



## **PLANNING STATEMENT**

### **PROPOSED STORAGE BUILDING AT LAND SOUTH OF NEATH ROAD, ABERGARWED**

on behalf of  
Mr C. Hendy of ASW Scaffolding

**Our Ref:** 1083.a  
**Date:** June 2024  
**Prepared by:** Rhydian Gore

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## 1.0 INTRODUCTION

- 1.1 Evans Banks Planning Ltd. has been instructed by Mr C. Hendy to prepare a full planning application for a storage building for use by his scaffolding company at land south of Neath Road, Abergarwed. The application has been prepared following the decision of Neath Port Talbot County Borough Council (the LPA) to refuse to grant planning permission for planning application number P2021/0862, which sought permission for the same proposal. It should be noted that an appeal (CAS-02080-R4S2W7) was lodged in June 2022 and dismissed on the 31<sup>st</sup> of March 2023.
- 1.2 Taking on board the comments of the Council, the Inspector and the specific needs of the Applicant, the scheme has now been adapted to include the requirements set out by the Council in their previous Decision Notice, and the Inspector in their Appeal Decision Report. It should be noted that the development is situated within a wider site that was previously considered to be acceptable for such a scale of development by the Authority.
- 1.3 This Planning Statement therefore forms part of the submissions of the application to be considered by the Authority, and provides information on the following points:
- A brief description of the site and surrounding area
  - A description of the proposed development
  - Consideration of relevant planning policy
- 1.4 The application is also accompanied by a Transport Statement, Flood Consequences Assessment, Preliminary Ecological Appraisal, and Green Infrastructure Statement, which should be read in conjunction with this Statement.

## 2.0 SITE DESCRIPTION

### 2.1 THE SITE

- 2.1.1 The application site (pictured below) relates to an area of land forming part of a much larger parcel of brownfield land.



Photograph 1



Photograph 2



**Photograph 3**

2.1.2 The northern element of the application site is largely undefined, with only its western edge defined by a mix of boundary treatments. The southern element of the core of the site is then similarly open (illustrated in Photograph 2), providing the means of access to the northern element from the shared access road, which then runs on to Neath Road.

2.1.3 As can be seen from Photograph 1, the land has previously housed buildings used for commercial purposes, with the last active use we understand being that of a vehicle repair garage. Part of the application site however previously benefitted from planning permission (LPA Ref. No. P2014/1193) for a building for use for storage purposes (potatoes), but this was not constructed. Notwithstanding this, it is the form, scale and footprint of this approved building that has been replicated by this current planning application.

## **2.2 THE SURROUNDING AREA**

2.2.1 As illustrated by the photograph below, the application site lies at the north eastern edge of the settlement of Abergarwed.



**Photograph 3**

2.2.2 Directly to the application site's south then lies an existing highway maintenance yard and storage depot, which then also uses the same access road as the application site. The core of the settlement of Abergarwed is then located to the west of the application site, largely based along Neath Road. A number of well served bus stops are also present within the settlement.

2.2.3 In the wider sense, Abergarwed is located just off the A465, which provides it with good access to the nearby larger settlements of Neath and Resolven. In terms of the latter, the settlement contains a wide range of community facilities and local services.

## **2.3 PROJECT DESIGN PARAMETERS AND PRINCIPLES**

2.3.1 As a result of the local context and the requirements of the Applicant's business, the following design principles and parameters have influenced the design of the proposal subject of this planning application:-

