



PLANNING STATEMENT

In respect of

Unit 3, Baglan Bay Retail Park, Christchurch Road, Port Talbot, SA12 7BZ

On behalf of

Kames Capital UK Active Value Property Unit Trust

Prepared by: **Lorraine Lau**

*Authorised
by:* **Alun Evans**

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*Project
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1. INTRODUCTION

- 1.1 This Planning Statement has been prepared by ROK Planning on behalf of Kames Capital UK Active Value Property Unit Trust ('the Applicant'), in support of a full planning application for the change of use of an existing retail unit (Use Class A1) to a dental clinic (Use Class D1) at Unit 3, Baglan Bay Retail Park, Christchurch Road, Port Talbot, SA12 7BZ ('the Site').

- 1.2 The description of development ('the Proposed Development') for the planning application is as follows:

"Change of Use from Retail (Use Class A1) to a Dental Clinic (Use Class D1)"

Planning Application Submission

- 1.3 This Planning Statement assesses the planning considerations associated with the Proposed Development and considers the proposals in context of national, regional and local planning policy and guidance.
- 1.4 Additional documents and planning drawings are submitted in support of this planning application and which the Planning Statement should be read in conjunction with. These are set out below:

- Planning Application Form (including Ownership Certificates), prepared by ROK Planning;
- Community Infrastructure Levy Form;
- Drawings, prepared by Studio i:
 - Location Plan ref. 21006-10-001;
 - Site Plan As Existing ref. 21006-10-002;
 - Existing Floor Plans ref. 21006-10-002; and
 - Proposed Plans ref. 21006-D-001

Structure of Planning Statement

- 1.5 This Planning Statement is structured as follows:
- Section 1 - Introduction
 - Section 2 – Application Site, Context and Planning History
 - Section 3 – Proposed Development
 - Section 4 – Planning Policy Context
 - Section 5 – Town Planning Considerations

- Section 6 – Conclusion

2. APPLICATION SITE, CONTEXT & PLANNING HISTORY

The Site

- 2.1 The Application Site comprises Unit 3 at Baglan Bay Retail Park in Port Talbot, which is circa 467 sqm in size, in A1 non-food retail use and currently occupied by bedroom furniture brand *Dreams*. Please refer to the aerial image below for the relevant red line boundary.



Figure 1: Aerial Image showing Site Location

Surrounding Area

- 2.2 The building that Unit 3 sits within also comprises Poundstretcher, Pets at Homes and Halfords. The rest of Baglan Bay Retail Park is occupied by other food/non-food retail uses, including a Focus and B&M store that sit just north-west of the Site. A KFC, Subway and Lidl are also located in proximity. The park is supplemented by a public house/ restaurant.
- 2.3 The wider area to the south, east and north-east of the Site comprises predominantly industrial-related uses, dominated by large warehouses similar in size and mass to the building on site. Further west, on the other side of Afan Way, to the north, south and east, on the other side of M4, residential uses predominate, largely occupied by 2-storey mews housing or semi-detached homes.

Access

- 2.4 The Site fronts the A421 dual carriageway— a major arterial route that runs through Port Talbot. It is also less than a mile from Junction 41 of the M4 motorway connecting South Wales from London. Port Talbot town centre sits half a mile east from the Site, providing close access to a range of retail, community, leisure, health uses.

Planning History

- 2.5 The wider building and site which the unit is located within has been the subject of numerous planning applications, as outlined below.
- 2.6 Planning consent LPA ref. **P2006/1622**, which enabled the “*erection of 5 non-food retail units and associated car parking and servicing*”, appears to be the main permission attached to Unit 3 and which allows the current built form and A1 retail use.

LPA Ref.	Address	Description	Status
P2008/1542	Land Adjacent To Focus Diy, Afan Way, Aberavon, Port Talbot, Sa12 6nr	Discharge Of Conditions 5 And 6 (Landscaping And Means Of Enclosure)	Granted 30/12/2008
P2008/1383	Pets At Home, Unit 4, Baglan Bay Retail Park, Baglan Industrial Estate, Port Talbot, Sa12 7bz	Advertisement Consent	Granted 26/11/2008
P2008/0852	Unit 5, Baglan Bay Retail Park, Afan Way, Aberavon, Port Talbot, Sa12 6nr	Agree Condition 3 Of Planning Permission 06/1622 To Allow 20% Of Floorspace For The Sale Of Convenience Goods	Refused 01/09/2008
P2008/0704	Land Adjacent To Focus Diy, Afan Way, Aberavon, Port Talbot, Sa12 6nr	Agree Condition 3 Of Planning Application 06/1622 To Allow Sales Of Pet Related Products At Unit 4	Granted 13/06/2008

