

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2022/0563	<u>DATE:</u> 04.07.2022
PROPOSAL:	Outline planning application for the development of up to 152 dwellings (including affordable housing), associated infrastructure, public open space and landscaping
LOCATION:	Land north of Elba Crescent, Crymlyn Burrows
APPLICANT:	Hawkland Estates Ltd
TYPE:	Outline
WARD:	Coedffranc West

BACKGROUND

This application is reported to Planning Committee at the request of the local ward members.

SITE AND CONTEXT

The application site comprises previously developed ('brownfield') land measuring approximately 4.6ha in size, located approximately 4km to the east of the city of Swansea, on the western edge of NPTCBC's administrative boundary.

Residential dwellings are located immediately south and south-west of the site along Elba Crescent and Baldwins Crescent, together with a small recreation area and playground. Further south of these is Fabian Way (A483), one of the main arterial routes connecting Swansea to Junction 42 of the M4, and to the south of which is Swansea University Bay Campus. There are local bus stops on Elba Crescent and Baldwins Crescent and there are wider bus services available in both directions from the Bay Campus on the A483 Fabian Way. There is also a shared cycle / pedestrian footpath running along both sides of Fabian Way. This cycle route forms part of the National Cycle Network and provides links to Swansea, Port Talbot and Neath. These bus stops and cycle paths are all within a short and relatively flat walking distance from the application site.

To the north, east and west of the site there are a number of existing commercial/industrial premises that are accessed via Ffordd Amazon and existing industrial estate roads to the north. Industrial land to the east includes the former Visteon Plant site which is currently under-occupied but home to a number of new and emerging businesses, and accessed off the A483 Fabian Way.



The site itself is largely flat and comprises a disused car park and associated access roads for the previous industrial uses as well as areas of scrub vegetation including a number of mature trees along some site boundaries. The southern part of the site has been cleared of buildings, is level and currently vacant. A single guard house is found near the southern boundary and represents the only structure within the site.

The site is currently allocated for housing under Policy H1/LB/3* of the Adopted Neath Port Talbot Local Development Plan (*estimated no. of units: 50). At the time of its LDP allocation, there was an extant outline planning permission in place for a residential development of the site as part of a larger mixed use development with new B1/B2/B8 units (planning permission ref. P2008/0514).



Subsequent planning permissions were granted for different iterations of this mixed use development and some of the industrial/commercial development has been delivered, however the last residential permission for the site finally lapsed in May 2019 (planning permission ref. P2017/0800).

DESCRIPTION OF DEVELOPMENT

Outline planning permission is sought for the proposed development of up to 152 dwellings (including affordable housing) and associated infrastructure, public open space and landscaping. Outline planning applications allow for a decision on the general principles of how a site can be developed and for what land use(s). Outline planning applications are typically used by developers looking to obtain a formal agreement about the amount and nature of development that can take place on a particular site prior to preparing detailed proposals at a later stage.

This outline planning application was originally submitted to the Council in July 2022 with an indicative masterplan layout for the proposed development of up to 165 dwellings, with all matters reserved for subsequent consideration. Formal registration of the planning application was delayed pending the developer's completion of the correct pre-application consultation ('PAC') process in accordance with statutory planning requirements from Welsh Government that applies to all 'major' planning applications.

A number of concerns were identified at an early stage for which further technical evidence was requested from the developer to deal with a number of planning issues including traffic generation, air quality, noise, flood risk, archaeology, contamination, biodiversity and housing density. This information was submitted in the form of various survey evidence and reports together with a revised indicative masterplan layout that has reduced the number of dwellings (from <165 to <152) and includes a

small retail/shop use to serve a proposed residential development of the site. All matters are reserved for future consideration, these matters comprising:

- **Layout** – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development;
- **Scale** – the height, width and length of each building proposed in relation to its surroundings;
- **Appearance** – the aspects of a building or place which determine the visual impression it makes, excluding the external built form of the development;
- **Access** – this covers accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; and
- **Landscaping** – this is the treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

Therefore, whilst the indicative masterplan illustrates how all the above could be accommodated on the site, it is important for Members to note that this layout is indicative only and is subject to change at a future reserved matters stage when detailed proposals would be prepared for the site (if outline planning permission is granted at this earlier stage).



