection to the proposal.

Renewable Energy in New Development

Policy RE2 - Renewable energy and low Carbon development in new Development, requires proposals with a total floor space of 1,000 sq.m or more to submit an Energy Assessment to determine the feasibility of incorporating such a scheme and where viable implement the scheme.

As such a Renewable Energy Assessment has been submitted as part of the application which concludes that the provision of solar array(s) to the large roof area would be practicable (and locations for this are indicated on the submitted plans), and that this could form part of a larger town centre provision, and/or supply renewable energy to the development or other buildings within the immediate area. This matter is therefore made the subject of a condition requiring the submission of details and the implementation of a suitable scheme unless this is not viable.

The proposal would therefore comply with Policy RE2 of the Neath Port Talbot Local Development Plan subject to the imposition of the aforementioned condition.

Waste Management

Policy W3 – Waste Management in New Development states it should be demonstrated 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. Industrial or commercial development proposals that would generate in excess of 1,000 tonnes of waste per annum will be required to produce a Site Waste Management Plan.

As such a Waste Management Plan has been submitted to show how waste will be dealt with, which aims to reduce waste by 10% and recycle where possible. It is considered that the Plan submitted satisfies the requirements of Policy WE3

Section 106 Planning Obligations

Local Development Plan Policy SP 4 (Infrastructure) states that *“Developments will be expected to make efficient use of existing infrastructure and where required make adequate provision for new infrastructure, ensuring that there are no detrimental effects on the area and community. Where necessary, Planning Obligations will be sought to ensure that the effects of developments are fully addressed in order to make the development acceptable”*.

Policy I1 (Infrastructure Requirements) then states that “In addition to infrastructure improvements necessary to make a development acceptable in health, safety and amenity terms, additional works or funding may be required to ensure that, where appropriate, the impact of new development is mitigated. These requirements will include consideration of and appropriate provision for: Affordable housing; Open space and recreation facilities; Welsh language infrastructure (in language Sensitive Areas); Community facilities including community hubs; Biodiversity, environmental and conservation interests; Improving access to facilities and services including the provision of walking and cycling routes; Historic and built environment and public realm improvements; Community and public transport; Education and training.

The Community Infrastructure Levy Regulations 2010 came into force on 6th April 2010 in England and Wales. They introduced limitations on the use of planning obligations (Reg. 122 refers). As of 6th April 2010, a planning obligation may only legally constitute a reason for granting planning permission if it is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In this case, the proposal relates to a planning application for the development of 8 commercial units (use class A1) and 1 unit (use class A1/A3/D2), 9 units in total.

Having regard to the assessment above and the type and form of development proposed in this location, having regard to local circumstances and needs arising from the development, the only issue to consider relates to the provision of open space under **Policy OS1 – Open Space Provision**.

This Policy requires (for employment / commercial development proposals over 1000sq.m) provision for associated amenity space (for staff), with the Open Space and Greenspace SPG stating that the level of requirement is related to the number of staff employed, as shown below:

Category	Requirement/1000 additional employees (hectares)	Requirement/1000 additional employees (square meters)	Requirement/ additional employee (square meters)
Amenity Space	0.55	5,500	5.5

At this stage the likely number of staff is not known. In addition to the large grassed area adjacent to the enclosed service yard area, the development will enhance the associated public realm and provide ample opportunity for workers to relax and enjoy the town centre. Accordingly, and having regard to the existing approval at the site which requires no such provision, it is considered that the open space needs of the workers would be met by the enhanced public realm proposed under this application, such that no further specific provision is required in this instance.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be 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 proposed development, having regard to the existing planning permission for retail development at the site, represents

an appropriate form of development that would have significant benefits to the existing town centre through further leisure- and retail-led regeneration, and which would have no unacceptable impact on the amenities of neighbouring residents, visual amenity of the area or highway and pedestrian safety. Accordingly, the proposed development is in accordance with Policies SP1, SP2, SP3, SP4, SP5, SP10, SP12, SP16, SP19, SP20, SP21 SC1, EN8, I1, CCRS1, OS1, R1, R2, EN8, W3, TR2 and BE1 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

Conditions:-

Time Limit Conditions

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

Reason

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

List of Approved Plans

- 2 Development shall be carried out in accordance with the drawings hereby approved, unless otherwise agreed in writing by the local planning authority.

