

Planning Statement

Car Park- Royal British Legion Club

Eastland Road, Neath, SA33 1DY

Temporary change of use of land for the siting of a mobile hot food facility on existing car park together with associated works including fencing.

Rev A July 2024

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1.0 Introduction

- 1.1 This statement has been prepared in support of a planning application for the temporary change of use of land for a maximum of 2 years for the siting of a mobile hot food facility on existing car park together with associated works including fencing.

2.0 Planning History - Planning Context

2.1. Planning History

- 2.2 P2023/0705 - Change of use of land within existing car park to accommodate the siting of a shipping container to be used as a hot food takeaway (amended site address and new/amended supporting information) - Withdrawn

2.3 Planning Context

- 2.4 The development plan for the site is the Neath Port Talbot Local Development. The Council adopted the plan on 27th January 2016¹

2.5 LDP Policy

- SC1 Settlement limits
- R1 Retail (Neath R1/1)
- R3 Out of Centre Retail Proposals
- EN6 Important Biodiversity and Geodiversity Sites

¹ <https://www.npt.gov.uk/7328>

EN7 Important Natural Features
TR2 Design and Access to New Developments
BE1 Design

SPG Guidance

SPG Design (July 2017) ²

SPG Parking Standards October 2016 (Parking Standards SPG) ³

Planning Policy Wales PPW (Edition 12 Feb 24) ⁴

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

4.3.18 The Welsh Government operates a 'town centres first' policy in relation to the location of new retail and commercial centre development. Future Wales provides further context on 'town centres first' policy in respect of large scale and out of centre development. In implementing this policy, planning authorities should adopt a sequential approach to the selection of new sites in their development plan and when determining planning applications for

² https://www.npt.gov.uk/media/7237/spg_design_july17.pdf

³ https://www.npt.gov.uk/PDF/spg_parking_standards_oct16.pdf

⁴ https://www.gov.wales/sites/default/files/publications/2024-02/planning-policy-wales-edition-12_1.pdf

retail and other complementary uses.

4.3.20 Edge-of-centre or out-of-centre sites should be accessible by a choice of public and private modes of travel. New out-of-centre retail developments or extensions to existing out-of-centre developments should not be of a scale, type or location likely to undermine the vibrancy, attractiveness and viability of those retail and commercial centres that would otherwise serve the community, and should not be allowed if they would be likely to put development plan retail strategy at risk.

3.0 Application /Application site

- 3.1 This application seeks consent for the temporary change of use of land for 2 years for the siting of a mobile hot food facility on existing car park together with associated works including fencing.
- 3.2 The application site will form a small part of the existing car park to Mulligans which is the former British Legion.
- 3.3 The proposed development will consist of a small mobile oven, for cooking jacket potatoes, a serving table and a portable cover as shown in **photos 1 & 2** below. The facility will be erected and removed on the site daily. Equipment and any residual cold food will be stored at the operators' home.

photo 1



photo 2



- 3.4 The facility will offer jacket potatoes, with various filling and non-alcoholic beverages.
- 3.5 The application is for a temporary consent for 2 years. Operational hours will be 10:00 - 14:00, Monday – Friday. Equipment will be brought to the site at 09:00 and removed by 15:00 on each day.
- 3.6 Mulligans is currently a bar (Class A1). Unfortunately, the premises does not have an operational kitchen and therefore the proposal will provide a food offering, although limited, for patron of Mulligans.

4.0 Appraisal

- 4.1 The main issues in the determination of this application are the principle of the development, the effect of the proposal on the existing town centre, the effect of the proposal on residential amenity, visual amenity, highway safety and ecology.

4.2 **The principle of the development**

- 4.3 The application site is located within settlement limits, as defined in Policy SC1 of the Neath Port Talbot Local Development Plan. As such it is considered that the use of the site is in principle acceptable subject to other detailed planning considerations.

4.4 **The effect of the proposal on the existing town centre**

- 4.5 The proposed development is outside Neath Town Centre retail area (R1/1) as define by policy R1. As such the development need to be assessed in relation to policy R3 (Out of Centre Retail Proposals).