The key issues to note from the indicative masterplan are:

- Vehicular access (2 no.) is proposed from Elba Crescent to the south of the application site;
- A mix of 1, 2, 3 and 4-bed properties are proposed, at a density of 40-50 dwellings per hectare ('dph') with height parameters of up to 9-11m;
- The proposal is for a mix of mainly 2-3 storey terraced or semi-detached dwellings and some 3-4 storey blocks of apartments, with parking and amenity space for future occupiers;
- Open space is proposed centrally within the site with proposed dwellings and an internal road network built around it;
- A 15m deep landscape buffer is proposed along the northern, eastern and western boundaries to maintain a physical separation between the proposed dwellings and the existing industrial/commercial buildings that are located on adjoining land;
- A 'corner shop' development with a residential unit(s) above is shown in the south-east corner of the site, near to existing residential properties located on Elba Crescent;
- Drainage basins are proposed along the southern boundary where the site's lowest points are located.

In support of the application proposals, a suite of technical supporting information has been provided, including:

- Pre-Application Consultation ('PAC') Report
- Planning Statement
- Design & Access Statement ('DAS')
- Transport Assessment
- Preliminary Ecological Appraisal ('PEA'), Stage 2 Ecology Survey Report and Ecology Addendum Notes (including Preliminary Roost Assessment)
- Archaeological Desk-Based Assessment
- Flood Consequences Assessment and Drainage Feasibility Report
- Drainage & Flood Technical Note
- Environmental Noise Assessment Report
- Air Quality Assessment Report
- Tree Survey and Arboricultural Impact Assessment Report
- Phase 1 Geo-Environmental Desk Study and Preliminary Environmental Risk Assessment Report
- Green Infrastructure Statement

All plans / documents submitted in respect of this application can be viewed on the [Council's online register](#).

NEGOTIATIONS

Extensive negotiations have been undertaken to improve the application in terms of traffic impact assessment, air quality, noise, flood risk, archaeology, contamination, biodiversity, housing density and open space. The application was formally readvertised/publicised when all the required supporting technical information was submitted with a revised illustrative masterplan in November 2024.

PLANNING HISTORY

The application site has the following relevant planning history: -

- | | | |
|--------------|---|----------------------------------|
| • P2019/5040 | Variation of condition 3 and 4 of planning permission P2017/0800 approved on 21st December 2018 to allow for an extension of time for the submission of the reserved matters until 27th May 2020 | Returned to applicant 19.06.2019 |
| • P2017/0800 | Variation of condition 3 and 4 of planning permission P2012/0581 approved on 27th November 2014 to allow for an extension of time for the submission of the reserved matters until 27th May 2019 | Approved 21.12.2018 |
| • P2012/0581 | Variation of Condition 31 to amend the details of the landscape buffer including its size, of Planning Permission P2008/0514 granted on the 30/09/2011 (amended description, revised illustrative layout plan and revised landscaping scheme) | Approved 27.11.2014 |
| • P2008/1436 | Variation of condition 3 under planning application number P2004/1554 to extend the time in which an application for reserved matters can be made | Disposed Of 17.06.2011 |
| • P2008/0514 | Mixed use development comprising business class (Class B1, B2 and B8) and residential (Class C3) with associated car parking, landscaping and infrastructure requirements | Approved 30.09.2011 |
| • P2006/1776 | Retrospective application for the change of use of land to a coach and heavy vehicles depot | Withdrawn 22.03.2007 |
| • P2004/1554 | Residential development | Approved 09.06.2005 |

CONSULTATIONS

Highways: No objection.

Drainage: No objection. SAB approval required.

Biodiversity: No objection.

Active Travel: No objection.

Tree Officer: The development will result in the loss of 41 category A/B/C trees, 7 groups of category B/C trees and 5 partial removals of category C existing hedgerows. The number of replacement trees in line with PPW and species will need to be provided.