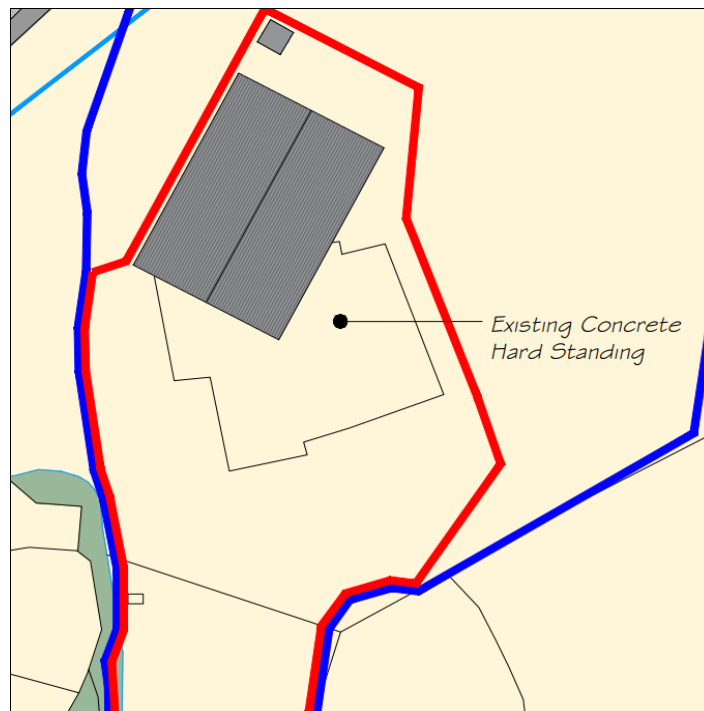
- **Scale** – To replicate the general form of that of the currently approved building, whilst also being fit for purpose for the Applicant's business needs.
- **Design** – To utilise finishes that are reflective of those recently approved, but also those of other commercial buildings found in the area.
- **Access** – To utilise the existing means of access serving the site.

## 3.0 THE PROPOSED DEVELOPMENT

- 3.1 The proposal is for full planning permission for a new commercial storage building for use by the Applicant's business. The following information should be read in conjunction with the accompanying plans, drawings and associated supporting information.

### *Project Overview*

- 3.2 As detailed previously, the proposal is for a new commercial storage building to serve the Applicants growing business needs. As a result, the general scale and form of the proposed building reflects the needs of the business, and does so in a manner that is appropriate for the site's locality, as illustrated by the site layout plan below:



**Plan A**

- 3.3 In addition to the above, the siting of the proposed building subject of this application also then protects heritage assets associated with Policy BE3 (filled in canal) that were

highlighted by the Authority during the Appeal process for the previously refused scheme. It must be noted that any conflict with this Policy was deemed as minor by the Inspector during the Appeal process, and not sufficient to warrant withholding planning permission.

- 3.4 It should also be noted that the level and form of traffic to be generated by the proposed use has been fully explored and set out in the accompanying Transport Statement that was completed in June 2024. It clearly indicated that the proposal will not result in any differing impact on existing users of the local highway network as to that of the existing approved scheme.

*Operational Activities*

- 3.5 The proposed building will act as the principal depot for the Applicant's scaffolding provision business. The building will therefore house equipment, some vehicles when not in use and an office area from which to coordinate and undertake the business' paperwork requirements. Welfare facilities will also be provided for staff when present on site.
- 3.6 We understand from the Applicant that the general depot related activities of their business relates to general loading and unloading of vehicles with the required equipment for the different forms of project the business works on. This invariable requires therefore for staff to be on-site at the start of the working day and then at the end of the working day, with for the vast majority of time no staff being present on site during the day. As a result of this working pattern, the following periods of operation are proposed, but it should be again noted that there will be little or no activity on the site during the day:

|          |                    |
|----------|--------------------|
| Mon-Fri  | 0730hrs to 1630hrs |
| Saturday | 0800hrs to 1400hrs |

- 3.7 We understand that the Applicant's business has between 8-15 employees at any one time, but not all will visit the site at the same time, often being picked up on route to a

project site or being met there. As a result, there are no more than 2 at the application site outside normal loading and unloading hours.

#### *External Finishes*

- 3.8 The proposed building will be based on a steel portal framework, with the roof and walls then clad in steel profile sheeting. The means of entry will be in the form of a pedestrian door at the rear of the elevation, with a pedestrian door and roller shutter vehicle door present in the front elevation. Such external features are illustrated on Plan B below.



**Plan B**

#### *Landscaping and Boundary Treatments*

- 3.9 Aside from that occupied by the proposed building, all external areas will remain as existing, as will any existing boundary treatments.