P2008/0452	Unit 2, Baglan Bay Retail Park, Baglan Industrial Park, Port Talbot	Advertisement Consent	Granted 30/05/2008
P2008/0262	Land Adjacent To Focus Diy, Afan Way, Aberavon, Port Talbot, Sa12 6nr	Agree Condition 2 Of Planning Application 06/1622 (Materials)	Granted 27/03/2008
P2007/1606	Land Adjacent To Focus Diy, Afan Way, Aberavon, Port Talbot, Sa12 6nr	Agree Conditions 10 Of Planning Application 06/1622 (Servicing Road And Turning Area)	Granted 20/12/2007
P2007/1605	Land Adjacent To Focus Diy, Afan Way, Aberavon, Port Talbot, Sa12 6nr	Agree Condition 9 Of Planning Application 06/1622 (Surface Water Drainage)	Granted 27/12/2007
P2007/1604	Land Adjacent To Focus Diy, Afan Way, Aberavon, Port Talbot, Sa12 6nr	Agree Conditions 11, 12 And 13 Of Planning Application 06/1622	Granted 27/12/2007
P2006/1622	Land Adjacent To Focus Diy, Afan Way, Aberavon, Port Talbot, Sa12 6nr	Erection Of 5 Non-Food Retail Units	Granted 30/01/2007
P2001/0894	Baglan Bay Retail Centre, Afan Way, Port Talbot, Sa12 6jh	S73 Application For Continued Use Without Complying With Condition 7 Of Planning Consent P/97/0106	Granted 20/12/2001
P2000/0593	Former Freemans Factory Port Talbot West Glamorgan	S73 Application For Continued Use Without Complying With Condition 7 Of Planning Consent P/97/0106 To Allow Sale Of Clothing Footwear, Toiletries, Jewellery & Cameras At Units 2 & 4	Refused 20/02/2001

P1998/1269	Former Freemans Factory Port Talbot West Glamorgan	Agree Condition 2 Of Planning Application P/98/0030 With Regards To Outside Storage	Granted 23/12/1998
P1998/1313	Gallaher Ltd, Baglan Moors, Port Talbot	Advertisement Consent	Granted 21/12/1998
P1998/1020	Former Freemans Factory Port Talbot West Glamorgan	Advertisement Consent	Granted 04/12/1998
P1998/0960	Former Freemans Factory Port Talbot West Glamorgan	Agree To Condition 1 Of Planning Ref. P/98/0030 Regarding Materials	Granted 28/08/1998
P1998/0939	Former Freemans Factory Port Talbot West Glamorgan	Discharge Of Condition (Drainage Details)	Granted 28/08/1998
P1998/0201	Former Freemans Factory Port Talbot West Glamorgan	Relaxation Of Condition 7 Of Outline Planning Approval Ref. P/97/0106	Granted 03/04/1998
P1998/0030	Former Freemans Factory Port Talbot West Glamorgan	Retail Park- Incorporating Food Store, Diy Store, Non- Food Retail Store And Fast Food Outlet	Granted 20/11/1998
P1997/0106	Former Freemans Factory Port Talbot West Glamorgan	Retail Park- Incorporating A Diy Store And Garden Centre, Three Non- Food Retail Units, A Small Food/ Convenience Food Store And Fast Food Outlet	Granted 10/04/1997
P1991/8051	Freeman House, Baglan Moors, Port Talbot	Installation Of 5 X Handling Units	Granted 29/03/1991

P1989/7445	Gallaher Ltd, Baglan Moors, Port Talbot	Advertisement Consent	Awaiting Decision
P1989/7341	Baglan Moors, Port Talbot	Renewing Air Handling Units	Granted 06/11/1989
T1982/4043	J R Freeman & Sons, Baglan Moors, Sandfields, Port Talbot	Repositioning Water Tank	Granted 15/07/1982
T1980/302	Freemans Cigar Factory, Sandfields, Port Talbot	Kitchen Extension	Granted 06/03/1980
P1979/2647	J.R. Freeman And Sons Ltd, Baglan Moors, Sandfields, Port Talbot	Oil Fuel (Diesel Storage)	Granted 15/06/1979
T1978/2139	J R Freeman And Sons, Baglan Moors, Port Talbot	Covered Cycle Park	20/06/1978
T1975/0486	J R Freeman And Sons, Baglan Moors, Port Talbot	Additional Boiler Flue Vehicle Enclosure Pump House For Sprinkler Tank	Granted 16/04/1975

Table 1: Planning History of Application Site

3. PROPOSED DEVELOPMENT

- 3.1 This planning application is submitted on behalf of Kames Capital UK Active Value Property Unit Trust for the following Proposed Development.
- “Change of Use from Retail (Use Class A1) to a Dental Clinic (Use Class D1)”*
- 3.2 Only change to the lawful use of Unit 3 is sought; the application will not affect the other established retail units within the park, nor will the external appearance of the existing building be altered.
- 3.3 A potential occupier for the dental clinic has been identified; the Applicant will undertake a lease agreement with the occupier subject to this planning application being granted planning permission.

