

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

App. Number:	P2022/1063
Location:	Site of the former Dyffryn Lower School, Talcennau Road, Port Talbot SA13 1EP
Description of Development:	Development for 43no. affordable dwellings and associated works including a new access, an internal road network, landscaping, sustainable drainage, car and cycle parking and partial demolition of former school.

BACKGROUND

This application is reported to Planning Committee for determination at the request of Cllr. Freeguard and Cllr. Rahaman as a major development that has generated substantial public interest.

Determination of the application was deferred from the 28 March 2023 Planning Committee meeting to allow for a Member Site Inspection on the 24 April 2023. It is returned to Committee for determination following this.

SITE AND CONTEXT

The site was formerly occupied by the Dyffryn Lower Comprehensive School until its closure in 2018, and has since been vacant. The school occupies a parcel of land which is roughly triangular in shape and measures around 0.75 ha in size. It presently contains a range of school buildings and hard standing, with the school's main building being a two-storey stone building with a pitched roof. There is slight change in levels across the site.

On all sides the site is bounded by the public highway to the east is Talcennau Road; to the west Broad Street; to the north is York Place; and to the south is Devonshire Place. Fronting Broad Street is the Central Junior School. All the other roads have a frontage of residential development, mainly in terraces with some semi-detached properties.

There are some mature trees on the boundary of the site and the site is overgrown in places. Boundaries are railings, gates and buildings that adjoin the existing footways of the surrounding roads. In the northern corner of the school site it directly adjoins a residential property, 22 Broad Street, which is a two storey detached property.

The school was closed as part of the wider implementation of the Authority's Strategic School Improvement Programme (SSIP), with alternative provision provided at Ysgol Cwm Brombil. The Dyffryn Lower School has a long history, which the agent notes, includes notable former pupils Richard Burton and Michael Sheen.

The site is located in a densely developed area of two storey residential properties and is located approximately 90 metres north of Talbot Road (A48), which is a main route through Port Talbot which offers amenities and services including a supermarket, cafes and hairdressers. The site is around half a mile from the town centre of Port Talbot and a quarter of a mile from the train station and various bus services operate along Talbot Road.

DESCRIPTION OF DEVELOPMENT

The proposed development is for the demolition of the majority of the buildings at the school, with the retention of one building that adjoins Talcennau Road and some boundary features.

The proposed layout has an area of residential development and an area of public open space / play area. The residential development takes the form of 2 storey terraced houses, 2 storey walk up apartments and 2 no. 3-storey apartment blocks. The mix of housing is as follows:

- 1 bed apartment – 18 units
- 2 bed apartment – 6 units
- 2 bed house – 8 units
- 3 bed house – 11 units

The application is supported by a design and access statement which outlines the applicant's design approach, which they suggest follows the surrounding Victorian and Edwardian style. The statement outlines that the proposed development incorporates a modern interpretation of key architectural details, such as bay windows and framed openings. The proposed materials will incorporate stone, brick and render for the walls of the properties, with clay and slate tiles. The proposal will also incorporate reclaimed materials used in the existing school buildings through re using material for stone façades and any other materials where possible. The existing stone boundary wall has been retained where possible within the design. In places such as along York Place it is relocated and it has also been lowered at some points.

The proposed area of public open space, is to the southern corner of the site at the junction of Devonshire Place and Talcennau Road. The area will also be used as part of the proposed sustainable drainage system and contains a proposed equipped play area. This area is also identified for providing biodiversity enhancements.

A new vehicular and pedestrian access is proposed from York Place. In addition, pedestrian access points are proposed into the site through the play

area. The proposed car parking is situated along and off the new estate road, which runs through the centre of the site.

NEGOTIATIONS:

The application has been amended to incorporate a play area, to amend the external materials used on elevations of the three storey units and to address community safety concerns.

Negotiations are on going regarding the management of the proposed on site play area and potential adoption of that play area by the Authority.

PLANNING HISTORY

There is no material planning history to report.

CONSULTATIONS

SWP Crime Prevention Design Advisor –Suggested amendments to the proposal to reflect designing out crime requirements.

NPT Planning Ecologist – Comments on issue with plans and no lighting scheme provided for public open space area.

NPT Housing Strategy – Confirm that there is an identified need for the 18 1B flats. Housing Options recognises the concerns that may be raised in relation to the number of 1B flats and will work with the RSL to ensure sustainable community cohesion in terms of moving people into those flats

NPT Environmental Health – No objection subject to construction environmental management submission under a planning condition.

NPT Contaminated Land – Standard conditions should be imposed due to the nature of the existing use.

NPT Tree Officer – Comments: tree report is appropriate and recommendations must be followed. Issues with details of soft landscaping use of lime species and landscaping specification.

NPT Highways – No objections subject to conditions to address areas of concern.

NPT Drainage – No objection SAB required

NPT Parks and Neighbourhood Services – Discussion of adoption on going.

NPT Play Development – Initial response received and discussion of adoption on going.

Mid and West Wales Fire and Rescue Authority – No comments or objections and standard advice applies.

Wales and West Utilities – Based on information provided no apparatus in the area of your enquiry.

Dwr Cymru Welsh Water – No objection subject to standard condition.

Glamorgan Gwent Archaeological Trust – No objection subject to condition.

REPRESENTATIONS

The application was publicised as a major development proposal as defined under the Town and Country Planning (General Development Management) (Wales) Procedure Order 2012.

Neighbouring properties were consulted on 12 January 2023. Following amendment to the application neighbouring properties were re-consulted on the 6 March 2023 for 14 days.

A site notice was also displayed on 17 January 2023. Following amendment to the application a new site notice was placed on the 6 March 2023 (14 day site notice).

An advert was placed in the South Wales Evening Post on the 20 January 2023.

In response to this publicity 71 individuals objected to the application, there were no representations in support of the proposal. The points raised in objections are summarised below:

- Local highway network does not have capacity for the current volume of traffic and this application will increase traffic.
- Additional traffic and the highway access proposals will endanger children at the adjacent school. In particular due to the new access and increased traffic, which it is viewed would be an impact on safe routes to school and the established route between the nearby primary school which has two buildings. There is a lack of existing parking and drop off points creating a risk to people including children at the school. At school drop off and pick up there is congestion.
- The slope on York Place will not give clear views along the road. York Place is narrower than other roads around the site. It is too narrow to provide parking on both sides and two way traffic as suggested by the applicants. There is parking on both sides of York Place and this restricts the width of the road. The multiple entrances will be unsafe for residents and children walking to school. Concern that fire engines and ambulances will not be able to turn into the site.
- The reality of the situation on York Place is not reflected in the applications supporting transport statement: it does not address the parking on York Place and volume of traffic; the swept paths for refuse vehicles does not reflect the on street parking and the same would apply

to emergency vehicles; the loss of parking on York Place following development is not assessed; York Place with the on street parking is only wide enough for a single line of traffic.

- The parking information that claims that parking is lower locally is out of date and from the 2011 census. Residents have undertaken surveys showing considerably higher car ownership than claimed along their streets. A spreadsheet was submitted with figures given for seven nearby streets and gave a figure of 1.38 cars per household. They also note parking is generated on street from the primary school which is suggested to be 28 vehicles, visitor and parking from business and people using it as free parking for other services. Suggest that there has been a substantial increase in car ownership in the 2021 census to 1.25 cars per household. Assumption that the sustainable location that future residents will walk, cycle or use sustainable transport to get around is not supported. The area is used as free parking for people using the train station, groups of cyclists and users of other businesses and local facilities.
- Traffic movements generated by the previous school use at the site are not relevant as it has been closed for five years and will not re-open.
- The proposed "Visitor Parking" already exists and is not additional parking, this on street parking will be used by residents in the properties facing Talcennau Road for convenience.
- Reduction in privacy of neighbouring properties due to the development.
- Concerns regarding overlooking from the three storey apartment buildings into the rear garden and windows of nearby properties.
- Concerns regarding loss of privacy to properties opposite the access to the site.
- Concerns regarding overshadowing and overbearing development, particularly due to the three storey apartments.
- Overlooking of the primary school from the development.
- Over development of the site.
- The site is prone to flooding which was seen recently on Talbot Road and the drains struggle to cope under heavy rain. The junction of Devonshire Place and Broad Street regularly flood.
- Concerned that the foul drainage system does not have sufficient capacity.
- Local drainage is antiquated and not sustainable.
- As the site is close to a primary school more family homes should be built rather than one bedroom units.
- Should be developed for over 50s housing as it is close to services and there is little in the area.
- The parking and refuse storage areas are to the rear of properties and largely shielded from view. The properties should be re-orientated to face into the site to provide surveillance of the open areas within the site and to ensure that residents use the car parking provided.
- The school is of architectural merit and has peaceful grounds adding to a peaceful character of the area.