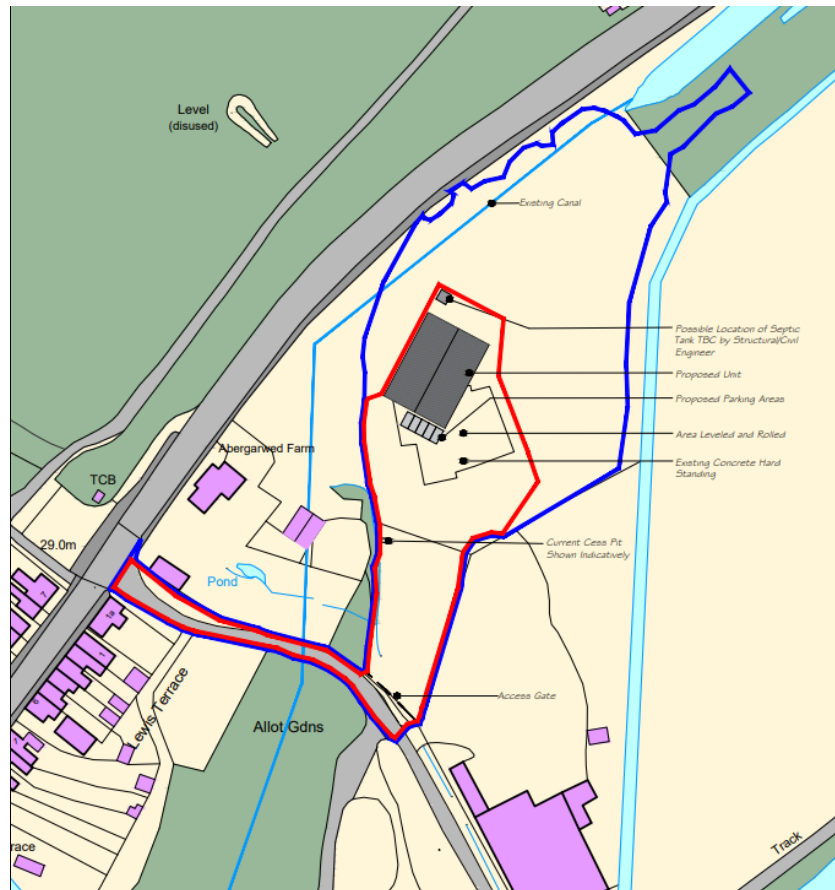
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*Access and Parking Arrangements*

- 3.10 Although not formally marked on the ground, as indicated in the accompanying Transport Statement, the application site has sufficient space to accommodate both staff and commercial vehicle parking. Likewise, the site is also able to provide sufficient space to accommodate turning provision for both commercial and staff vehicles, without conflict.
- 3.11 Access to the site will be via the shared access lane and its junction with Neath Road, which will then lead through an access gate directly to the proposed building and parking area.
- 3.12 In line with the *Neath Port Talbot Supplementary Planning Guidance: Parking Standards (2016)* and the accompanying Transport Statement, it is considered that “for industrial use developments that have in excess of 235m<sup>2</sup> of floor area (in zone 5 locations), then 1 non-operational parking space per 80m<sup>2</sup> is required”. As a result, this equates to 5 car parking spaces for this development, with between 85m<sup>2</sup> and 100m<sup>2</sup> of operational parking space required. As visible in the accompanying plans, there is ample room within the site to provide the required 5 car parking spaces and up to 100m<sup>2</sup> of operational parking space.

*Drainage*

- 3.13 The proposal will be served by a surface water drainage system compliant with current regulations. All foul water will be disposed of via a new septic tank. This positioning of such features is illustrated on the proposed massing layout in Plan C below.