Contaminated Land: No objection with standard conditions attached.

Air Quality: No objection.

Noise: No objection with a noise mitigation condition attached.

Housing Strategy: Any social housing is welcome given the current demand in NPT. We would want to discuss this with the developer and the RSL who will be involved. Overall, it looks like a good site in need of regeneration especially as the University buildings have benefited the area already.

Education: Requires a contribution as nearest schools are all oversubscribed.

Designing Out Crime Officer: I am generally pleased with the site layout. Design advice given.

LDP/Policy: The LDP provides an indicative number of units, if it can be demonstrated that the constraints that previously restricted the numbers can be overcome and there is the appropriate infrastructure in place, we would not have an objection to the number of units increasing, this would just need to be met with a judgement on whether there are facilities to support the development, i.e. from education responses, whether S106 can be achieved etc.

Parks/Play: More play opportunities are required including improving the existing play area opposite.

NRW: No objection with land contamination and flood risk management conditions imposed. Consider that the proposal is not likely to have a significant effect on the SAC and providing the impact pathways for the SAC are adequately addressed, we consider the features of the SSSI will also be adequately safeguarded.

DCWW: The proposed development should be repositioned to accommodate for the required protection zones of our assets. Holding objection to the application.

Heneb: Requires archaeological mitigation.

Cadw: No reply received.

National Grid: No assets affected.

WG Trunk Road: As highway authority for the M4 motorway we do not issue a direction.

Fire Authority: Proposal must meet firefighting requirements in relation to water supplies and vehicle access.

Sustrans: No reply received.

City & County of Swansea Council: No objection.

REPRESENTATIONS

The Ward Councillors and Coedffranc Town Council were notified on 15 August 2022 and on 28 October 2024.

Ward Councillor comments: *I would like this planning application called into committee please. I have concerns about flooding, studentification and parking issues at this location and believe that the planning committee should look at this application and make its decision. I would also ask that they look at school and GP capacity should this be approved.*

Ward Councillor comments: *No objection in principle to this site being used for housing, but I have questions and concerns about the amended plan regarding site access, design/style of housing, flooding and school capacity issues.*

The neighbouring properties were consulted on 16 August 2022 and on 28 October 2024.

Several site notices were displayed on 24 August 2022 and on 30 October 2024.

The application was also advertised in the press on 24 August 2022 and re-advertised in the press on 1 November 2024.

In response, to date 15 no. objections have been received, with the issues raised summarised as follows: -

Traffic and Parking- related Objections

- Unable to cope with the extra traffic and parking demands
- Recent data suggests that Elba Crescent/Crymlyn Burrows has the third highest penalty charge notices issued across the whole of Neath Port Talbot. It doesn't take a genius to acknowledge that this is a massive problem and a housing estate will make this worse. The issue is that Bay Campus does not permit students to park for free on their entire, vast site. This means they park in our village. Not only do they take up every available free space (which is not a lot), they park on residents property, in their garden and in the residents bays. A housing estate will create more opportunities for students to dump their cars rather than take the bus or cycle. This could also increase further anti social behaviour with even more residents receiving abuse from students thinking they can park anywhere they like, dropping litter wherever they like and speeding whenever they like.

- As outlined above, we see a huge increase in traffic with students seeking parking spaces. We see that they are slow and drive erratically when looking for a space. When they realise they are no more free spaces, they race at excessive speed through the crescents. This is an ongoing issue that is continually being brought up to local councillors and the police. A housing estate with 165 dwellings could mean an additional 200 to 300 vehicles accessing an already saturated village. Plus there will be more places for the students to look for parking spaces resulting in an even more dangerous scenario. The entrance points to the estate are wholly reckless with no thought to the safety of residents or pedestrians. At present, Unit Super Heaters has an access point on Baldwins Crescent from which employees and visitors fly out when leaving meaning oncoming motorists have to emergency brake to avoid an accident. It is because we can't see them clearly when driving down Elba Crescent. Adding two more access points, exactly like this would be a disaster.
- Concerned about big lorries causing structural damage to my home whilst accessing the site which already vibrates significantly from the heavy traffic on Fabian Way