- The building of flats on Talcennau Road will detrimentally change the character and appearance of the area.
- The demolition of the school is an attack on Welsh culture and heritage, it is a good example of late-Edwardian Welsh architecture appropriate in character to its location.
- The buildings should be sustainably re-used and this proposal would create additional CO2 emissions.
- The school has considerable heritage and is one of the few physical historical links to its former pupil Richard Burton.
- The loss of the post box on York Place has been historically well used an available and will harm this local service.
- Linc at other sites have issues with refuse not being appropriately dealt with and anti-social behaviour which are likely to occur at this site. Social housing will increase crime and overwhelm local infrastructure. Concern that children will not longer be safe playing outside. Concern that the applicant will use the site to house people with problems and have partnered in other areas with homelessness charities causing problems for the host community.
- Negative impact on house prices
- Concern at the removal of trees. This includes the loss of a 100 year old Sycamore Tree on York Place which is subject to a Tree Preservation Order and its loss should not be permitted. Other trees retained are likely to be impacted by excavations. Detrimental impact on protected wildlife due to tree removal.
- Increased noise level due to increased traffic and from occupiers of the proposed properties with cars, pets, music etc. Noise would be 24/7 and not similar to the previous noise from the school use.
- Detrimental visual impact with the removal of the 100 year old boundary wall.
- Concerns with the handling of the sale of the property.
- The proposal is for a generic, soulless, characterless, municipal modern housing estate without any charm or beauty. Built of cheap ugly modern materials. It is out of character with the area. The new development would not be sympathetic to the design and character of the neighbourhood. No respect for the scale design and materials of the buildings in the surrounding area
- The proposed three storey elements of the development would be out of character as there are no three storey properties in the immediate surroundings. It will also be an incongruous contrast to the Edwardian development that surrounds it.
- The land was gifted for educational purposes and it would be appropriate for it to incorporate some form of educational use.
- Insufficient capacity in local health services such as hospitals and surgeries and in the local Central Primary School.
- Object to the use of the retained building for a business.
- Increase in light pollution impacts when compared to a school use.
- Housing mix is not appropriate with the surrounding area being nearly all 2 and 3 bedroom properties this is more appropriate to the locality. If flats

are required for funding by Welsh Government then they should be two storey.

- Concern the SuDS area be useable open space given the high water table.
- Difficult to re-use material in construction.
- Potential detrimental impact on bats.
- Need to include appropriate EV charging points
- The development of the site will not help to create a balanced community and other areas in Port Talbot have had development with a mixture of market and affordable housing.
- It should be to meet local affordable housing need in Port Talbot town only.
- Request that s106 payments are collected and used to improve the condition of the surrounding highway network.
- Reduction in air quality

Following the completion of the re-consultation exercise on the amended proposal, 40 (no.) further representations were received. It is noted that neighbours were advised that their original objections would be considered and that the purpose of re-consultation was so that interested parties were aware of the amendments. There were 34 (no.) representations were from individuals who previously made representations and 5 (no.) additional representations were submitted. The responses are summarised below:

- Amended plans make relatively minor changes and do not address previously expressed objections, objections were re-stated and confirmation given that these objections stood.
- Specific consideration was given to the additional sectional plan submitted and neighbours advised that they did not consider it showed an acceptable relationship to neighbouring property due to over looking.
- Additional information was provided showing on street parking in the local area.

Ward Member – Cllr Feeguard, advised of the following objections to the application:

Please find below objections to the proposed Dyffryn Lower School site development.

- The proposed development is surrounded on all sides by Victorian style housing, this proposal especially with the elevation of the apartment blocks is obtrusive and changes the character and appearance of the local area and our community.
- There will be extensive light pollution over and beyond existing arrangements from when the school was open i.e. the school closed at 3.30 pm. There will be street lights where there were none, which will be on from dusk to dawn and these will be LED lights.
- The scheme that is proposed has insufficient parking spaces for the allocated number of units and will compound existing parking pressures and create road

safety issues. The parking assessment is flawed as it uses data from the 2011 Census and does not take into account current parking conditions, both George Street and Broad Street have met the criteria for residence parking which correlates to the increased number of cars in these areas. Moreover, the majority of properties in surrounding streets now have at least 2 cars.

- The traffic impact assessment does not fully comply with legislation. The access and egress to the site via York Place presents a significant health and safety hazard to the surrounding community and to the pupils and parents of the school which is sited in Broad Street.

- The infrastructure of the area was not designed to handle the substantial increase in traffic that would come with this development and the community would see increased levels of noise and exhaust pollution.

- As can be seen from NRW flood risk maps, surrounding streets close to the development site which are already designated high or medium risk, will be further impacted by the extra surface water and raw water, there is already surface water issues in Devonshire Place, the existing drainage system was installed during the Victorian era.

- The proposed drainage plans to connect to the existing drainage network in the area show impediment of existing tree roots, so much so, that the proposed on site drainage soakaway plan will be severely compromised and lead to potential flooding.

- There will be an ecological impact and change to the street scene with the removal of trees and disturbance of the root stock, there is a need to ensure that any tree with a TPO is not damaged above and below ground.

- There will be a detrimental impact on 'neighbouring amenity', i.e. the quality of life of the neighbours will be adversely affected.

I would also like to make the following comments whilst understanding that they are not able to be considered as part of the planning criteria but provide context to this development.

The land was initially sold in consultation with the local councillors, on the premise that the site would be used to develop bungalows for the over 55s and assisted living accommodation, whilst retaining some of the historic existing building. However, during the local council election of 2022 the land was sold on by the original developer and so no consultation took place with local members.

After our re-election it was appalling to hear that the land had been sold on and the new developer and the NPT planning officer, both claimed that they were not aware of the previously agreed plan. This was astonishing due to the fact that as local members we had met on a number of occasions with the council and original developer in order to come to agreement on a plan, a plan which was also welcomed by the neighbouring properties. We immediately objected to the new plan for which architect plans had already been drawn up and been discussed with the planning department.

No prior consultation took place with local councillors or the community and the proposed development in its current form does not meet the needs of our

community. We are proud of our close and long-standing family community and it is heartbreaking to see the irreparable damage being done to it.

It is also disappointing to see that the suggestions made by residents at the meeting with LINC have not been taken into account. This behaviour is not conducive to establishing good relations and trust within our community.

Ward Member - Cllr Rahaman, advised of the following objections to the application:

1. The elevation of proposed flat is going to be obtrusive to the surrounding area and such height does not complement the surround area in terms of visual amenity.
2. The three storey flats are incongruous and the out of keeping with the two storey houses that are in the area. This will further spoil the street view and the intrusive into other people homes.
3. The planned apartments will be overlooking the current residential properties; this will result in the loss of people's privacy.
4. The planned position of the balconies will enable residents of the apartments to see directly into the homes of the residents of Devonshire Place and neighbouring streets, which will eliminate their right to privacy.
5. The loss of light or overshadowing from these new apartments will also affect the local residents, no consideration have been made to reduce the height of these building/s as the light and noise from these apartments will affect the overall existing street scene for the local residents.
6. Parking is a major concern around that area and this proposed development will further add to this growing issue. The proposed development will compound existing parking and road safety issues especially being so close to a school.
7. In terms of highways safety the traffic impact assessment (data questionable) does not comply with the procedures, the egress and the access to the site via York Place possess health, and safety concerns for the local community.
8. Road safety for the children crossing the road from Central Junior School is a major concern and with the added extra traffic via York Place will further put children and parents at risk.

PLANNING POLICY CONTEXT

National Legislation, Planning Policy and Guidance

The Well-being of Future Generations Act (Wales) 2015 (WFGA 2015)

The WFGA 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.