Plans.

A-90001 C01 Existing Site Plan
A-90002 C02 Proposed Site Plan
A-90003 C02 Proposed Site Plan - Roof
A-00002 C02 LC Ground Floor Plan
A-00003 C02 LC First Floor Plan
A-00005 C02 LC Roof Plan
A-00008 C02 Proposed Basement Plan
A-00011 C02 Building Ground Floor Plan
A-00012 C02 Building First Floor Plan
A-00013 C02 Building Roof Plan

A-00100 C02 Proposed Sections A and B
A-00101 C02 Proposed Section C
A-00200 C02 N & E Elevations
A-00201 C02 SW & W Elevations
A-00202 C02 SE Elevation
A-00203 C02 Leisure Centre Elevations
A-01300 C01 Illustrative Image 1
A-01301 C02 Illustrative Image 2
A-01302 C02 Illustrative Image 3
Design and Access Statement
Planning Statement
PAC Report
Transport Statement
Travel Plan/Sustainable Transport Statement
Retail Statement
Noise Assessment
Ecological Assessment
Tree Survey Update
Waste Management Plan
Construction Management Plan
Energy Assessment
Land Contamination Report
A-00200 C02 N & E Elevations
A-00201 C02 SW & W Elevations
A-00202 C02 SE Elevation
A-00203 C02 Leisure Centre Elevations
A-01300 C01 Illustrative Image 1
A-01301 C02 Illustrative Image 2
A-01302 C02 Illustrative
Reason
In the interest of clarity.

Pre-Commencement Conditions

3 Prior to any development commencing on site, the developer 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.

- 4 No 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) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;
 - (ii) 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;
 - (iii) 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)

(iv) 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.

- 5 No 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 agreed 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 If the development is to be built in phases, then a detailed phasing scheme shall be submitted to and approved in writing to the local planning Authority prior to the commencement of any development. The scheme shall provide the following:
- a) A plan showing the phases
 - b) A revised construction method statement in accordance with condition 5 which takes into consideration the phasing
 - c) Elevations and proposed finish of any temporary surface,
 - d) Details of any temporary means of enclosure
 - e) Details of any temporary public realm or landscaping.
 - f) Details of any temporary service yard arrangements
 - g) Details of any temporary highway works required
 - h) Details of and temporary drainage works.

Reason

In the interest of clarity, visual amenity and highway and pedestrian safety and to ensure the development complies with Policies TR2 and BE1 of the Neath Port Talbot Local Development Plan.

- 7 No development shall take place until a potable water scheme to serve the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the existing water supply network can suitably accommodate the proposed development site. If necessary a scheme to reinforce the existing public water supply network in order to accommodate the site shall be delivered prior to the occupation of any building. Thereafter, the agreed scheme shall be constructed in full and remain in perpetuity.

Reason:

To ensure the site is served by a suitable potable water supply and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

Action Conditions

- 8 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 agreed 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.

- 9 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.

- 10 Notwithstanding the submitted details, and prior to the occupation of any development hereby approved, details of the security gate design and control arrangements shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented prior to the first beneficial use of the service yard and retained as such thereafter.

Reason

In the interest of highway and pedestrian safety and visual amenity and to ensure compliance with Policies BE1 and TR2 of the Neath Port Local Development Plan.

- 11 The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as detailed on the approved plans.

Reason

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

- 12 All works to be constructed on the public highway shall be subject to Road Safety Audits, stages 1 to 4 in accordance with HD19/03 of the Design Manual for Roads and Bridges. Each stage of the Road Safety Audit shall be submitted for approval in writing by the Local Planning Authority. All issues highlighted at each stage shall

be addressed to the written approval of the Local Planning Authority within 3 months of approval of that stage of the Road Safety Audit .