Plan C

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## 4.0 LOCAL PLANNING POLICY

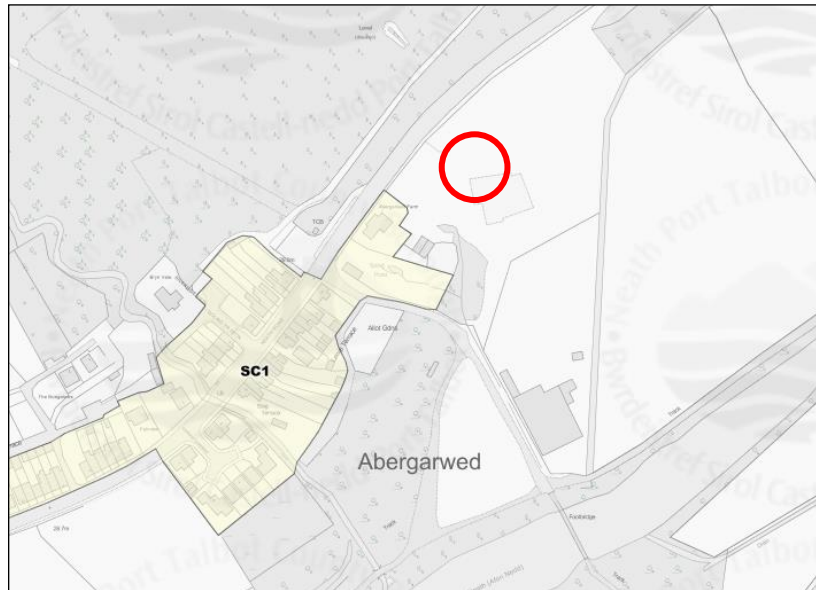
4.1 In terms of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the adopted development plan for the area within which the application site is positioned is the *Neath Port Talbot Local Development Plan* (LDP). It is therefore the policies of this document that have been referred to in the preparation of the proposal subject of the planning application in question, including the following:-

- Policy SP6 – Development in the Valleys Strategy Area
- Policy SP20 – Transport Network
- Policy SC1 – Settlement Limits
- Policy EC5 – Employment Uses in the Valleys
- Policy TR2 – Design and Access of New Development
- Policy BE1 – Design
- Policy BE3 – The Canal Network
- Policy EN2 – Special Landscape Areas
- Policy EN6 – Important Biodiversity and Geodiversity Sites
- Policy EN7 – Important Natural Features

4.2 Based on the Policies set out above, the more detailed policy related requirements are now considered in the context of the Application proposal.

### Policy SC1

4.3 Policy SC1 then deals with the matter of defined Settlement Limits around settlements within the County Borough. Abergarwed does indeed have such limits (extract of Proposals Map shown in Plan C), with the application site then adjoining these.



**Plan C**

- 4.4 Under the provisions of Policy SC1 (Settlement Limits), it sets out a series of forms of development that would be deemed acceptable at locations that whilst lying outside of the defined Settlement Limits, they nevertheless adjoin them or are well related to them. Such uses include “... *small scale employment* ...” uses (Criterion 1), which the application proposal represents an example of.
- 4.5 The supporting text of Policy SC1 then goes on to advise that in dealing with specific forms of business, the relevant topic based policies should then be referred to. In the case of the application proposal, the most relevant policy is Policy EC5 (*Employment Uses in the Valleys*). The Policy makes specific provision for employment uses outside of defined Settlement Limits, providing the following criteria are met:
1. *“The site directly adjoins the settlement limit; and*
  2. *The site is in a sustainable location and is accessible by sustainable modes of transport; and*
  3. *The site is serviced or can be readily serviced; and*

4. *Development would have no detrimental impact on the amenities of neighbouring commercial or residential properties, the environment, landscape or highway safety; and*
5. *The development would be proportionate in scale and form to the role and function of the settlement or area”.*

4.6 The application proposal relates to a site that adjoins the settlement of Abergarwed and its associated limits. Abergarwed is a settlement served by a number of bus stops, as well as being located a short distance from one of the County Borough's main transport arteries. We understand that the relevant services are present on site and that taking into consideration the nature of the proposed use, its hours of activity and the current extant planning permission on the site, the proposal will therefore have no detrimental impact on neighbouring uses, the environment, the surrounding landscape or highway safety. Combined therefore with the proposal representing a modest commercial scheme to serve a local business and secure local employment, the application proposal therefore fully adheres to the requirements of Policy EC5 and in turn those of Policy SP20 and Policy TR2.