Character and Amenity- related Objections

- The area is over-run with student accommodation and HMOs which is ruining the village which is suffering from terrible parking by students and a general lack of community feel which would be made worse by the development
- As we are in close proximity to Swansea Bay University Campus, we cannot rule out that this development won't attract further HMO conversions further saturating an already struggling community. The local authority has no HMO policy so there is nothing to prevent further conversions of HMOs.
- We ourselves have been subjected to a negative impact due to living beside a student HMO. Common and regular complaints include noise nuisance, rubbish, vermin, anti social behaviour and a general uncared for property and garden. The HMO has caused property damage with regards to having to replace fences due to overgrown weeds and brambles. We cannot cope with any more and Government advice states we shouldn't have to either.
- Whilst the proposed flats show the storeys low at this stage, we know from experience how, for example, buildings can go from 7 storeys high then quickly move up to 10 storey building (Bay Campus development).
- Crymlyn Burrows is not a modern housing estate. We class it as a village. A housing estate will completely remove the look and feel of village life for many of us residents especially if we see a rise in a transient student population. Our homes are Edwardian in nature and a modern day estate would not fit in or look right. Imagine how residents of Mumbles or Tenby would react should

modern day shoe box style houses being built and ruin their country cottage look. It's no different here so planners should consider this.

- High rise buildings would have a negative visual impact and result in a loss of privacy from overlooking
- The modern design of the proposed estate will be in stark contrast to the existing Edwardian architecture of the area, potentially harming the local character and heritage.

Infrastructure-related Objections

- Existing infrastructure in the area is unable to cope with the extra demand – water pressure, sewerage, drainage issues and demands on health care provision
- Building a housing estate where the drainage infrastructure nearby has completely collapsed is totally ludicrous. What soak away areas remain on the development land should not be touched whilst we rely on every available space of soak away. A housing estate will put further strain on our already failed drainage system and will add to the flooding risk. Incidents of flooding have increased since the Bay Campus development.
- The local primary school 'Crymlyn Primary' is a very small school and in no way has the capacity to take an influx of children from this development.

Biodiversity-related Objections

- The villagers of Crymlyn Burrows are very proud of our wildlife, and have fought hard to protect our SSSI sites, our trees, our natural wildlife and Crymlyn Bog.
- The trees have an order on them not to be cut down which must also be preserved, we are supposed to be saving the planet and the trees are vital role in this.
- The established trees and wildlife will be destroyed, affecting birds, hedgehogs, bats, foxes and the NPTC bee friendly area

Misc/Other Objections

- The development would be unacceptable in terms of noise, dust and impact on existing residents' wellbeing and mental health
- The area is used as a landing area for Air Ambulance which could impact on a person's life in the event of an emergency
- The development contradicts the key Welsh government policy objectives regarding sustainable transport
- The development will negatively impact on house values
- Adding a shop will increase traffic, anti-social behaviour and littering which are already an issue with students.

- Concerns exist regarding potential land contamination on the site. A thorough environmental assessment is necessary to ensure that the development does not pose risks to human health and the environment.
- I wish to note a concern regarding a chemical spill from Gower Chemicals from 1996.

REPORT

Relevant Planning Policies

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.

The Historic Environment (Wales) Act 2023 enhances the protection and sustainable management of the wider historic environment for the cultural, social, economic and environmental benefit of future generations.

The Active Travel (Wales) Act 2013 makes walking and cycling the preferred option for shorter journeys, particularly everyday journeys, such as to and from a workplace or shops and services.

The Environment (Wales) Act 2016 places a duty on the Council to maintain and enhance biodiversity, promote the resilience of ecosystems and increase their ability to adapt to events such as the impacts of climate change.

In accordance with **Section 38(6) of the Planning and Compulsory Purchase Act 2004**, the application should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan currently comprises [Future Wales: The National Plan 2040](#) ('FW') and the Adopted [Neath Port Talbot Local Development Plan](#) ('LDP').

