

SITE AND CONTEXT

The proposed development site forms part of the Cwmavon Rugby Football Club, Cwmavon. The site consists of a club building; car parks; an unlit pitch to the west and an existing floodlit pitch to the east to which this application relates. The pitch to which the proposal relates is bounded by woodland and the river avon to the south; allotments to the east; to the west is a second playing field with residences beyond and to the north lay the club house, parking area and community centre with residences beyond. The application pitch and surrounds are located on a relatively flat, valley bottom location

The application site is located within of the settlements boundary as defined by Policy SC1 of the NPTCBC LDP.

DESCRIPTION OF DEVELOPMENT

This is a full application for the replacement of lighting heads on 6 No. 15m existing flood lighting columns.

NEGOTIATIONS

None

PLANNING HISTORY

There is no relevant planning history on the application site.

CONSULTATIONS

Biodiversity – No objections

Highways – No objection

Environmental Health (Lighting) – No objection

Land Contamination – No Objection

REPRESENTATIONS

Site notices were posted adjacent to the site on 13/7/26.

In response, to date no representations have been received.

REPORT

National Planning Policy:

[**Future Wales: The National Plan 2040**](#) is the national development framework, setting the direction for development in Wales to 2040. The development plan sets out 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 wellbeing of our communities.

The following policies are of particular relevance to the assessment of this application:

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 9 – Resilient Ecological Networks and Green Infrastructure.

[Planning Policy Wales \(Edition 12, February 2024\)](#)

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, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places

PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities. It encourages a wider, sustainable and problem-solving outlook which focuses on integrating and addressing multiple issues rather than on an approach which is fragmented, un-coordinated and deals with issues in isolation. It provides an opportunity to remove any actual or perceived problems in current approaches and stimulate and support innovative and creative ideas as well as high standards of evidence and assessment to underpin the preparation of development plans and strategies and individual proposals. Monitoring and learning from development outcomes so as to drive sustainable improvements in planning practice is also important.

Paragraph 6.4.2 – *“The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty). This duty applies to public authorities in the exercise of their functions in relation to Wales and will help maximise contributions to achieving the well-being goals. The Nature Recovery Action Plan supports this legislative requirement to reverse the decline in biodiversity, address the underlying causes of biodiversity loss by putting nature at the heart of decision-making and increasing the resilience of ecosystems by taking specific action focused around the 6 objectives for habitats and species”.*

PPW12 is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -

- Technical Advice Note (TAN) 12: Design (March 2016)
- Technical Advice Note (TAN) 16: Sport, Recreation and Open Space (2007)

Welsh Government has further published “Good Practice Guidance: Planning for the Conservation and Enhancement of Dark Skies in Wales” offering guidance based on the following lighting principles:

- Don't light unless it's necessary.
- Light only where needs to be lit, avoiding over-lighting and clutter
- Light should be no brighter than necessary.

- Use warm colour temperatures; 2,700K or lower.
- Use switch-off, dimming or PIR sensors.
- Use a lower mounting height where possible
- Limit internal lighting spilling outside target area
- Keep light away from wildlife

Local Planning Policies

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

- **Policy BE1** Design
- **Policy TR2** Design and Access of New Development
- **Policy EN6** Important Biodiversity and Geodiversity Sites
- **Policy EN7** Important Natural Features

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

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

Issues

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

Impact on Visual Amenity

Policy BE 1 (Design) states that *all development proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places*.

The proposed lighting heads would renew existing flood lighting and are considered to be an appropriate form of development to allow the facility to be used during winter months. The lighting heads with the existing columns are not considered to be out of keeping with the appearance and function of the site.

With regard to policy BE1, the proposal is considered to be of a scale, form and design that would be in-keeping with the existing sports use on site and is considered to be acceptable.

Impact on Residential Amenity

The closest residential properties to the northeast are Nos 27 and 28 Cunard Terrace, Cwmavon the rearmost part of these dwellings being located 53m from the nearest proposed lighting head. Given the distance of these lighting heads from these properties and their like for like replacement there would be no adverse overshadowing or overbearing impact.

With regard to the lighting, the lux levels of the proposed lighting heads drops to 1 lux before the rear gardens of Nos 27 and 28. There is also a degree of screening from rear boundary treatment at these properties.

It is anticipated by the applicant that the current use of the lighting for training and matches between October and March, on Mondays to Fridays though averaging 2 or 3 days a week with no use after 9pm.

Environmental Health were consulted and offered no objections to the proposal having reviewed the lighting specifications to replace the existing flood lights. The officer noted that there are no overlooking residential properties to the pitch and as such do not believe there is a likelihood of the floodlighting causing a nuisance. The officer offered no objection to the application or proposed any conditions.

However, given the existing lack of restriction on operational times and the lack of spillage on nearby properties it is proposed to restrict the operation of the floodlighting to between 16:00 and 21:30, this to ensure that residential amenity is protected during unsociable hours. These times would allow for preparation activities prior to training or a game and the potential for a game to overrun the times anticipated by the applicant. As such, it is recommended these times are imposed by a suitably worded condition in the interest of residential amenity.

Taking the above into account, it is not considered that the development will adversely affect the residential amenity of any of the surrounding properties. It is therefore considered that the proposal would comply with Policy BE1 of the Local Development Plan.

Contaminated Land

The site is located in an area of potential land contamination and the authority's Contaminated Land officer was consulted on the proposal. The officer commented that as the proposed works were only to replace existing lighting heads and that no groundworks were planned, they would have no objections to the proposal

Parking and Access Requirements and Impact on Highway Safety

The authority's highways section was consulted regarding the proposed replacement flood lighting and had no objections to the proposal.

Given that the development will not displace any of the existing off-road parking, it is not considered that the flood lighting heads will impact detrimentally upon pedestrian and highway safety.

Dark Skies

With regard to Welsh Governments Dark Skies guidance, the proposal will be replacing the existing lighting on a like-for-like basis and based on the requirements for that needed to train and play matches in a suitably lit environment. The lighting scheme has been designed to minimise light spillage outside of the target area and both Environmental Health and the Authority's ecologist have offered no objection to the submitted scheme. As such the proposal would comply with Welsh Governments Dark Skies Good Practice Guidance.

Biodiversity

As identified above, Policies EN6 and EN7 of the Local Development Plan will be of relevance insofar as there is a need to ensure any impacts on biodiversity/ natural features are appropriately assessed and, where applicable, mitigated.

Planning Policy Wales (PPW) 12 sets out that;

The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, informed by an appropriate level of assessment, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, help to overcome the potential for conflicting objectives, and contribute to health and well-being outcomes.

A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15 of PPW 12) has been applied.

A green infrastructure statement was submitted in support of this application and will provide two bat boxes installed at eaves height on the southwest and southeast elevations of the southern stand which will be secured by a suitably worded condition.

The authority's ecologists were consulted on the proposal and offered no objections subject to the biodiversity enhancement measures in the green infrastructure statement being implemented.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and 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 amenities of neighbouring residents,

visual impact upon the area, biodiversity or highway and pedestrian safety. Accordingly, the proposed development is in accordance with Policies SP15 (Biodiversity and Geodiversity Sites), SP16 (Environmental Protection), EN8 (Pollution and Land Stability), BE1 (Design) and TR2 (Design and Access of New Development) of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040 and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.