- 4.6 Policy R3 states

“Proposals for new retail development or additional retail floorspace within settlement limits but outside the defined retail centres or retail allocations will only be permitted where:

- 1. It is demonstrated that there is a need for the development; and*

- 2. The development cannot be accommodated within a defined retail centre and is located in line with the sequential approach; and*
 - 3. The vitality and viability of existing retail centres will not be undermined taking into account the cumulative effects of other approved retail developments, recently completed developments and plan commitments; and*
 - 4. The proposal would not undermine the Council's retail hierarchy or any regeneration schemes that the Council has formally approved;*
- Or:*
- 5. The proposal is within the Coastal Corridor Strategy Area and is for a new retail unit, change of use or extension resulting in a premises of 100m² gross floorspace or less and is demonstrated to serve local neighbourhood needs; or*
 - 6. The proposal is within the Valleys Strategy Area and is a new retail unit, change of use or extension resulting in a premises of 200m² gross floorspace or less."*

- 4.7 Criteria 3 and 5 of policy R3 indicates that development will only be permitted where there is no effect on the existing retail centre and the proposal serves local needs
- 4.8 As indicated the proposal is for a small temporary facility that will operate a few hours a day. Moreover, the facility will only provide jacket potatoes. There are only 2 takeaways within 250m of the site which provide Chinese and fish and chips. As such the proposal is unlikely to have any measurable effect on the existing town centre which is over 500m away and other more local facilities. In addition, the location of the facility and its limited range of food, namely jacket potatoes, also dictates that it will only serve the local area.
- 4.9 It is considered that the proposal, by virtue of its scale, hours of operation and food offering, will not have a detrimental effect on the existing town centre and as such accord with policy R3 and PPW

4.10 **The effect of the proposal on residential amenity**

4.11 The application site is located within a carpark adjacent to commercial premises and close to a busy highway. The nearest residential dwelling is over 21m to the south.

4.12 The type of food offering and the duration of use dictates that residents are unlikely to experience any odours arising from the proposal.

4.13 Given the character of the use and existing noise from the adjacent highway residents are unlikely to experience any noise arising from the proposal

4.14 It is therefore considered that the proposal will not have a detrimental effect on the amenities of residents.

4.15 **Visual amenity**

4.16 The proposed development, despite its scale and location, will be visible from the public realm. Views will be possible from the adjacent highway from the north and west. See **Photo 1 & 2** above

4.17 Views will be limited in duration due to the location of the facility and its temporary nature.

4.18 As such it is considered that the proposal will not have a detrimental effect on visual amenity.

4.19 **Highway safety**

4.20 The development will occupy one space within the existing carpark. There is adequate space within the car park to serve the existing and proposed development. Visibility is adequate at the junction and there is sufficient space within the car park to manoeuvre vehicles.

There will be no deliveries to the facility and all waste will be

removed by the applicant at the end of each day's trading.

- 4.21 The proposed development will not impede the use of the lane and it is therefore considered that the proposal will not have a detrimental effect on highway and pedestrian safety

4.22 **Ecology**

- 4.23 There are no significant ecological features within the site and the submitted green infrastructure assessment demonstrates a net ecological gain.

- 4.24 The proposed development will result in a net ecological gain.

5.0 Summary

- 5.1 The proposal, by virtue of its scale, hours of operation and food offering, will not have a detrimental effect on the existing town centre.
- 5.2 The development will not have a detrimental effect on residential amenity
- 5.3 The proposal will not have a detrimental effect on visual amenity.
- 5.4 The proposal will not have a detrimental effect on highway and pedestrian safety
- 5.5 The proposed development will result in a net ecological gain.
- 5.6 It is therefore submitted that the proposal accords with PPW, Policies SC1, R1, R3, EN6, EN7, TR2, BE1 of the Neath Port Talbot County Borough Council Local Development Plan and the Councils SPGs
- 5.7 You are therefore respectively requested to grant planning permission.