4.7 It must be noted that the Inspector, in their Appeal Decision report for the previously refused Application, agreed that in line with the requirements of Policy SC1, the proposal for the small-scale employment use is adjacent to the settlement limit of Abergarwed along part of its western boundary, with the new building located adjacent to the existing building of Abergarwed Farm. This, as well as the proposal not being excessively large for the nature of business and being appropriately located within the site, means that the development is of an appropriate scale and form. Therefore, the policy exception covers employment uses adjacent to a settlement limit, and thus the inspector determined that the proposal constitutes a sustainable small-scale employment use adjacent to the settlement limit, with the new building being appropriate in scale and form, thereby complying with LDP Policy SC1.

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Policy EN2

- 4.8 Policy EN2 (Special Landscape Areas) states that to protect areas of high landscape quality, *“Development within the designated Special Landscape Areas will only be permitted where it is demonstrated that there will be no significant adverse impacts on the features and characteristics for which the Special Landscape Area has been designated”*.
- 4.9 Although the development falls within area EN2/3 (Vale of Neath), it is not proposed that there will be any adverse impacts on the Special Landscape Area. Its visibility from public vantage spots is inconsequential, as there is adequate screening and restricted viewing. Its position within a parcel of previously developed land means that the proposal should be viewed in a commercial context, particularly regarding the existing employment site to its east.
- 4.10 The Inspector, in their Appeal Decisions report states that its visibility *“from public vantage points does not necessarily cause harm to the SLA”* and would be seen in the *“context of the existing employment site to its southeast, with its industrial building and fenced yard providing a commercial backdrop to the proposed unit”*. The inspector goes on to discuss how the views of the site to *“the north and east are restricted by the tree and vegetation”*, *“views from the A465 further east would be restricted by the intervening distance and vegetation”*, and the *“metal-clad storage unit with its modestly sloping pitched roof would not have a significant adverse impact on the character and appearance of the site or the wider Vale of Neath SLA”*. This ensures that despite the site’s position within Special Landscape Area EN2/3 (Vale of Neath), there will be no adverse impacts on its surroundings.
- 4.11 The proposal would therefore comply with LDP Policy EN2, and it would also satisfy the design-related criteria of LDP Policy BE1.

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Policies EN6 and EN7

- 4.12 The Policies EN6 (Important Biodiversity and Geodiversity Sites) and EN7 (Important Natural Features) state that development must either *“conserve, and where possible enhance the natural heritage importance of the site; or the benefits of the development outweigh the natural heritage importance of the site”*. In terms of natural features such as *“trees, woodlands, hedgerows / field boundaries, development must take account of them, and put in place measures to ensure that they are retained and protected wherever possible, as well as where removal is unavoidable, mitigation measures are agreed”*.
- 4.13 It should be noted that a Green Infrastructure Statement accompanies this Application submission, detailing how the biodiversity levels of the site will be increased, in line with the requirements of Policies EN6 and EN7, as well as *Planning Policy Wales Chapter 9*.

Policy BE3

- 4.14 Policy BE3 (The Canal Network), seeks to protect and conserve the canal network. It states that developments that affect locations *“where lengths of canal have been drained, infilled, culverted, obstructed or cut off from the remainder of the network, but where there is the possibility of future reinstatement, will be expected to take into account the historic line of the canal and to avoid the introduction of buildings or structures that would prevent reinstatement”*.
- 4.15 As discussed earlier, the proposed development will ensure that it protects the heritage asset of the infilled canal where required.
- 4.16 It is also pertinent that the Inspector previously noted that there is currently *“no evidence that restoration of this section of the canal is likely to be forthcoming”* with *“no timescales, no project design or approval, no funding and no landowner consents have been forthcoming and there is no suggestion that they are likely to be obtained”*. Therefore, it can be deemed that there is currently no possibility of future reinstatement,

as the Council also recognise that restoration of this canal section is “less likely”, and thus this requirement does not apply to this Application.