Future Wales and Planning Policy Wales (Edition 11, 2021)

[Planning Policy Wales](#) (Edition 11) was revised and restructured in February 2021 to coincide with publication of, and take into account the policies, themes and approaches set out in, [Future Wales - the National Plan 2040](#) and to deliver the vision for Wales that is set out therein.

Future Wales now forms part of the Development Plan for all parts of Wales, comprising a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. All Development Management decisions, strategic and local development plans, planning appeals and all other work directed by the development plan need to accord with Future Wales. The following policies within Future Wales 2040 are considered significantly material to the determination of this application:

- Policy 1** Where Wales will grow.
- Policy 2** Shaping Urban Growth and Regeneration – Strategic Placemaking.
- Policy 3** Supporting Urban Growth and Regeneration – Public Sector Leadership.
- Policy 7** Delivering Affordable Housing.
- Policy 9** Resilient Ecological Networks and Green Infrastructure.
- Policy 12** Regional Connectivity.
- Policy 19** Strategic Policies for Regional Planning.
- Policy 28** National Growth Area – Swansea Bay and Llanelli

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015.

PPW11 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.

The following guidance is of particular relevance in the assessment of this planning application:

- Paras 3.3 to 3.17 (Good Design Making Better Spaces)
- Paras 3.19 and 3.23 (Promoting Healthier Places)
- Paras 3.49 to 3.52 (Accessibility)
- Paras 3.55 and 3.56 (Previously Developed Land)
- Paras 4.1.9 to 4.1.18 (Sustainable Transport)
- Paras 4.1.19 to 4.1.35 (Active and Social Streets)
- Paras 4.1.36 to 4.1.39 (Public Transport)
- Paras 4.1.49 to 4.1.54 (Car Parking)
- Paras 4.1.55 and 4.1.56 (Transport Assessments)
- Paras 4.2.1 to 4.2.34 (Housing)
- Para 4.4.1 (Community facilities)
- Para 4.5.1 (Recreational spaces)
- Paras 5.8.1 to 5.8.3 (Sustainable Buildings)
- Paras 5.11.1 to 5.11.3 (Making Best Use of Material Resources and Promoting the Circular Economy)
- Para 5.12.1 (Design Choices to Prevent Waste)
- Para 5.12.6 (Design in Locally Sourced, Alternative or Recycled Materials)
- Para 6.2.1 to 6.2.3 (Green Infrastructure)
- Para 6.2.5 (Integrating Green Infrastructure and Development)
- Para 6.3.12 to 6.3.17 (Characteristics of Local Landscapes)
- Paras 6.4.15, 6.4.17, 6.4.18 and 6.4.21 to 6.4.25 (Biodiversity and Ecological Networks)
- Paras 6.6.8, 6.6.17 to 6.6.20, 6.6.24, 6.6.25 and 6.6.27 (Water and Flood Risk)
- Paras 6.7.6 and 6.7.8 (Framework for Addressing Air quality and Soundscape)
- Paras 6.9.16 to 6.9.21 (Land Contamination)

Technical Advice Notes

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

- [TAN 2: planning and affordable housing \(30 June 2006\)](#)
- [TAN 5: nature conservation and planning \(30 September 2009\)](#)
- [TAN 10: tree preservation orders \(31 October 1997\)](#)
- [TAN 11: noise \(31 October 1997\)](#)
- [TAN 12: design \(31 March 2016\)](#)
- [TAN 15: development and flood risk \(20 July 2004\)](#)
- [TAN 16: sport, recreation and open space \(31 January 2009\)](#)
- [TAN 18: transport \(31 March 2007\)](#)

- [TAN 20: planning and the Welsh language \(31 October 2017\)](#)
- [TAN 23: economic development \(28 February 2014\)](#)
- [TAN 24: the historic environment \(30 May 2017\)](#)

Local Planning Policy and Guidance

Overview

The development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004 is the [Neath Port Talbot Local Development Plan 2011 - 2026 \(Adopted January 2016\)](#) (hereafter LDP). When considering the grant of planning permission the plan should be considered as a whole, within the LDP the following policies are of particular 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 SP7** Housing Requirement
- **Policy SP8** Affordable Housing
- **Policy SP10** Open Space
- **Policy SP15** Biodiversity and Geodiversity
- **Policy SP16** Environmental Protection
- **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 I1** Infrastructure Requirements
- **Policy H1** Housing Sites
- **Policy AH1** Affordable Housing
- **Policy OS1** Open Space Provision
- **Policy OS2** Protection of Existing Open Space
- **Policy EN6** Important Biodiversity and Geodiversity Sites
- **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 BE1** Design

Supplementary Planning Guidance

- [Planning Obligations](#) (October 2016)

- [Parking Standards](#) (October 2016)
- [Affordable Housing](#) (October 2016)
- [Pollution](#) (October 2016)
- [Open Space & Greenspace \(July 2017\)](#)
- [Design](#) (July 2017)
- [Biodiversity and Geodiversity \(May 2018\)](#)

EIA and HRA Screening

The proposed development falls in category 10b of Schedule 2 to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is however below the screening threshold for this type of development as it is below 1 hectare of urban development and involves less than 150 dwellings. The site is also not identified as being within a sensitive area for the purposes of the EIA regulations. The proposal is therefore not development requiring screening for EIA.

The proposed development is not located within a zone of influence for any SPA, 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, the impact on the visual amenity of the area, the amenities of neighbouring residents, highway safety and drainage.

Principle of Development

The site of development is located within the Settlement Limit of Port Talbot as defined by Policy SC1 of the Neath Port Talbot Local Development Plan (hereafter LDP) and associated Proposals Maps. Development within a settlement limit that is proportionate in scale and form to the role and function of the settlement is generally acceptable in principle.

The site of development was not allocated for any use within the LDP and as noted above was occupied by a school at the time the LDP was prepared. A school would be considered as a community use to which Policy SC2 would apply. This policy seeks to protect existing community facilities, but allows for the loss of a community facility where it is demonstrated that the facility is surplus to requirements or that the existing use is no longer viable. The reasoned justification for policy SC2 goes on to say the following at paragraph 3.0.21: "...any change to a non-community use will be resisted unless it can be demonstrated that the facility is no longer viable or needed by the community and that there is no potential that the building can be used for an alternative or shared community use."

The school was closed as part of a wider SSIP undertaken by the authority where alternative provision was delivered and in April 2019 the land was declared surplus to the Authority's requirements. The site was sold by the Authority for residential development, and is in third party ownership. In this circumstance the proposal is considered to comply with SC2(1).

The reasoned justification to Policy SC2 at paragraph 3.0.21 indicates that consideration should be given to alternative community uses where a community facility will be lost. In respect to this, the agent states that the buildings would not lend themselves to re-use and were largely at the end of their useful life and could not readily be occupied by an alternative use. They also highlighted that the development would continue to provide community benefit through the provision of community open space and a play area. It is considered that these points are reasonably well justified.

The site is located within a settlement as defined by Policy SC1 and its associated proposal maps. It is also a vacant previously developed site. The surroundings are residential and the site is sustainably located with public transport and services in close proximity. The LDP envisages the provision of over 2,000 dwellings in Port Talbot (LDP table 5.3) and it is defined as a Town in the settlement hierarchy. In this context the development of 43 dwellings, is considered to be of an appropriate scale and form to the function of the settlement in compliance with SC1. The plan contains an allowance for the provision of 825 dwellings on large windfall sites. This proposal would represent a windfall site and would therefore be housing delivery as envisaged in the plan.

Policy BE1 Design requires that all development proposals must be of high quality design, which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Criterion 8 requires developments to make the best and most efficient use of the land available through being of appropriate density taking into account the character and appearance of the area, normally development should achieve a minimum of 35 dwellings per hectare in the Coastal Corridor Strategy Area. The site is around 0.75 of a hectare and it is proposed to accommodate 43 homes. This would give a density of 57 dwellings per hectare, which is well in excess of the minimum requirement. In principle this density is considered to be appropriate to its context which is a densely developed urban environment and is reflective of the nature of the smaller units which are being developed at the site. Further consideration of the impact of the density on the character and appearance of the area is given below.

In principle the residential development of this site is in accordance with policies SC1, SC2 and BE1.

