

OFFICER REPORT

Application Number: P2022/0641

Site Address: 20 New Street Tonna Neath Neath Port Talbot SA11 3JH

Proposal: Change of use of a domestic garage into a barbershop (A1 use class). Access for clients will be available via the back road access, on street parking and off street parking within residential curtilage. Clients will be invited to the shop by appointment only, no more than one/two clients waiting at one time.

Applicant: Mr Jay Clark

Agent: N/A

Ward: Resolven & Tonna

Application Type: Full Plans

Valid Date: 8th August 2022

Statutory Expiry Date: 2nd October 2022

Ext. of Time / PPA date:

Publicity Expiry Date: 28th September 2022

RECOMMENDATION - Refused

SITE AND CONTEXT

The site comprises of a semi-detached garage located within the garden of a semi-detached dwelling at 20 New Street, Tonna. The property has front access onto New Street, the garage located at the rear of the garden has access off an unclassified, untarmacked gassed lane which joins onto Dan Y Bryn road.

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the change of use of the existing single car garage into a barbershop.

The garage measures approximately 5 metres in length, and 2.76 metres in width, and will contain a barber chair, two seats for waiting clients, a shelving unit, tool box stand and mirror. There will be no external alterations.

The opening hours are 9:00am to 5:00pm Mondays to Fridays and 9:00am to 4:00pm on a Saturday.

NEGOTIATIONS

None

PLANNING HISTORY

No relevant Planning History

CONSULTATIONS

Ward Member: No comment

Head of Engineering and Transport (Highways): Objection, recommend refusal

REPRESENTATIONS

The neighbouring properties were consulted on 07.09.2022.

A site notice was also displayed on 06.09.2022.

In response, to date 2 no. representations of support have been received, with the issues raised summarised as follows: -

- Support them and wish them all the best with their business.
- Would be good for the community, local shop will make things easier, save money on travel.

REPORT

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching

the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

National Planning Policy:

[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 3 – Supporting Urban Growth and Regeneration – Public Sector Leadership

Policy 6 – Town Centre First

[Planning Policy Wales \(Edition 11, February 2021\)](#) outlines the Welsh Government's commitment to the importance of 'places' and 'place-making', the importance of using previously developed land wherever possible in preference to greenfield sites, and the recognition of the health and wellbeing related benefits by creating a sense of place and improving social cohesion. PPW 11 confirms that the environmental components of places are intrinsically linked to the quality of the built and natural environment and contribute to the health and wellbeing of the people who live, work and play there. It emphasises the importance of creating sustainable communities and reducing reliance on the private car as part of a package of measures to reduce the country's carbon footprint and help tackle the climate emergency.

PPW11 is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -

Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009)

Technical Advice Note (TAN) 11: Noise (1997)

Technical Advice Note (TAN) 18: Transport (2007)

Technical Advice Note (TAN) 23: Economic Development (2014)

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:

Strategic Policies

- **Policy SP1** Climate Change
- **Policy SP2** Health
- **Policy SP3** Sustainable Communities
- **Policy SP15** Biodiversity and Geodiversity
- **Policy SP20** Transport Network
- **Policy SP21** Built Environment and Historic Heritage

Topic Based Policy

- **Policy SC1** Settlement limits
- **Policy TR2** Design and Access of New development
- **Policy BE1** Design

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- [Parking Standards](#) (October 2016)
- [Design](#) (July 2017)
- [Biodiversity and Geodiversity \(May 2018\)](#)

Issues

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

Principle of Development

The proposed is located within the SC1 settlement limit as defined by the Local Development Plan, the principle of such development is generally acceptable, provided that the development accords with other criterion-based policies within the Plan, notably relating to the need to ensure there are no highway, amenity or service objections.

Future Wales The National Plan 2040, Policy 6 – Town Centre First recommends new commercial facilities should be located within town and city centres. This proposal would be contrary to the Policy as it is proposing a new retail facility in a residential setting outside of a Town, District or Local Centre.

Impact on Visual Amenity

The development would amount to no visual alterations, with the use being internal. Notwithstanding this, it is considered that the change in use within a residential location would change the character of the area. It is considered that the proposed commercial development would cause an adverse impact to the character of the streetscene and area and as such would be considered unacceptable.

Impact on Residential Amenity

The nearest residential property is located approximately 10 metres away to the south-west, with properties located approximately 14 metres away to the north-east.

In terms of noise and disturbance associated with the use, it is considered that an intensive full-time use would be unlikely to be acceptable. The proposal is for one client at a time with possibly two waiting, operating Monday through Friday (9:00am till 6:00pm) and Saturdays (9:00am to 4:00pm).

In this respect, it is anticipated that the majority of the noise will not come from the barbering itself, but the coming and goings/visitations of the customers.

As such it would be contrary to Policy EN 8 which advises that proposals which would likely have an adverse effect on local amenity due to noise pollution.

Parking and Access Requirements and Impact on Highway Safety

The Head of Engineering and Transport (Highways) has been consulted as part of the planning application process and initially offered no objection, consequently provided an objection and recommendation for refusal. They cite:

“insufficient highway access and visibility for both pedestrians and vehicles when accessing or egressing the rear lane to the proposed site at 20 New Street, Tonna at its access from the adopted highway at Dan Y Bryn.

The access lane is narrow at approximately 3.5 metres and therefore insufficient to allow 2 way traffic. It is unlit and has no pedestrian walkways or refuge which would be detrimental to pedestrian safety, should a pedestrian encounter a vehicle attempting to access or egress the site via this lane.

The visibility splays for this access are outside of the application site and the ownership or control of the applicant. Sight lines for drivers of vehicles emerging from the lane onto Dan Y Bryn to the West are sudden, brief and potentially hazardous to both pedestrian and highway safety due to the location of the adjacent boundary wall and the vertical alignment of the carriageway at Dan Y Bryn.”

As such, it is considered that the proposal would be contrary to Policy TR2, causing a detrimental impact upon pedestrian and highway safety by virtue of the proposal's inability to provide an adequate visibility splay in both directions, the access lane's narrowness not allowing two way traffic, and the lack of lighting, pedestrian walkways or refuge.

Other Matters

- *None*

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 inappropriate form of development that would have an unacceptable impact on the character and residential amenity and pedestrian and highway safety. Accordingly, the proposed development is not in accordance with Policies BE1 (4 and 7), EN8 and TR2 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision is contrary with Future Wales - the National Plan 2040, specifically Policies 2, 3 and 6 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.

RECOMMENDATION

Refused

Subject to the following conditions/reasons, which have been imposed for the reasons stated:-

- 1 In the opinion of the Local Planning Authority, the development would see an adverse form of development be introduced to a residential setting. The proposed development would have an unacceptable impact, particularly in terms of noise and disturbance on neighbouring occupiers to the detriment of their residential amenity. For this reason the proposal is considered contrary to Policies BE1 (4 and 7) and EN8 of the Adopted Neath Port Talbot Local Development Plan and the 'agent of change principle' as set out in Future Wales and Planning Policy Wales Edition 11.
- 2 The proposed development would have a detrimental, adverse impact upon highway and pedestrian safety by virtue of the proposal's inability to provide adequate visibility splays in both directions. Furthermore, the access lane is unlit and has no pedestrian walkways or refuse which subsequently represents considerable risk to both drivers and pedestrians when utilising the access lane. The proposal is therefore contrary to Policies TR2 and BE1 of the adopted Neath Port Talbot Local Development Plan.

Case Officer	Kittie Powell
Telephone No.	01639 686730
Date of Recommendation	6th October 2022