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 (see above)

"The growth and regeneration of towns and cities should positively contribute towards building sustainable places that support active and healthy lives, with urban

neighbourhoods that are compact and walkable, organised around mixed-use centres and public transport, and integrated with green infrastructure.”

Policy 7 – Delivering Affordable Homes

Policy 8 - Flooding

Policy 9 – Resilient Ecological Networks and Green Infrastructure

“In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.”

Policy 11 – National Connectivity

Policy 12 – Regional Connectivity

Policy 13 – Supporting Digital Communications

“New developments should include the provision of Gigabit capable broadband infrastructure from the outset.”

Policy 16 – Heat Networks

“As a minimum, proposals for large-scale, mixed-use developments of 100 or more dwellings or 10,000sqm or more of commercial floorspace should consider the potential for a heat network” – “Planning applications for such development should prepare an Energy Masterplan...”

[Planning Policy Wales \(Edition 12, February 2024\)](#) 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 12 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.

PPW12 is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -

- Technical Advice Note 2: Affordable Housing (2006)
- Technical Advice Note 5: Nature Conservation and Planning (2009)
- Technical Advice Note 11: Noise (1997) and emerging policy revisions thereto
- Technical Advice Note 12: Design (2016)
- Technical Advice Note 15: Development, Flooding and Coastal Erosion (2025)
- Technical Advice Note 16: Sport, recreation and Open Space (2016)
- Technical Advice Note 18: Transport (2007)

Local Planning Policy:

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 SP4** Infrastructure
- **Policy SP5** Development in the Coastal Corridor Strategy Area
- **Policy SP7** Housing Requirement
- **Policy SP8** Affordable Housing
- **Policy SP10** Open Space
- **Policy SP12** Retail
- **Policy SP15** Biodiversity and Geodiversity
- **Policy SP16** Environmental Protection
- **Policy SP17** Minerals
- **Policy SP18** Renewable and Low Carbon Energy
- **Policy SP19** Waste Management
- **Policy SP20** Transport Network
- **Policy SP21** Built Environment and Historic Heritage

Topic Based Policy

- **Policy SC1** Settlement limits
- **Policy I1** Infrastructure Requirements
- **Policy H1** **Housing Sites (H1/LB/3 Elba Crescent)**
- **Policy AH1** Affordable Housing
- **Policy OS1** Open Space Provision
- **Policy R3** Out of Centre Retail Proposals
- **Policy EN6** Important Biodiversity and Geodiversity sites.
- **Policy EN7** Important Natural Features
- **Policy EN8** Pollution and Land Stability
- **Policy M1** Development in Mineral Safeguarding Areas
- **Policy RE2** Renewable and Low Carbon Energy in New Development
- **Policy W3** Waste Management in New Development
- **Policy TR2** Design and Access of New Development
- **Policy BE1** Design

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- [Planning Obligations \(October 2016\)](#)
- [Parking Standards \(October 2016\)](#)
- [Affordable Housing \(October 2016\)](#)
- [Pollution \(October 2016\)](#)
- [Open Space & Greenspace \(July 2017\)](#)
- [Renewable and Low Carbon Energy \(July 2017\)](#)
- [Design \(July 2017\)](#)
- [Landscape & Seascape \(May 2018\)](#)
- [Biodiversity and Geodiversity \(May 2018\)](#)

The Placemaking Charter, of which Neath Port Talbot Council are a signatory sets out the following principles:

People and community

The local community are involved in the development of proposals. The needs, aspirations, health and well-being of all people are considered at the outset. Proposals are shaped to help to meet these needs as well as create, integrate, protect and/or enhance a sense of community and promote equality.

Location

Places grow and develop in a way that uses land efficiently, supports and enhances existing places and is well connected. The location of housing, employment and leisure and other facilities are planned to help reduce the need to travel.

Movement

Walking, cycling and public transport are prioritised to provide a choice of transport modes and avoid dependence on private vehicles. Well designed and safe active travel routes connect to the wider active travel and public transport network and public transport stations and stops are positively integrated.