Tenure, mix and type of dwellings proposed

The need to carefully consider the tenure type and mix of housing proposed is identified within Planning Policy Wales 11, which states in paragraph 4.2.1 that: "new housing development in both urban and rural areas should incorporate a mix of market and affordable house types, tenures and sizes to cater for the range of identified housing needs and contribute to the development of

sustainable and cohesive communities.” At paragraph 4.2.29 it states that: “Applicants for planning permission should therefore demonstrate and justify how they have arrived at a particular mix of housing, having regard to development plan policies.” it then goes on to state: “All affordable housing, including that provided through planning obligations and planning conditions, must meet the Welsh Government’s development quality standards.”

The proposal is for the erection of 43 dwellings. In terms of tenure the applicant agrees with the Authority’s adopted approach within the Affordable Housing SPG that it should be tenure neutral. This would allow for the Registered Social Landlord to have the greatest flexibility in providing housing to meet identified need.

The mix of homes proposed is as follows:

- 1 bed apartment – 18 units
- 2 bed apartment – 6 units
- 2 bed house – 8 units
- 3 bed house – 11 units

Third party / neighbour representations have raised concerns regarding the mix of housing in particular the number of one bedroom units. Representations have noted points such as the proximity of the site to primary schools and the nature of surrounding housing and that the site would therefore be more appropriate for family housing with fewer small units.

The supporting statement to the application is limited on why this housing mix has been identified as appropriate. In discussions with the applicant they indicate that this is the mix reflects their discussions with the Authority’s housing service and what they believe will address local housing need. In accordance with PPW11, the Authority needs to consider if the proposal would be an appropriate mix of housing. It is noted that there is generally across the Authority a need for affordable dwellings. This includes an identified need for 3,100 affordable dwellings over the plan period, this need is across a range of housing types. Sources such as the Mid and South West Wales Housing Assessment summary for Neath Port Talbot identify a particular need for 1 and 2 bedroom properties with a smaller need for 3 bedroom properties within the settlement of Port Talbot. The Authority’s strategic housing team has been consulted and the Interim Head of Housing and Communities has advised that they can “...confirm that there is an identified need for the 18 1B flats. Housing Options recognises the concerns that may be raised in relation to the number of 1B flats and will work with the RSL to ensure sustainable community cohesion in terms of moving people into those flats.”

The concerns made in representations related to the mix of housing proposed are noted and the preference for larger family housing. However, the policy requirement is that affordable housing developments should reflect the identified local affordable housing need. The proposal contains a mixture of types of properties and would be tenure neutral, it appears to be reflective of likely affordable housing need and therefore to be appropriate.

To accord with PPW11 the proposal must meet Welsh Government affordable housing quality standards, the application is designed to secure housing grant funding for which the design quality requirements are required. The statement also notes that the ground floor 1 bedroom dwellings have been designed to lifetime homes standard. The retention of properties as affordable housing, in compliance with Policy AH1 (this requires a 25% contribution to affordable housing in the Port Talbot spatial area) this is to be secured through an agreement under section 106 of the Town and Country Planning Act 1990 (as amended), this is discussed further in the relevant section below.

Visual amenity

Policy BE1 requires that development complements and enhances the character and appearance of the site; respects the context of the site and its place within the local landscape; utilises materials appropriate to its surroundings; and incorporates appropriate landscaping. Detailed design guidance relevant to visual amenity is provided in the Authority's Supplementary Planning Guidance: Design (July 2017).

In terms of character, the site is within a densely developed urban area and has a road frontage to all sides. Along Devonshire Place and Talcennau Road the dwellings are terraced. York Place has a mixture of semi-detached and terraced properties. To Broad Street the site fronts to the Central Junior School. Roads are relatively wide with on street parking. The surrounding roads do have a Edwardian / Victorian appearance typical of the area.

The site within the street scene is prominent and the development would be visible from many properties and public vantage points along the adjoining roads. There is a slight change in levels across the site, but it is relatively flat. The surrounding development screens the site from wider views and any development of this site would have a limited and localised impact. The site as a former school has a strong identity with railings and stone walls to the frontage and also characteristic educational buildings of various scales including some larger buildings which would be similar in height to a three storey property. The buildings are unoccupied and in deteriorating condition, due to this they do detract somewhat from the character and appearance of the area.

Considering the various road frontages created by the proposed development: the frontage development to York Place is similar in scale and form to the existing surrounding development. The existing boundary would be removed and a new wall set back behind a verge constructed from reclaimed stone. The opportunities to develop to Broad Street are limited and with the development of three properties. Along Devonshire Place existing site features such as mature trees and one of the school buildings are retained. Boundary walls are retained, in places the wall is reduced in height - development is of a less dense character. To Talcennau Road the properties are larger with the three storey apartments facing the highway at this point. The applicant indicates that the existing boundary treatment to Talcennau Road will be retained. The applicant argues in their supporting design and access statement that their approach is to provide a contemporary development with some reflection of the surrounding development.

In determining this application it is considered that careful consideration will need to be given to the acceptability of the design of the Talcennau Road frontage. Numerous neighbour/third party representations have raised concerns about design and the appropriateness of developing three storey apartments. Illustrative material such as the massing model shown in Figure 1 below show the scale of the development in comparison to the existing buildings at the site, and the width of the roads, and separation distances. . Figure 2 shows the street scene to Telcennau Road.



Figure 1 – Indicative Massing model view of site (tiled roofs are existing and grey buildings are the new dwellings (where visible))



Figure 2 – Telcennau Road elevation (there have been some amendments to the elevational design and boundary treatment but the scale and form of buildings remains as shown).

The facing materials are brickwork and stone under slate roofs. There is limited amounts of brickwork used on development in the locality with most of the surrounding properties having stone elevations. In the wider area brickwork is more common. The use of stone on the elevations is considered desirable and the applicant has indicated that stone will be re-used from the site as much as possible. The applicant has indicated that the use of stone work has had to be reduced as it cannot, for technical reasons, be used on the higher storeys of

some buildings. A condition will be added to any permission issued requiring details of the materials to be approved prior to use on site.

This is a larger housing development and takes in a discrete parcel of land. This site offers the opportunity to develop a new neighbourhood and define character. The surrounding Edwardian housing provides a context to the site, with the properties close to and fronting the highway with small garden / yard areas to the front of the houses. The new frontages the development create to Broad Street and York Place are considered to be similar in scale and form to this and with detailing and materials appropriate approach to its context. Internally within the site a higher density of development is used with three storey blocks. These larger buildings are most visible along Talcennau Road where they are set behind but close to the stone boundary walls of the development with other buildings being two storey. As a matter of planning judgement it is considered that the use of three storey properties can be acceptably accommodated at this site and contribute positively to an overall acceptable development in terms of visual amenity.

Overall, the general design is acceptable in terms of visual amenity and in accordance with Policy BE and Supplementary Planning Guidance on Design. The development also adequately addresses the placemaking principles within the design and layout as set out within Planning Policy Wales.

Residential amenity and living conditions

Policy BE1(4) requires that development does not have a significant adverse effect on the amenity of local residents. The Authority has Supplementary Planning Guidance (adopted July 2017) on Design which provides specific advice on how to consider residential amenity impacts in determining planning applications.

The site is directly adjoined by one residential property 22 Broad Street and there are numerous other residential properties in close proximity, separated by the surrounding road network. The roads that adjoin the site are primarily fronted by residential properties with the Central Primary School fronting Broad Street to the North West.

The scale of development is likely to result in demolition and construction activities that will last for a period of time, albeit the impacts are limited to that phase of the development. This combination of circumstances is considered to give rise to a potential detrimental impact on residential amenity and living conditions. Appropriate locating of onsite operations such as earth moving, aggregate mixing, crushing, screening, and onsite storage and transportation of raw material will help to reduce impacts. Appropriate locating of the storage of heavy plant and equipment, including vehicles and car parking facilities for construction site operatives and visitors and appropriate working practices will also reduce amenity impacts. These measures can all be secured through the imposition of a planning condition requiring a construction environmental management plan (CEMP), as is recommended by the NPT Environmental Health Officer. Construction and demolition operations, (including deliveries) can also be restricted within the CEMP. It is considered that subject to the

securing appropriate management and hours of operation the impacts on neighbouring properties from construction can be mitigated to an acceptable level.

The development proposed will create new frontages on to roads surrounding the site. Numerous representations have raised issues regarding potential amenity and living condition impacts from this new development. Particular concern has been expressed regarding the proposed three storey elements of the proposal. This has included the potential for there to be a reduction in privacy; with impacts from overshadowing and overbearing from the development.