4. PLANNING POLICY CONTEXT

Development Plan

4.1 Section 38(6) of the Planning and Compulsory Act 2004 requires any planning application to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Neath Port Talbot comprises:

- Future Wales— The National Plan 2040 (adopted February 2021);
- Neath Port Talbot County Borough Council Local Development Plan 2011-2026 (adopted January 2016); and
- Neath Port Talbot County Borough Council Proposals Map (adopted January 2016).

Material Planning Considerations

Planning Policy Wales (Edition 11)

4.2 Planning Policy Wales (PPW) was originally published by the Welsh Government in 2002 and sets the context for planning Wales, under which Local Planning Authorities prepare their statutory Development Plans. The latest version of PPW was published February 2021 to align with the recently adopted Future Wales; it sets out the government's land use planning policies, with the aim of contributing towards the delivery of sustainable development and improving the social, economic, environmental and cultural well-being of Wales.

Technical Advice Notes

4.3 The PPW is supplemented by a series of more detailed Technical Advice Notes, which provide additional guidance and clarifications on specific land use planning policies within the PPW. They are material considerations in all planning decisions within Wales; the following are relevant to this planning application:

- Technical Advice Note 4: Retail and Commercial Development
- Technical Advice Note 11: Noise

Supplementary Planning Guidance

4.4 Similarly, Neath Port Talbot's Local Plan is supported by a range of Supplementary Planning Guidance, which are also material considerations in this planning application. The following SPGs are relevant:

- Parking Standards SPG

Neath Port Talbot Local Plan Review

4.5 The Council is currently in the process of reviewing the existing Local Plan. A full review of the plan commenced in January 2020 with the publication of the Draft Review Report in February 2020 for public consultation.

4.6 Following formal approval from Full Council in July 2020, the Review Report has been submitted to the Welsh Government. The next step is to agree the timetable and the resources the Council needs to commit to developing a more detailed Replacement Local Development Plan. Whilst works for the relevant processes have begun, the documents cannot be finalised until wider implications of the current Covid-19 pandemic are known.

5. TOWN PLANNING CONSIDERATIONS

5.1 This section of the Planning Statement assesses the proposed development against relevant planning policy at both a national and local level. In addition to this other material considerations will also be identified. The section is discussed in the following sub-sections:

- 1. Principle of Development
- 2. Detailed Matters

1. Principle of Development

i. Loss of Existing Use

5.2 Planning Policy Wales (PPW) establishes a ‘town centre first’ approach, in which retail and commercial centres are promoted as the most appropriate locations for retail uses and other complementary services. The recently adopted National Plan similarly includes policies supporting urban centres and encouraging the location of significant developments within identified retail centres.

5.3 Paragraph 5.2.49 of Neath Port Talbot’s Local Plan offers clarity on the meaning of ‘retail centres’, defining them as “identified town, district and local centres, not including any existing retail parks”. It states that whilst designated retail locations will be protected for relevant retail and commercial uses, “retail development outside of the defined retail centres will be strictly controlled in accordance with national policy to protect retail centres. Any proposals for new retail development outside defined retail centres will only be permitted where there is a demonstrated need for the proposal and where the vitality of nearby retail centres will not be affected.

5.4 The Application Site (Unit 3) is not within a designated town, district or local centre. Its out-of-centre location means the Site is unfettered by policies seeking to protect existing retail uses. The loss of existing A1 retail use, as proposed, is therefore policy compliant. The proposal doesn’t represent the introduction of a new retail use in an out of centre location.

5.5 There are also no conditions attached to the main planning consent (LPA ref. P2006/1622) prohibiting the change of use of units (i.e. under the Use Classes Order or the General Permitted Development Order) within the existing building.

ii. Principle of Proposed Use

- 5.6 Paragraph 4.4.1 of PPW emphasises the importance of community facilities, including health services, noting they contribute *“to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element in creating viable and sustainable places”*. Policy 2 of the National Framework does not specifically refer to community uses, but focuses on *“creating a rich mix of uses”* and building neighbourhoods that are compact and walkable, organised around a mix of uses and access to public transport.
- 5.7 The Local Plan adopts a similar approach. Overarching objectives OB 3 and 4 and Policy SP2 recognises the high levels of poor, long-term health and sickness in the district, therefore seeks to deliver vibrant settlements comprising a range and mix of facilities and services. Supporting paragraph 3.0.20 further promotes community facilities as *vital* to the life of communities.
- 5.8 The proposed conversion of Unit 3 for Use Class D1 purposes will diversify the land uses within the established retail park. This assists in creating sustainable communities, in line with relevant policy objectives, through increasing opportunities for linked trips by existing users of the retail park.
- 5.9 Given the unit is not protected for retail purposes, conversion into commercial use and the wider principle of development should be supported. Indeed, some diversification of the retail units has previously been approved by the LPA, allowing the use of some floorspace for food use and for pet services. The proposed use as a dental clinic will include an ancillary retail element and will operate as a facility with public facing function. This will ensure the viability / vitality of the retail park will be maintained.

