

Robert Bowen Planning and Development Ltd

Our ref:

Your ref:

Date: 28/02/2023

Mr. C Morris
Head of Planning Services
Neath Port Talbot Council
The Quays
Brunel Way
Neath
SA11 2GG

**RE: Retain use of existing outbuilding for a mixed use of activities ancillary to the
existing dwelling (Class C3) and a Holistic Therapy Centre (Class D2)**

Llety'r Goff Farm, Cwm Nant Llwyd Road, Gellinudd, Pontardawe,
SA8 3JE

Dear Sir,

Please find attached a planning application in respect of the above proposal. The submitted information is as follows.

1. Application Forms
2. Plans and documents as follows
3. Fee £460

PHONE

MOB PHONE

EMAIL

1	Location Plan/Site Plan	
2	Floor Plans 1002	ATEB Consult
3	Elevation 1004	ATEB Consult
4	Elevation 1005	ATEB Consult
5	Letter	RB Planning

Planning History

P2020/0780	Detached domestic outbuilding - <i>Approved 14/5/2021</i>
P2021/0602	Details pursuant to condition 3 (external materials) of Planning Application P2020/0780 granted on 14.5.21 – <i>Approved 7 July 2021</i>

Proposal

This application seeks consent to retain the use of the existing domestic garden room for a mixed use of activities ancillary to the existing dwelling (Class C3) and a Holistic Therapy Centre (Class D2).

The use of the wider site for holistic therapies has been undertaken since July 2019. Prior to the construction of the garden room (October 2022) the applicant has used the pool area, garden and house for classes

The applicant operates 4 holistic therapy classes from the garden room per week. Activities include yoga, meditation, sound healing, reiki and mindfulness. The main classes are conducted Monday to Thursday, and are between 45 minutes and 1 hour 30 minutes in duration and are undertaken in the morning and evening. Class sizes are typically between 2-20 persons.

Monday	PM (90 minutes)
Tuesday	AM (45 minutes)
Wednesday	AM (60 minutes)
Thursday	AM (45minutes)

The majority of activities on the site are ancillary to the use of the existing dwelling. Based on the level of activity set out above (4 hours per week) the proposal accounts

for 2.3% of the total use of the building with the remaining amount (97.6%) consisting of domestic activities.

After taking into account closures arising from holiday periods classes will only occur on a maximum of 180 days in a calendar year. Assuming an average class time of 1 hour this amounts to 180 hours of commercial activity a year.

During the summer, when weather conditions permit, classes are relocated to the beach thereby limiting activity at the site further.

In order to control development, the applicant is prepared to accept a condition limiting commercial activities to a maximum of 180 days in a calendar year and the duration of classes to a maximum of 2 hours.

Policy

National Policy

Planning Policy Wales Edition 11 Feb 2021 (PPW)¹

Local Policy

The development plan for the site is the Neath Port Talbot Local Development. The Council adopted the plan on 27th January 2016²

Policy Criteria

SP3 Sustainable Communities

SC1 Settlement Limits

TR2 Design and Access to New Developments

BE1 Design

¹ https://gov.wales/sites/default/files/publications/2021-02/planning-policy-wales-edition-11_0.pdf

² <https://www.npt.gov.uk/7328>

Appraisal

It is considered that the main issues for determination in this application are the principle of the development, the effect of the proposal on highway and pedestrian safety and the amenity of existing residents.

The principle of the development

Policy SC1 (**figure 1**) seeks to control development in the open countryside.

The application is for a small scale business close to the settlement (approximately 25m) and within an existing building. The business seeks to promote both physical and mental well-being by utilizing a combination of exercises, therapies and treatments.

The location of the proposal within the attractive open countryside is considered to be of particular benefit to user.

*Mind*³, the mental health Charity indicate that

“spending time in green space for bringing nature into your everyday life can benefit your mental and physical well-being”

Whilst it may be possible to undertake the activities within settlement limits the rural location provides an additional identified benefit to users that would not be achievable in an urban context

Notwithstanding the above as the application is for a small scale business close to the settlement (approximately 25m) and within an existing building. As such the proposal complies with criteria 1 and 3 of policy SC 1.

³ <https://www.mind.org.uk/information-support/tips-for-everyday-living/nature-and-mental-health/how-nature-benefits-mental-health/>

figure 1

Policy SC 1

Settlement Limits

Development within settlement limits that is proportionate in scale and form to the role and function of the settlement as set out in the Settlement Hierarchy will be acceptable in principle.