The applicant has provided some supporting illustrative detail of the relationship of the proposal to neighbouring properties highlighting where the three storey element of the dwellings are proposed. The proposed three storey units have a separation distance of over 21 metres across Talcennau Road and around 17 metres across York Place to the two storey properties. These distances are across the public highway to the front elevation of properties where there would generally be a lower expectation of privacy than to the rear elevation of a dwelling. Similar distances across the public highway is also seen in nearby residential streets where the form seen here with houses close to the public highway with small yard / front garden areas on both sides of the road. The mutual relationship of, and the distances to dwellings neighbouring the site are considered to be sufficient to limit the detrimental impact on residential amenity to a reasonable level. The layout it is considered has appropriately mitigated any impacts on the one directly adjoining property 22 Broad Street to an acceptable level.

Representations have raised concerns regarding overlooking to the front of the Central Primary School from properties at the site facing Broad Street. It is considered that Broad Street, which is a relatively wide street, would give reasonable separation between the development and the school site and it appears to be a reasonable relationship between uses. Measured from the applicants layout plan the distance is just under 21 metres from the bay window on the proposed semi detached dwelling opposite the front of the primary school building.

Neighbour / third party representations have raised issues regarding the potential impact of increased activity at the site in terms of light pollution, refuse, noise / disturbance and anti-social behaviour. These views appear to be genuinely held and reflect the fact that the site is currently unoccupied and the likely change resulting from the occupation of the development. It is accepted that there would be an increase in activity at the site following development. The appropriate test is not to protect the individual interest of existing occupiers from any change in their amenity and living conditions; but to consider whether the development will achieve a reasonable standard of amenity and neighbourliness.

There is no clear case or evidence that the activity and the disturbance from residents occupying the new dwellings would go beyond what would be

reasonable to expect in a residential area. In respect to light pollution, there is limited information provided on the proposed lighting at the site and this detail can be secured through an appropriately worded planning condition - there appears no reason that an acceptable scheme cannot come forward. Issues around refuse collection are considered below. Internally the layout of the site achieves a reasonable standard of amenity while maintaining surveillance of the open areas across the site.

In respect to anti-social behaviour, crime and community safety. One of the main suggestions that has come forward is to reverse the orientation of the properties fronting York Place to provide more activity and surveillance to the rear parking area. This has been raised both by third/party neighbour representations and by South Wales Police and has been responded to by the applicant who has closed off routes into this area that were originally proposed from Talcennau Road. Reversing the orientation of the properties to York Place would not be acceptable in terms of the impact on the character and appearance of the area. The open area to the rear of these properties would remain visible to the flats proposed and would be to the front of some of these properties, it is also overlooked by other surrounding properties.

Overall it is considered that, subject to conditions identified above, the proposal will achieve a reasonable standard of good neighbourliness and will not have an unacceptable impact on residential amenity and living conditions. The proposal is considered to be in accordance with Policy BE1(4) in this respect.

Biodiversity and ecological impact

Policies EN6 and EN7 require any impacts on biodiversity/ natural features to be appropriately assessed and, where applicable, mitigated. The site is currently occupied by buildings hard standing and mature trees.

The applicant's ecological assessment identified that the site is not designated for wildlife and is not immediately adjacent to statutory or non-statutory designated wildlife sites. There are no predicted impacts on designated wildlife sites. The site and immediate surrounding neighbourhood has limited ecological interest due to it being a built up residential area with limited green open space (or gardens). Vegetation is mostly limited to marginal areas of the Site with mature trees along Devonshire Place and Talcennau Road in the south-east portion being the most interesting habitat features. A bat roost assessment has been undertaken which confirms that low numbers of common pipistrelle bats are roosting in five of the eight buildings. The supporting ecological report identifies that day roosts of common pipistrelle bat species are classified as being of low conservation significance and the loss of roosts due to demolition of the school buildings is predicted to have a negative impact at the local (site) level only. The report identified ecological enhancement and mitigation for the impact on the bat roosts.

The application has been referred to the NPT Planning Ecologist who advised that the report is acceptable but noted that additional conditions will be required. A condition will be required to ensure that lighting is appropriate at the site, particularly any external lighting to the area of public open space. A further

condition is required to secure revised ecological enhancements which reflect the amendments made to the application during its consideration.

The supporting ecological statement identifies that due to the impact on roosts a protected species licence will be required. The habitat regulations require LPA's to take account of the presence of European Protected Species at development sites at the point of determination. If they are present and affected by the development proposals, the Local Planning Authority must establish whether the appropriate legislative tests have been met.

As noted above the roosts are located in deteriorating buildings. There is considered to be significant public interest in the re-development of the site to provide affordable housing and that the continued deterioration of the site would not offer a satisfactory alternative. It is considered that appropriate mitigation has been identified and that the proposal would not be detrimental to the population of the species in their natural range.

Overall it is considered that appropriate information has been submitted with the application to support the view that the proposal will have an acceptable ecological impact, subject to securing mitigation and enhancement as detailed above. The proposal is in reasonable compliance with Policies EN6 and EN7.

Tree Impact

LDP Policy EN7 requires where possible the retention and protection of important natural features such as trees. Some of the trees at the site are subject to a provisional Tree Preservation Order (TPO), this TPO covers nine trees at the site a Sycamore, Scots Pine, Sweet Chestnut, London Plane and five Lime trees.

As there are mature and protected trees at the site the application is accompanied by an arboricultural report that includes a tree constraints plan, arboricultural impact assessment and tree protection and arboricultural method statement. This report identifies that three individual trees will need to be removed as part of the development: a Sycamore (subject to TPO) (Moderate quality category B) and two Holly trees (low/poor quality / category C/U). The impact assessment notes that suitable compensatory tree planting on site will need to compensate for the loss of the Sycamore and this can be secured by a planning condition securing landscaping.

The other conclusions of the impact assessment such as: the design and layout (most of the trees fringe the open space area) reducing likely future pressure on the trees and that the other significant trees can be retained and protected during development are noted.

The development proposal was referred to a specialist officer within the Authority to comment on the application. They noted that all development will need to comply with the submitted report. They also noted some concerns regarding the proposed landscaping scheme such as the lack of a detailed soft landscaping specification and the use of European Lime. These issues can be addressed through the use of a planning condition.

The proposal will have an impact on trees at the site, however this impact can be acceptably mitigated through the use of planning conditions securing appropriate mitigation and landscaping as such it is considered to be in accordance with the requirements of policy EN7.

Accessibility to the site

LDP policy SP20 is a strategic policy which includes criteria seeking to: restrict development which would have an unacceptable impact on highway safety; requires appropriate parking provision; and requires safe and efficient access and promotion of sustainable transport. LDP policy TR2 identifies that proposals will only be permitted where: there is no adverse impact on highway safety or unacceptable levels of traffic generation; there are appropriate levels of parking and cycling facilities provided. The development has to be accessible by a range of travel means, including public transport and safe cycle and pedestrian routes. The LDP is supported by a Parking Standards SPG (October 2016), which gives guidance on the level of parking required from new development. PPW 11 states that “It is Welsh Government policy to require the use of a sustainable transport hierarchy in relation to new development, which prioritises walking, cycling and public transport ahead of the private motor vehicles”.

New Access

The main access to the estate road and to the majority of the residential development is from York Place (two houses have direct vehicular access to Broad Street). This is a new access, there is currently no vehicular access to the site off this road. The safety and the appropriateness of this access arrangement from this road has been a source of numerous objections as detailed above.

The proposed access is a new priority junction would have radii of 5.5m on each side and a carriageway width of 5.5m. The access would also provide footway into the site of 2m in width on both sides for an initial 8m and then a crossing is proposed to access the footways on the west side. The access visibility is shown on plan and shows visibility contained within the adopted highway or within the site boundary and sightlines are available from a 2m height from the junction to a height of 0.6m at the nearside kerb.

The new access to the highway has been reviewed by the Local Highways Authority (LHA) who have raised no objection to the proposed access arrangement and have commented that the proposed site access in the form of a junction from York Place provides the required visibility splay in terms of the speed limit of the road as required in TAN 18 and Manual for Streets. To ensure this splay is retained, Traffic Regulation orders in the form of junction protection – No Waiting at Any Time Orders are proposed.