2. Detailed Matters

- 5.10 The following section assesses further elements of the proposal against relevant policy and material considerations to establish the acceptability of the proposed Change of Use in terms of detailed planning matters.

i. Noise

- 5.11 Overarching objective OB15 of the Local Plan requires new developments to address air quality issues and *“minimise adverse impacts from noise generating*

and polluting activities". Policy EN8 resists proposals that would expose people to unacceptable levels of noise pollution. Paragraph 5.3.46 similarly states that potentially noisy proposals should not be located close to sensitive uses such as hospitals, schools and housing unless relevant impacts are sufficiently mitigated.

- 5.12 If planning permission is granted, Unit 3 will operate as a dental clinic. Noise levels of dental clinics average between approximately 63 dB(A) and 68 dB(A) which is equivalent to the noise levels of normal conversation and a hair dryer respectively. The higher noise output would only occur intermittently and is akin to the acoustic environment within the established retail units where loading machinery etc creates similar intermittent noise events.
- 5.13 The Application Site is located centrally within the Retail Park, where the closest noise-sensitive receptors including housing, schools and hospitals are located at least 150m away. As such any noise arising from the clinic will not adversely impact nearby receptors. Any residual impact can be dealt with through the imposition of a planning condition as necessary.

ii. Design

- 5.14 PPW notes "*Good design is fundamental to creating sustainable places where people want to live, work and socialise*". It is not only about the architecture of a building, but also the relationship between all elements in the built and natural environment. Strategic Policy SP1 of the Local Plan seeks to conserve and enhance the built environment, with Policy BE1 requiring all development proposals to complement and enhance the character and appearance of the local area and townscape.
- 5.15 The proposal merely seeks the Change of Use of Unit 3. The height, mass and external appearance of the unit and building will remain the same, and so the development is appropriate on design grounds.
- 5.16 If any external alterations/ advertisement consent are subsequently desired, planning permission will be applied for separately.

iii. Impact on Residential Amenity

- 5.17 As iterated above, the proposal does not seek to alter the building height, mass, scale or external appearance of Unit 3. The closest dwelling is at least 150m away, and so the proposal will not have an additional impact on the daylight,

sunlight and sense of enclosure received and experienced by existing occupants of nearby residential properties.

iv. Flood Risk

- 5.18 The Site is in an area at a very low risk of flooding from surface water, rivers and the sea. The proposal only seeks to change the use of the existing unit, and so will very unlikely increase the risk of flooding.

v. Highways & Access

- 5.19 Policy BE1 of the Local Plan requires that new developments have no adverse impact on highway safety. Policy TR2 notes that the Council will only grant development where it *“does not compromise the safe, effective and efficient use of the highway network and does not have an adverse impact on highway safety or create unacceptable levels of traffic generation”* and appropriate levels of parking and cycling facilities are provided.
- 5.20 Given only a change of use is proposed, the entrance into Unit 3, delivery and servicing arrangements to the rear of the unit and points of access and egress into and out of the retail park will remain the same. If converted into a dental clinic, Unit 3 will likely attract less footfall than the current retail use. The proposal will not result in unacceptable levels of traffic generation.
- 5.21 Parking facilities remain the same, with a total of 112 (1 space per 23sqm) standard and disabled car parking spaces available in front of Unit 3 and the rest of the retail park. The proposal is therefore compliant on highways and transport grounds.

6. CONCLUSION

- 6.1 This Planning Statement has been prepared by ROK Planning on behalf of Kames Capital UK Active Value Property Unit Trust, in support of a full planning application for the Change of Use of an existing retail unit (Use Class A1) to a dental clinic (Use Class D1) at Unit 3, Baglan Bay Retail Park, Christchurch Road, Port Talbot, SA12 7BZ.
- 6.2 The scheme provides an excellent opportunity to diversify existing land use within Baglan Bay Retail Park, enhancing the function of the park and creating further opportunity for linked trips.
- 6.3 National and local policy supports the conversion of the subject unit from retail use, given its out of town centre location. Delivery of a new dental clinic will further vitalise and enhance the quality of the retail park.
- 6.4 The proposal will not materially alter the height, massing of the unit and existing arrangements for delivery, access and egress, and so is wholly acceptable on amenity and transport grounds. Given the significant separation distance from residential properties nearby, it will also unlikely have an impact on surrounding noise sensitive receptors.
- 6.5 Clearly, the scheme is in compliance with relevant national and local planning policies, and so it is respectfully requested that planning permission is granted.