- 4.17 Therefore, in view of the above, and given that there is no evidence to suggest a realistic prospect of restoration in this case, it can be determined that the proposal adheres to the requirements of Policy BE3.

Policy BE1

- 4.18 Policy BE1 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*”.
- 4.19 In the previous refusal it was stated by the Council that in line with the relevant criteria in Policy BE1 that states that a developments’ “drainage systems are designed to limit surface water run-of and flood risk and prevent pollution”, the development failed to provide adequate information or an accompanying FCA to ensure this.
- 4.20 It is worth noting that this Application represents a resubmission of a previous scheme, which directly addresses the matter of flood risk. The revised scheme has purposefully relocated the position of the proposed building so that it is now positioned outside of the C2 Zone of flood risk as defined by the current Development Advice Maps (DAM) Despite the above, any remaining areas of the site at risk of flooding would then only be to a depth of up to 150mm during an extreme event (1% or 1 in 1000 years). This is supported by the Inspector in their Appeal Decisions Report, who states that “*the proposed building is located outside of flood zone C2, as defined on the Development Advice Map (DAM) that accompany Technical Advice Note (TAN) 15: Development and Flood Risk (July 2004)*”.
- 4.21 However, we are aware that the Council refer to advice from Natural Resources Wales (NRW) that the Flood Map for Planning (FMfP), as a material consideration, despite its holding no formal weight as it is not yet national policy . In accordance with advice from

NRW that a previous FCA contained inaccuracies, and in line with both the Council's and Inspector's comments, this Application includes a revised Flood Consequences Assessment, that includes the detailed information that is required to alleviate concerns regarding flood risk.

- 4.22 As can be seen from the accompanying document, the current FCA found that the proposed development complies with the requirements set out in TAN-15 and the aims of Planning Policy Wales. This is due to the proposed building being in Zone A, and less vulnerable development such as this is *"permitted subject to application of the Justification Test, including the Acceptability Criteria"* of which this development complies with. It also found that the site is at *"low or very low risk of tidal, groundwater, sewer, and surface water flooding and flooding as a result of a reservoir or canal failure"*. It should also be noted that a post-development hydraulic modelling scenario showed that the proposal will not adversely impact the flood risk of third parties.
- 4.23 As detailed previously, flood risk and the provision of employment development is a significant challenge in the County Borough of Neath Port Talbot, typified by most existing employment allocations of the LDP being within C2 zones. However, the proposal represents a valuable contribution of facilitating a new employment building outside of a defined flood risk area, making it capable of contributing to additional employment in a socially and economically deprived area.
- 4.24 Therefore, it is demonstrated that the proposal would be safe from flooding risk, in accordance with LDP Policy BE1 and TAN15.

## 5.0 CONCLUSION

- 5.1 The proposal is for a storage building for use by his scaffolding company at land south of Neath Road, Abergarwed
- 5.2 The proposal has come about as a result of a direct demand required by the Applicant's scaffolding provision business for a storage facility that is currently not met by the existing supply of land and premises in the area. Recognising its long standing commercial and industrial history, as well as its key location from a transport perspective, the Applicant has therefore acquired the site with a mind to then meet the needs of his own business. However, whilst the importance of meeting their commercial needs to continue to secure local employment opportunities is significant, the Applicant also recognises that role of the site in the wider landscape.
- 5.3 As a result of the above, the application proposal represents a modest development that draws on the site's appropriate locality, both in terms of physical form and operational scale. The proposal therefore relates to a modest commercial development, at a sustainable location that will not result in any detrimental impact to any known current or historical interest. The application proposal therefore represents a valuable opportunity to help regenerate a brownfield site and secure a local employment opportunity, all in full adherence to the requirements of both local and national planning policy.
- 5.4 We therefore respectfully request that planning permission be granted for the scheme put forward by this application.