Parking requirements

Paragraph 3.2.1 of the Parking Standards SPG sets out that there is flexibility in the parking standards. This is followed by paragraph 3.2.2 where the following factors are suggested for consideration of the parking requirements

for a development: Accessibility to and the service provided by the public transport system; The availability of private buses or the extent of car pooling; The relative proportions of full time / part time / local catchment of labour; accessibility by walking and cycling; The existing and possible future congestion in streets adjacent to the development; and accessibility to and the availability of public and/or private car parking space in the vicinity.

The maximum parking standard for residential houses and apartments are 1 space per bedroom with a maximum of 3 spaces per dwelling. In addition, there is a requirement for 1 visitor space per 5 units. Applying the maximum standards to the proposals, would equate to 79 spaces for the dwellings plus 9 spaces for visitors (88 spaces in total). The applicant is proposing to provide 45 car parking spaces within the site for residents. The parking provision on the site provides two spaces for three bedroom units, one space for two bedroom units and 9 unallocated spaces for the 18 one-bedroom apartments.

The applicant's supporting transport statement argues that this reduction is justified based on the highly sustainable location of the site, the low level of car ownership in the surrounding area, and to encourage sustainable travel in accordance with PPW11 and Future Wales.

To consider a reduction in the parking standards, there is a sustainability calculation criteria set out in Appendix F of the SPG, which allows a reduction in the number of spaces per dwelling, dependent on the sustainability score. Within the applicant's Transport Statement they have undertaken this scoring and the table from the statement is reproduced below.

Table 4-1: Parking Sustainability Points Calculation

Sustainability Criteria	Maximum Walking Distance	Single Sustainability Points	Notes	Points
Local Facilities				
Local facilities include a food store, post office, health facility, school etc. <i>Access to two of these within the same walking distance will score single points, whereas access to more than two of these will double the points score.</i>	200m	3	Central Junior School	
	400m	2	Talbot Road Dental practice, SPAR, Central Infants School	4
	800m	1	Filco supermarket, ALDI, HSBC bank, Nationwide Building Society, Halifax, Talbot memorial park, Aberavon Rugby Football Club, Warehouse Fitness	
Public Transport				
Access to bus stop or railway station	300m	3	Gower street, Abbey Road, Plaza bus stops	3
	400m	2	Port Talbot Parkway	
	800m	1		
Cycle Route				
Access to a cycle route	200m	1	NCN 4 adjacent to Talbot Road (A48)	1
Frequency of Public Transport				
Bus or rail service within 800m walking distance which operates consistently between 7am and 7 pm. Deduct one point for service which does not extend to these times.	5 minutes	3	Bus 66, 87, X1, X3 have combined 6-7 bus per hour Port Talbot Parkway has on average 5 services per hour This equates to 11-12 services an hour or 1 service every c.5 minutes, on average. Most services run between 7am and 7pm	
	20 minutes	2	Bus 87 runs every 20 minutes from 08:46 to 19:05	2
	30 minutes	1	Bus X1 runs every 30 minutes from 06:36 to 19:17	
Total				10

Figure 3 – Table showing sustainability scoring in the applicant's transport statement

The applicant's transport statement notes that a sustainability score of 10 points

allows for a reduction of 2 spaces per dwelling for a residential use. In addition to this they note that the 2011 Census data shows the average car ownership in output area W00005049 within which the site is situated. This shows an average of 0.91 cars per household in the output area and that 74% of households owned one car or less. This compares within an average of 1.15 cars per household across NPTCBC and 68% owning one car or less. This in the view supports the opinion that there is lower car ownership in the area of this site. Representations submitted have raised concerns regarding this and in particular contend that the low level of car ownership is insufficiently evidenced and relies on dated information from the 2011 census, which is not reflected in the current situation. Representations point to the 2021 census showing higher car ownership and also contain surveys collected by local residents. These are contended to show higher levels of car ownership and generally neighbours/third parties consider that the proposal will exacerbate an existing issue of insufficient on street parking in the locality.

The sustainability scoring in the Car Parking SPG is such that a reduction in parking provision is justified. The SPG indicates that due to the sustainability of the site that a reduction to two spaces for the whole site could be justified. This is based on a reduction of 2 spaces for each dwelling. A reduction in parking to this level is considered to be inappropriate, when considered with the other factors identified as relevant in the SPG (see above). The local highways authority has accepted that the 45 parking spaces represents an appropriate level of parking, taking into account the sustainability scoring and various other considerations identified in the SPG.

- Other accessibility issues

The increase in traffic on the wider highway network and the safety of pedestrians, including children travelling to and from school has been raised in representations. These have been raised with the LHA who has advised that they consider that the introduction of a residential development with one vehicular access point at York Place will not compromise the safety of these routes. The applicant has demonstrated in their transport statement that the proposal would not generate traffic at the morning peak level of the existing school use at the site. The LHA has not objected to any impacts resulting from the traffic generated from the development.

The arrangements for the kerbside collection of waste has been raised by the LHA and the applicant has provided some detail to address this. However, the detail remains unacceptable and it is considered that a planning condition will be required to ensure that appropriate provision is secured as part of the scheme.

Impacts on the public highway due to construction activities it is considered can be appropriately controlled through a planning condition for a construction method statement. Other matters it is considered can also be dealt with by condition such as the submission of detailed engineering drawings for the access and street lighting.

The access, parking and other highway arrangements have been reviewed and

accepted by Highways officers working for the Authority and subject to the recommended conditions, the proposal is viewed to be in accordance with policy TR2.

Flooding and drainage

The application was referred to officers of the Authority's drainage service.

In their response they have indicated that the development will require separate approval under the sustainable drainage regulations. The Sustainable Drainage Approval Body (SAB) has not indicated in their response to the Local Planning Authority that the scheme is not capable of meeting the statutory standards (Surface water runoff destination; Surface water runoff hydraulic control; Water Quality; Amenity; Biodiversity; Design of drainage for construction, operation and maintenance). In light of this response it is considered that the appropriate disposal of surface water can be left through the SAB approval process.

Representations have raised concerns due to there being existing flooding issues in the locality. These were raised with the SAB who advised that the proposal would represent a betterment of the existing situation with the provision of a SuDS solution that will be secured through their regulations. The site is not in an area of fluvial flood risk as identified in Technical Advice Note 15: Development and Flood Risk.

The application form indicates that foul flows will be diverted to the main sewer. The proposal has been referred to Dwr Cymru Welsh Water (DCWW). They have offered no objection in principle, subject to a standard condition, to the foul flow discharging to the public sewer. They also consider that the proposal can be connected to a potable water supply. While some concerns have been expressed regarding the sewerage system in third party representations, in light of the advice of the DCWW as statutory sewerage undertaker it is considered that no objection could be sustained on this basis.

Subject to securing appropriate drainage at the site and the use of conditions the proposal is considered to have acceptable drainage arrangements and to be at an acceptable flood risk.

De-risking

Planning Policy Wales (2020) sets out that the planning system should guide development to reduce the risk from natural or human made hazards affecting the land surface or subsurface. Risks to development may arise from matters such as land stability due to former mine workings or land contamination. Strategic Policy SP16 sets the context for consideration of environmental protection and requires protection and where feasible improvement of the environment. Policy EN8 sets out that development that would expose people to unacceptable risk due to contamination or land instability will not be permitted.

The site is identified as being in The Coal Authority (TCA) development low risk area. Within these areas there remains some risk of undocumented works and the standing advice of the TCA will apply.

The site is not identified as being likely to be potentially contaminated. However, as noted above this is previously developed site and there maybe issues identified when a site investigation is undertaken which may require remediation. The standard contaminated conditions are therefore imposed.

No significant risks have been identified at this site based on the information the Authority holds. Therefore, the proposal is determined to be in accordance with Policies SP16 and EN8 of the Local Development Plan.

Public Open Space / Children's Play Facilities

The Authority has clear policy requirements for the provision of open space within development proposals. The strategic open space policy SP 10 sets out that new development should address local needs. How the Authority will support the provision of open space is then amplified by policy OS1 and supported by Supplementary Planning Guidance (SPG) for Policies OS1 and I1. The SPG for OS1 sets out the following expectation for all development proposals: "4.1.3.3 In line with national policy, the Council's preference will always be for open space to be provided on-site as an integral part of the overall development, in order to deliver mixed and balanced communities and to encourage their use. Should the Council agree the provision of on-site facilities is not appropriate or feasible, off-site provision will be accepted."