Mix of uses

Places have a range of purposes which provide opportunities for community development, local business growth and access jobs, services and facilities via walking, cycling or public transport. Development density and a mix of uses and tenures helps to support a diverse community and vibrant public realm.

Public realm

Streets and public spaces are well defined, welcoming, safe and inclusive with a distinct identity. They are designed to be robust and adaptable with landscape, green infrastructure and sustainable drainage well integrated. They are well connected to existing places and promote opportunities for social interaction and a range of activities for all people.

Identity

The positive, distinctive qualities of existing places are valued and respected. The unique features and opportunities of a location including heritage, culture, language, built and natural physical attributes are identified and responded to.

Environmental Impact Assessment (EIA) and Appropriate Assessment (AA) Screening

The application site exceeds the Schedule 2 threshold for development of this type as outlined within the Environmental Impact Assessment Regulations. As such the application has been screened in accordance with the requirements of Schedule 3 of the Regulations.

The findings of the screening report were that the scale and nature of the potential impacts associated with the development both alone and in combination with other developments within the area would not be of a type that would require the carrying out of an Environmental Impact Assessment or the subsequent submission of an Environmental Statement in support of the application.

The proposed development is also located within a zone of influence for a Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI) and Ramsar site, being within approximately 0.6km of both the Crymlyn Bog SAC, SSSI and

Ramsar site to the north and, in the opposite direction to the south of the application site, the Crymlyn Burrows SSSI.

As a consequence, an assessment of the likely significant effects, as set down within the Conservation of Habitats and Species Regulations 2017, has been undertaken and it is considered that the proposed development would by itself, or in combination with any other development/project be unlikely have a significant effect on either the Crymlyn Bog SAC/SSSI/Ramsar or Crymlyn Burrows SSSI. As such, the report concludes that an Appropriate Assessment is not required in this case.