Reason

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

- 13 Notwithstanding the submitted details, prior to the occupation of any unit hereby approved, a detailed Service Yard Management Plan (SYMP) shall be submitted to and approved in writing by the LPA. The SYMP shall include details of how the service yard will operate during and after construction, and shall also adhere to the following:
- a) The time slot of each commercial delivery for each retail unit using the service yard area.
 - b) The allocated off site holding area for any commercial delivery vehicle that arrive at a time outside their allocated slot.
 - c) How commercial deliveries will be managed to avoid any commercial delivery vehicle waiting on the public highway.
 - d) Details of Staff parking (if any)
 - e) The location of all waste and storage areas, details of any enclosure and how they are to be managed within the service yard area.
 - f) The service yard area must be being kept clear of any bins/waste or storage containers unless within an authorised area identified within point e
 - g) Method of the collection of waste for the retail unit accessing the service yard area.
 - h) The nomination of a co-ordinator to operate and control the agreed Delivery Management Plan for each retail unit using the service yard area.
 - i) The service yard area must be kept clear of any staff/customer and residential parking at all times;
 - j) No customer/staff or residential vehicles shall be permitted to drive through the service yard area at any time.
 - k) No commercial delivery vehicles shall be permitted to park in the service area beyond their delivery time slot.
 - l) No deliveries by Heavy Goods Vehicles (vehicles over 3500kg maximum gross weight) shall be made outside of the hours 07:00hrs to 19:00hrs)
 - m) The implementation of a quiet delivery policy.

In addition to the above the SYMP shall ensure that all vehicles can manoeuvre in and out of the yard safely, without conflict and in a forward gear. The approved SYMP construction stage shall be adhered to during the construction phase, and the SYMP post construction shall be implemented prior to the first beneficial use of the development and adhered to thereafter.

Reason

In the interest of highway and pedestrian safety and to ensure the service yard operates effectively and efficiently and to ensure compliance with Policies TR2 and BE1 of the Neath Port Talbot Local Development Plan.

- 14 Prior to the first beneficial use of any unit hereby approved, a traffic management scheme shall have been submitted to and approved in writing by the LPA, and the approved scheme implemented in accordance with the agreed details and retained as such thereafter.

Reason:

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

- 15 Prior to first beneficial use of the development hereby approved a hard/soft landscaping scheme (containing a majority of native and/or wildlife friendly species) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details and location of all trees and species of shrubs to be used within the public realm, which shall be predominantly of local provenance and wildlife friendly, and details of the green wall planting. All hard landscaping works in the approved details shall be carried out prior to the first beneficial use of the development. All planting, seeding or turfing comprised in the approved details of soft landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development hereby permitted, whichever is the sooner and any trees which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason

In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 16 A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the Local Planning Authority prior to the first beneficial use of the development. The landscape management plan shall be carried out as approved and retained as such thereafter.

Reason

In the interest of visual amenity, and to ensure the long term management and maintenance of all landscaped areas, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 17 Prior to the first beneficial use of any unit a minimum of 2 artificial nesting sites for birds shall be erected on the building to the following specifications
Swift Nest Box Specification:
Wide box with small slit shaped entrance hole. Must be placed under or close to roofs, at least 5m from the ground.
Dimensions: H150 x W340 x D150mm
or in the form of manufactured bird bricks incorporated into the fabric of the building and retained as such thereafter.

Reason

In the interest of biodiversity, and to mitigate to loss of bird nesting/foraging habitats under the Habitats Regulations (amended 2012) and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

- 18 Prior to the first occupation of any development a scheme shall be submitted to and approved in writing for the long-term monitoring of the parking provision within the multi-storey car park, adjoining the application site. This scheme shall include the method and regularity of data collection, and triggers for any mitigation submissions and implementation will also be set out within the submitted details, should the data show that there are capacity issues that are resulting in congestion within the highway network.

The scheme as approved shall be fully implemented in accordance with these approved details within 12 months of the first occupation of the first unit.

Reason

In the interests of Highway and pedestrian safety, and the free flow of traffic within the town centre and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.

- 19 Prior to the first occupation of any unit, a draft welcome pack shall be submitted to and approved in writing by the Local Planning Authority in relation to sustainable travel. The packs as approved shall be provided to occupiers prior to first occupation, and updated on an annual basis until such time that the development is fully occupied. Any new or subsequent occupier shall also be provided with these packs upon taking occupation of any unit thereafter.