The Authority has an identified shortfall within all categories of open space within Port Talbot. This includes a shortfall for children's play. Reflecting the population of the Port Talbot Ward the expectation would be 1.45 hectares (based on the population of over 5000 people), the actual existing provision of 0.23 hectares. This represents a deficit of -1.21 hectares of provision.

Due to the dense urban environment of Port Talbot planning obligation payments are difficult to use in the Port Talbot Ward to deliver the policy requirement for the provision of open space. Where open space provision payments have been received it has been difficult to deliver appropriate spaces.

Due to these factors, officers of the Authority have sought to negotiate with the applicant for the provision of an on site play area. This it is viewed will deliver the most benefit within this scheme. The applicants have amended the development to include a play area adjoining area of proposed open space. On site delivery of this open space is considered to be acceptable as an alternative to developer contributions.

The on-going management of the play area is being discussed with the applicant. They have approached the Authority to adopt the site and this is currently being negotiated. The delivery and on going management of the play area/open space will require a planning condition. The final detail of the play area will need to be secured by a planning condition.

Subject to securing the on site open space and play area the proposal is in compliance with policies SP10 and OS1.

Other material considerations and issues raised in representations

The site is isolated from heritage assets such as listed buildings, conservation areas or scheduled ancient monuments. There are some buildings of local importance, along Talbot Road, but these are separated from the site by existing development along Devonshire Place and would be unaffected by the proposal.

The heritage and architectural value of the school has been identified by representations. The school has been extended and altered over time and buildings are also showing signs of deterioration. The site is not within a conservation area, there are no listed building nor it is included as a building of local importance. There is limited protection offered to the loss of the buildings at this site. Glamorgan Gwent Archaeological Trust has advised that a building recording condition should be imposed to document the building appropriately.

The site is located in an air quality management area and consideration has been given to this issue within a supporting air quality assessment. This assessment focussed on the impact of construction works and also on the impact from vehicles. It identified that neither of these impacts would be significant. A CEMP will be secured in the interests of mitigating wider adverse environmental impacts and will secure appropriate mitigation to air quality impacts.

The application is accompanied by supporting information on the sustainability of the proposed dwellings.

The loss of a post box on York Place (it is within the existing school wall) has been raised in representations. This has been passed onto the agent so that they are aware of this matter and they have advised that alternative provision will be provided. It is however a matter for Royal Mail and developer to discuss and ensure that appropriate provision is retained in the locality.

Matters related to the sale of the property by the Authority are not material to the consideration of this application. Similarly alternative development proposals that could be put forward are not significantly material and the Authority must determine application on its own merits. The use of the retained building for a business is not put forward in this application and this should not be given weight in decision making and would need to be subject to a separate planning application. The impact of development on property values is a matter of individual interest that cannot be accorded significant weight in decision making. However, noting that this is the development of residential development within a predominantly residential area.

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 5 two bed and 13 one bed apartments.

In view of the type and form of development proposed in this location, having regard to local circumstances and needs arising from the development, the following planning obligations are considered necessary to make the development acceptable in planning terms and to meet the policy and legislative tests for planning obligations.

Affordable Housing

Policy AH1 of the Neath Port Talbot Local Development Plan states that all new housing developments will be required to contribute to affordable housing provision. It sets a requirement of 25% affordable housing in the spatial planning area of Port Talbot. The proposed development and all supporting information indicate that the development will be a fully affordable development and it is intended to access Social Housing Grant Funding. The applicant is a registered social landlord and they have purchased the site to develop affordable housing. They have advised that they wish for the occupancy of the site to be controlled as affordable housing through a section 106 agreement rather than a planning condition. This agreement is being progressed with the Authority however at the time of writing the report the agreement is not complete.

Public Open Space / Play Area

The site contains a substantial area of public open space and a play area. These areas will require on going management to ensure that they provide on-going public benefit in accordance with Policies SP10 and OS1. The applicant is in discussions with the Authority to provide a play area that can be adopted. The mechanisms for securing the adoption of the public open space and play area will require a section 106 agreement. The agreement will require agreement of any play facilities proposed including equipment; proposals to lay out the play area including surfacing, landscaping, means of enclosure, provision of seating and litter bins; a timetable for the provision and laying out of the play area; provision for the future management including clauses for the adoption by the Authority if agreed or other on-going management arrangement; and securing public access and maintenance of the play area.

CONCLUSION

The decision to recommend issuing a planning permission has been taken in accordance with Section 38(6) 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 proposal represents an appropriate form of development that would have no unacceptable impact on the visual amenity of the area, residential amenity, local environment or highway safety and the free flow of traffic. Accordingly, the proposed development is in accordance with Policies SP1; SP2; SP3; SP4; SP5; SP7; SP8; SP10; SP15; SP16; SP19; SP20; SP21; SC1; SC2; H1; AH1; I1; EN6; EN7; EN9; OS1; OS2; TR2; BE1; RE2; and W3 of the Neath Port Talbot Local Development Plan.

RECOMMENDATION

Approve subject to an agreement under section 106 of the Town and Country Planning Act 1990. This agreement is to:

- **Secure housing as affordable housing in accordance with the 25% Affordable Housing requirement set in Policy AH1 of the LDP.**
- **Secure the provision of and on-going management of the public open space and play area in accordance with Policies SP10 and OS1 of the LDP.**

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:

10429 PL01A Site Location Plan
10429 PL03M Proposed Site Plan
C2204-ATP-DR-TP-002_Devonshire Place_Visibility and SPAs
10429 PL10C Garden Areas Plan
10429 PL08A Waste Management Plan
10429 PL04D Proposed Site Boundaries Plan
10429 PL30E Apartment Floor Plans & Elevations
10429 PL31B Walk-up Apartments Plans & Elevations
10429 PL32B Walk-up Apartments Plans & Elevations Type 2 (Corner)
10429 PL35C 2B4P House Plans & Elevations
10429 PL37C 3B5P House Plans & Elevations
10429 PL35B 2B4P House
10429 PL38B 3B5P T2 House
10429 PL39A 3B5P House Retained Building Plans & Elevations
Design and Access Statement by Roberts Limbrick Architects
Transport Statement (9 December 2022) by Apex Transport Planning
Thermal Comfort Report (13 June 2022) by Services Design Solution
Ltd
Arboricultural Report (Tree Survey Data & Tree Constraints Plan,
Arboricultural Impact Assessment, Tree Protection Plan and
Arboricultural Method Statement) (6 December 2022) by ArbTS
Ecology Assessment Report (December 2022) by Pure Ecology
Drainage Strategy – Devonshire Place (6 December 2022) by Jubb
22305_JUBB_00_XX_DR_C_500 P4- Drainage Layout

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 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

- 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 sampling,
- 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 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 No works to which this permission relates shall commence until an appropriate programme of historic building recording (Level 2) 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 in accordance with policy SP21 of the Neath Port Talbot Local Development Plan.

- 8 Prior to work commencing on site, full details of the refuse/recycling proposals for the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include whether the service will be provided by a private contractor or Neath Port Talbot County Borough Council's Kerbside Refuse and Recycling Scheme, together with details of the proposed collection arrangements including bin storage areas, collection arrangements and where requested details of swept path analysis of the contractors' vehicle accessing the site. The approved details shall be fully implemented on site prior to the first beneficial use of the hereby approved development.

Reason

In the interests of highway and pedestrian safety while also ensuring the provision of adequate waste collection services and in accordance with policy TR2 of the Neath Port Talbot Local Development Plan.

- 9 No development shall commence until full details of soft and hard landscape treatments have been submitted to and approved in writing by the Local Planning Authority. These details shall, reflect the detail provided on approved drawing 222006-FDL-ASL-XX-XX-DR-L-0001-P2 - Landscape General Arrangement; 222006-FDL-ASL-XX-XX-DR-L-0002-P1 - Proposed Hard Standing; and 222006-FDL-ASL-XX-XX-DR-L-0003-P1 - Soft landscaping. Soft landscape details shall include planting plans and specification (including cultivation and other operations associated with plant and grass establishment), schedules of

plants, (including replacement trees where appropriate), noting species, planting sizes and proposed numbers/densities where appropriate, as well as any works to enhance wildlife habitats, together with implementation timetables and maintenance programmes detailing all operations to be carried out to allow successful establishment of soft landscaping. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with the timetable approved by the Local Planning Authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved, to be approved in writing by the Local Planning Authority.