Outside settlement limits, development will only be permitted under the following circumstances:

1. It constitutes a sustainable small scale employment use adjacent to a settlement limit; or
2. It constitutes live-work unit(s) immediately adjacent to a settlement limit in the Valleys Strategy Area only; or
3. It constitutes the small-scale expansion of an existing business or the suitable conversion of an existing building; or
4. It constitutes the appropriate replacement of an existing dwelling; or
5. It is an affordable housing exception site; or
6. It is an appropriate rural enterprise dwelling; or
7. It is an appropriate 'One Planet Development'; or
8. It is a sustainable tourism or farm diversification proposal that is suitable in a countryside location; or
9. It is associated with the provision of public utilities, infrastructure and waste management facilities that cannot reasonably be located elsewhere; or
10. It is associated with either agriculture, forestry, minerals or energy generation; or
11. It relates to the appropriate provision of accommodation for Gypsies / Travellers; or
12. It constitutes the provision of open space and small scale ancillary facilities adjoining the settlement limit.

Highway and pedestrian safety

The application site is served by a short section of private drive that runs to the rear of properties on New Road. The private drive is hard surfaced and has a width of approximately 3m. The drive is relatively straight and there is inter-visibility along much of its length.

At its junction with Cwm Nant Llwyd road the drive appears to have adequate visibility to current standards to the left. Visibility to the right is somewhat more restricted due to an unauthorised 2 m high fence and vegetation overgrowth.

As set out previously, classes operate 4 times per week. They are conducted Monday to Thursday and are between 45 minutes and 1 hour 30 minutes in duration and are undertaken either in the morning or the afternoon. Classes sizes are typically between 2-20 persons and users typically arrive on foot from the immediate area.

It is submitted that visibility on to Cwm Nant Llwyd road is acceptable. Although visibility to the right is slightly below standard the removal of the unauthorised fence and cutting back of the overgrowth is likely to improve visibility to current standards. Moreover, it should be noted that as this section of Highway serves a small number of houses traffic volumes are low and the highway geometry dictates that vehicles are likely to be travelling at slow speeds.

In addition to the above recent research published in Manual for Streets 2 (MfS2) concludes that there is no correlation between junction safety and the amount of visibility available.

There is therefore no detriment in any way brought about by the development. MfS2 states (10.4.2) **figure 2** that *'It has often been assumed that a failure to provide visibility at priority junctions in accordance with values recommended in MfS1 or DMRB will result in an increased risk of injury collisions. Research carried out by TMS Consultancy for MfS2 found no evidence of this.'* It goes on to say (10.5.9) *'unless there is local evidence to the contrary, a reduction in visibility below recommended levels will not necessarily lead to a significant problem'.*

figure 2

10.4_ Visibility At Priority Junctions

10.4.1 The visibility splay at a junction ensures there is adequate inter-visibility between vehicles on the major and minor arms.

10.4.2 It has often been assumed that a failure to provide visibility at priority junctions in accordance with the values recommended in MfS1 or DMRB (as appropriate) will result in an increased risk of injury collisions. Research carried out by TMS Consultancy for MfS2⁶⁶ has found no evidence of this (see research summary below). Research into cycle safety at T-junctions found that higher cycle collision rates are associated with greater visibility⁵⁵.

As set out previously the use, the subject of this application, has been undertaken for almost 5 months from the garden room and 4 years from the wider site. There is no evidence to suggest that the notional reduction in visibility to the right has resulted in harm to pedestrian or highway safety over this period. As such it is considered that the proposed development is acceptable.

Whilst the private drive serving the site is narrow, it is straight and inter-visibility is achievable along most of its length thereby ensuring there is no vehicle conflict along its length. As classes operate once or twice a day either in the morning or afternoon, users do not arrive while other users are departing thereby avoiding vehicle conflict along the lane.

As set out previously users typically arrive on foot and therefore car parking demand within the site is low. The submitted scheme identifies four car parking spaces which is considered appropriate for the proposal but there is adequate room to provide additional spaces if required.

Given the scale, location and character of use in relation to the existing highway conditions it is considered but the proposal will not have a detrimental effect on highway and pedestrian safety.

Amenity of existing residents.

The nearest residential property over 60m from the site and separated by extensive intervening landscaping. The separation distance from adjacent dwellings in combination with the type and scale of development dictates that the proposal will not have a detrimental effect on existing residents by way of overbearing, overshadowing, overlooking and noise.

Summary

The Proposed development seeks a mixed use activity within an existing building close to settlement as such it accords with criteria 1 and 3 of Policy SC1.

Given the scale, location and character of use in relation to the existing highway conditions it is considered but the proposal will not have a detrimental effect on highway and pedestrian safety.

The proposal will not have a detrimental effect on existing residents by way of overbearing, overshadowing, overlooking and noise.

In order to control the development, the applicant is prepared to accept conditions controlling hours of operation (time and frequency), numbers of users and car parking

Yours faithfully,

Robert Bowen.