Reason

To promote active travel and to reduce the impacts of the development upon the local highway network and surrounding neighbourhood by reducing reliance on the private car for journeys to and from the site, in the interests of sustainable development, and to accord with Policy SP20 of the Neath Port Talbot Local Plan.

- 20 Unless the applicant provides an assessment to show that the solar array is not viable, prior to the first beneficial use of the development a scheme detailing a roof mounted solar PV array as recommended within the Energy Assessment (dated April 2020), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include a timeframe for its implementation. The Solar PV array shall be implemented in accordance with the agreed details and retained as such thereafter.

Reason

To ensure this major development implements energy conservation and efficiency measures in accordance with LDP Policy SP18.

- 21 Should any springs or ground water seepage be encountered on site, works in that area shall cease until a scheme for collection and disposal of the water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include timings for the works to be implemented. The scheme shall be implemented

in accordance with the agreed details and retained as such thereafter.

Reason

In the interest of drainage of ground water and to ensure no pollution of or detriment to the environment, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 22 The combined noise rating level of plant/machinery at the development shall not exceed 5 dB(A) below 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 "BS 4142:2014 Methods for rating and assessing industrial and commercial sound".

In the event of noise complaints being received, the Local Authority may require the applicant to undertake a noise assessment in accordance with BS4142. The methodology shall be agreed with the Local Authority. A copy of the noise assessment report shall be submitted to the Local Authority, and if the report includes recommendations; the recommendations shall be implemented.

Reason

In the interests of local amenity, and to ensure compliance with Policies SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 23 There shall be no vehicular access or parking within the service yard, apart from the access for delivery/servicing vehicles, stopping and unloading. There shall be no external storage whatsoever, outside of the identified refuse storage areas.

Reason

In the interests of highway and pedestrian safety, and the free movement of service and delivery vehicles within the service yard area and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.

- 24 The commercial units hereby approved shall only be open to customers between the hours of 07.00 am to 11pm.

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.

- 25 Construction operations shall be limited to 08:00-18:00 Mon-Fri, 08:00-13:00 Saturday, and no construction operations shall take place on Sunday and Public Holidays without the prior approval of the Local Planning Authority.

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policies EN8 and BE1 of the Neath Port Talbot Local Development Plan.

- 26 All ground floor windows and doors fronting onto the public highway shall only open inwards .

Reason

In the interest of highway and pedestrian safety and to ensure compliance with Policies BE1 and TR2 of the Neath Port Talbot Local Development Plan.

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

Reason

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

- 28 The 5 trees identified within the Tree report (dated October 2018) located within Area 1 that are to be retained shall be protected during construction in accordance with BS5837:2012 Trees in relation to design, demolition and construction.

Reason

To ensure the trees are protected during construction in the interest of visual amenity, and to ensure the development complies with

Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 29 There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site unless the Local Planning Authority has given its written approval to such works.

Reason

To safeguard land drainage and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 30 All development on site shall be undertaken strictly in accordance with the Construction Management Plan and Waste and Resource Management Plan.

Reason:

In the interests of local amenity, and to ensure compliance with Policies SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan.

- 31 All windows/doors leading to an area where music is being provided shall remain closed whilst music is being provided.

Reason

In the interests of local amenity, and to ensure compliance with Policies SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan.

- 32 Music noise shall not exceed 5 dB (A) below 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. (If required, this may be demonstrated by measurement or calculation)

Reason

In the interests of local amenity, and to ensure compliance with Policies SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan.

- 33 All development on the site shall be undertaken strictly in accordance with the Noise Planning Report -Hydrock April 2020, Noise Assessment April 2020 and Acoustic Design Strategy (April 2020).

Reason

In the interests of local amenity, and to ensure compliance with Policies SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan.

- 34 Notwithstanding the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) the ground floor commercial units shall be A1 or D1 only.

Reason

In the interests of the vitality, viability and attractiveness of this designated retail centre to ensure compliance with Policy R2 of the Neath Port Talbot Local Development Plan.