Reason:

In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 10 No development shall commence until a landscape management plan, including longterm design objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small domestic gardens, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out and the landscaping maintained in accordance with the approved details.

Reason:

In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 11 No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) and Construction Method Statement (CMS) have been submitted to and approved in writing by the Local Planning Authority. The CEMP/CMS shall be made with reference to the requirements of British Standard BS5228-1:2009 - "Code of practice for noise and vibration control on construction and open sites". The CEMP/CMS shall include the following information: -

- i. Construction methods: details of the extent and phasing of development; details of construction materials or techniques to be used; details for the storage and management of plant and materials used in constructing the development.
- ii. General Site Management: details of the construction programme including timetable; details of site clearance; details for erection and maintenance of security hoarding including decorative displays and facilities for public viewing; details of complaint investigation procedures.
- iii. Control of Nuisances: Identification of the significant construction and demolition noise & vibration sources; details of physical and operational management controls necessary to mitigate noise & vibration emissions; details of dust & odour control measures and measures to control light spill.
- iv. Traffic Management: details of site deliveries; details for the loading and unloading of plant and materials; details of wheel wash facilities; details for the parking of vehicles of site operatives and visitors.
- v. Hours of working on site, including specified hours for deliveries; details of restrictions to be applied during construction and demolition works (including timing, duration and frequency of works) to prevent noise or nuisance amenity issues to surrounding properties and primary school.
- vi. Specific provisions in relation to the removal of existing concrete foundations and mitigation measures undertaken shall be detailed.
- vii. Waste: a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. Signage: scheme for the erection of temporary/semi temporary signage warning drivers of the presence of children and speed restrictions.
- ix. Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP/CMS and emergency contact details.
- x. The CEMP/CMS shall be signed by a competent person(s).
- xi. Traffic management: plan showing the route demolition, construction and delivery vehicles will take to and from site (to the nearest classified highway) shall be submitted.

The development shall be carried out in full accordance with the approved CEMP/CMS.

Reason:

In the interests of biodiversity and the amenity of the area as a whole and to ensure the development complies with Policies EN7, TR2 and BE1 of the Neath Port Talbot Local Development Plan.

- 12 No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings/buildings hereby permitted has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

- 13 Prior to the commencement of development, an external lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include any lighting proposed within the public open space and a schematic street lighting scheme. Lighting shall avoid conflict with bat mitigation/enhancement measures, flight lines and woodland habitats and shall be implemented as approved. The lighting scheme shall be fully implemented prior to the beneficial use of the development.

Reason:

In the interest of residential amenity and to prevent any unacceptable light spillage, and to ensure compliance with Policies SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan.

- 14 Prior to the commencement of development works, a Biodiversity Enhancement and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan should update the biodiversity mitigation and enhancements identified in the Ecological Assessment Report by Pure Ecology dated December 2022 to reflect amendments to the proposal. The scheme shall be implemented in accordance with the approved details and maintained thereafter.

Reason:

In the interest of biodiversity, and to mitigate to loss of bird nesting/foraging habitats under the Habitats Regulations (2017) and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

- 15 No development shall occur until an engineering scheme has been submitted detailing the upgrading of the highway known as York Place, Talcennau Road, Devonshire Place and Broad Street and approved in writing by the Local Planning Authority. The scheme shall allow for the following:

i. The provision of a new junction to facilitate the site to be accessed from the existing public highway at York Place. The new spine road into the development shall have a minimum width of 5.5 metres.

ii. The provision of a 2m footway from the development site to tie into the existing footway fronting the development along with the upgrading of the existing footway surfacing to the perimeter of the site.

iii. All other existing highway access points both pedestrian and vehicular on the perimeter of the site, not forming part of the means of access for the proposed development shall be reinstated to full height kerb/footway construction.

iv. Where necessary upgrading/alteration to the highway drainage system as a consequence of the improvement works.

v. Where necessary alterations/upgrading to the public lighting system as a consequence of the highway improvement works.

All highway works agreed in this scheme are to be completed within 6 months of the completion of 95% of the dwellings on the site.

Reason:

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

- 16 No development shall commence until, a Waste Management Plan for the control, management, storage and disposal of any waste material generated during the demolition and construction of the development shall be submitted to and approved in writing by the Local Planning Authority. All waste shall be treated in accordance with the agreed waste plan. The plan shall be implemented as approved.

Reason:

To ensure the appropriate disposal of any waste arising from the development in terms of protection of the environment and to ensure the sustainability principles are adopted during development and complies with Policy W3 of the Neath Port Talbot Local Development Plan.

Action Conditions

- 17 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 be 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.

- 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 their use in the construction of the development hereby permitted, details and where requested samples of the materials to be used in the construction of the external surfaces of the development shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

- 20 Notwithstanding the submitted plan and prior to the first beneficial use of the development, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the siting, design and internal layouts of bin storage areas, cycle / mobility scooter storage and domestic sheds shown on plan 10429 PL03M Proposed Site Plan. The bin stores, shed / cycle storage and mobility scooter storage as agreed shall be provided in accordance with the approved scheme prior to the first beneficial use of the development and retained as such thereafter.

Reason:

In the interest of visual amenity, residential amenity and to ensure adequate bin storage, cycle storage and mobility storage is provided for future residents and to ensure compliance with Policy BE1 and EN8 of the Neath Port Talbot Local Development Plan.

- 21 Prior to its installation within the site details shall be supplied of the proposed new electricity substation together with any proposed boundary treatment to its compound.

Reason:

In the interest of visual amenity, to ensure compliance with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 22 Within twelve months of the first beneficial occupancy of the development the boundary treatment as detailed on 10429 PL04D

Boundaries Plan shall be completed, as approved, and retained as such thereafter.

Reason:

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

- 23 Prior to the occupation of any residential unit a scheme shall be submitted detailing the implementation of and removal of Traffic Regulation Orders in the form of Junction Protection for the new proposed site access off York Place and the removal of School Orders on Talcennau Road. This scheme shall be implemented as approved.

Reason:

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

- 24 Prior to the first beneficial occupation of the development hereby permitted, the junction and visibility splays shown on Drawing No. C22004-ATP-DR-TP-002 shall be provided on site, and shall thereafter be maintained free of any obstruction exceeding 0.6m in height for as long as the development exists.

Reason:

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

- 25 Prior to the first beneficial use of the development a scheme shall be submitted to and approved in writing detailing the feasibility and provision of Electric Vehicle Charging Points to serve the development. The scheme shall include a minimum of 5 spaces and shall also include details how future electric charging points can be delivered. The scheme as agreed shall be fully implemented within twelve months of the occupation of a residential unit and shall be retained for such use thereafter.

Reason

In the interest of highway and pedestrian safety and to ensure compliance with Planning Policy Wales 10, and policies BE1 and TR1 of the Neath Port Talbot Local Development Plan

- 26 If piling is to be undertaken on site, no piling activities for the construction of the authorised development may commence until a piling method statement has been submitted to and approved by the local planning authority. Piling shall be carried out in accordance with the approved method statement.

Reason:

In the interest of, 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.

Regulatory Conditions

- 27 The development hereby approved shall be connected to the mains sewerage system prior to the first beneficial use of the first dwelling or commercial unit and retained as such thereafter.

Reason:

In the interest of satisfactory drainage of the site, and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

- 28 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason:

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

- 29 Each vehicular access point shall be provided with a pedestrian vision splay measured at 2.4 metres x 2.4 metres behind back of footway and shall be retained thereafter so that nothing over 600 mm in height above back of footway level is erected or allowed to grow within these areas.

Reason:

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

- 30 The car parking areas hereby approved shall be constructed in accordance with drawing number 10429 PL03M Proposed Site Plan, prior to the first beneficial use of the residential unit associated with the parking area and retained for access and parking of residents' vehicles only thereafter.

Reason:

In the interest of highway and pedestrian safety, to ensure that the development is served by sufficient parking and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.