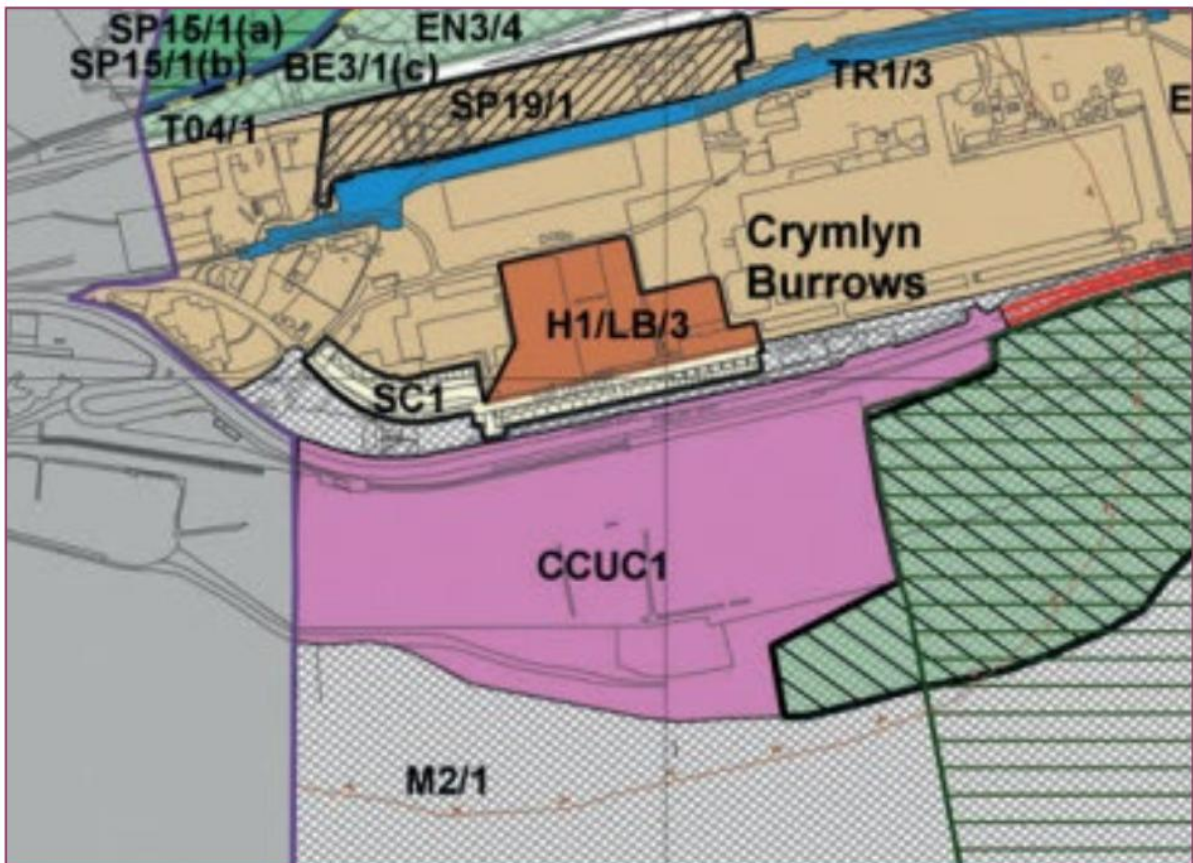
Issues

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 character and appearance of the area, the impact on the residential amenity of existing residents and future occupiers, the impact on highway and pedestrian safety, the impact on biodiversity/ecology, contaminated land, flood risk, drainage, and archaeology considerations.

Principle of Development

The site is located within settlement limits, as defined in the LDP, and Policy SC1 states that sustainable new development that is proportionate in scale and form to the role and function of the settlement will be acceptable in principle, subject to compliance with all other requirements and policies. The site is currently allocated for housing under Policy H1/LB/3* of the Adopted Neath Port Talbot Local Development Plan (*estimated no. of units: 50).

H1/LB/3 Elba Crescent, Crymlyn Burrows	The flat, brownfield site is located adjacent to the settlement of Crymlyn Burrows and adjoins both an area of existing housing and employment.	● Highways - access required off Elba Crescent along with off-site highway improvement works. ● Biodiversity - ecological survey / reptile survey required with potential requirement for mitigation. ● Environment - noise assessment / acoustic barrier fence is required; 10 metre wide landscaped buffer to site boundary required; scheme for the eradication of invasive species required. ● Affordable Housing Provision - 20% on-site requirement. ● Utilities - public sewer crosses the site; potential requirement for on / off-site water mains. ● Contamination - assessment required together with a remediation scheme as necessary. ● Open Space Provision - financial contribution required.
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Therefore, the principle of developing this site for housing is acceptable, subject to compliance with LDP Policy H1/LB/3, all other development plan policy requirements and related planning obligations. The LDP allocation sets out the opportunities and constraints for the site including a requirement for access to be off Elba Crescent, ecological and reptile survey requirements, noise/acoustic assessment, on-site affordable housing provision, contamination assessment and remediation scheme and a contribution for open space provision.

The estimated number of units identified within the LDP was based on the extant planning permission that existed at that time (50 units). However, there are no planning reasons to oppose the principle of a higher number of units – the supporting text to FW Policy 2 encourages a higher density of at least 50dph in accessible locations - provided that the application demonstrates that all other planning requirements can be met. This will require consideration of, amongst other things, the capacity of local infrastructure to accommodate the proposed larger development size, including, for example, the surrounding highway network, open space, schools and drainage provision. These issues are considered in more detail in subsequent sections of this report, however the principle of a residential development of the site is acceptable.

Impact on Character and Appearance

The submitted DAS explains how the proposed residential development of the site presents an opportunity to contribute to the regeneration of the local area by providing new high-quality housing to complement existing commercial/industrial developments. It goes on to explain how the masterplan has been developed to address the identified constraints and maximise the opportunities and sets out the aims and objectives for the development proposals as being:

- To provide a mix of high-quality new homes (including affordable housing) where people want to live;
- To provide a safe and secure environment for users of the site with well overlooked streets and spaces and a clear legible site layout;
- To ensure good connections into and out of the site to enable ease of movement and links into the wider highway network;
- To produce a high quality environment with good public realm and amenity green spaces;
- To integrate a robust landscape framework to help screen the development from the surrounding land uses, whilst providing attractive and high quality open spaces for the enjoyment of residents and the local community;
- For the built form and architectural style to have due regard for the local character and reflect the settlement form and layout that are typical of the surrounding area;
- To use materials that reflect a commitment to quality and sustainability; and
- To enhance Elba Crescent by creating a development that makes the most efficient use of this brownfield site to meet local housing needs and requirements.

The indicative masterplan shows how the above objectives could be delivered. Being an outline application, there are no details of the design and external appearance of the proposed dwellings, however the proposal is for a mix of predominantly 2-3 storey buildings built as semi-detached or terraced properties, which is broadly consistent with the pattern of existing housing located on Elba Crescent and Baldwins Crescent to the south and west of the application site. The indicative layout also demonstrates how some taller, up to 4-storey, buildings could be accommodated within the site, against a backdrop of the much larger industrial/warehouse buildings to the north and east.

Any detailed proposals will need to reflect the variation in context between the older, inter-war houses and much more modern industrial buildings that surround the site, as well as maintain a suitable 'buffer' to physically separate the residential development from the adjacent industrial/commercial development. The submitted details have satisfactorily demonstrated how this could be delivered without detriment to the character and appearance of the area. Conditions are required to control the detailed design and appearance of all the proposed buildings, but the submitted layout and scale parameters are considered to be acceptable and complying with LDP Policy BE1 in this regard.

Impact on Residential Amenity

As described above, this is an outline planning application therefore there are no details about the specific house types/sizes, other than illustratively shown within the indicative masterplan and supporting DAS. However the information provided shows that the site is capable of being developed for residential purposes with sufficient space for associated amenity space and parking areas to serve future occupiers. Moreover, the site is sufficiently large to accommodate the proposed development without it directly impacting upon the amenity of existing, adjoining residential occupiers, and any issues of overlooking or light impacts would be considered at the detailed reserved matters stage.

The main issue affecting residential amenity is the proximity of the site to existing, neighbouring industrial and commercial developments. This proximity is of potential

concern for two reasons. Firstly, emissions emanating from an industrial/commercial business has the potential to adversely impact upon the ability of future residential occupiers to enjoy a relaxing and peaceful home environment. Secondly, unless the relationship between these different land uses is carefully designed and planned, then future residential occupiers might complain about noise, dust and fumes from those industrial/commercial businesses which in turn could lead to operational difficulties for those existing businesses in the future.

Accordingly, an air quality assessment has been undertaken (by Arthian Ltd) and a noise assessment has been undertaken (by Hunter Acoustics) and both reports submitted in support of the outline planning application.

The submitted air quality report confirms that future occupants of the proposed residential development would not be exposed to unacceptable air quality and the site is suitable for its proposed future use in this regard. The air quality report concludes that, given the relatively low baseline traffic numbers and the low existing baseline air quality concentrations, the increase in vehicle emissions from the proposed development traffic would not lead to exceedances of the relevant air quality objectives at sensitive receptors on Elba Crescent. The potential impacts on the nearest Air Quality Management Area (located in the administrative boundary of Swansea) and nearest designated ecological sites were reviewed and considered to be '*not significant*'.

The submitted noise report confirms that the erection of a 3m high close board acoustic boundary fence, together with a proposed 15m wide landscaping buffer and other mitigating measures, for example up-rated acoustic glazing and ventilation on selected facades, would be sufficient to protect future occupiers of the proposed dwellings from noise levels that are generated from the adjacent industrial and commercial developments.

Both reports identify construction impacts to air pollution and noise, therefore a Construction and Environmental Management Plan ('CEMP') that considers all potential environmental impacts of construction will be required. Table 4.5 of the air quality assessment sets out a bespoke plan of mitigation for air quality and dust which will need to be incorporated into the CEMP.

The Council's Environmental Health Officer raises no objection to the planning application, subject to the imposition of suitably worded planning conditions to control the above. Therefore the proposals are considered to be acceptable and complying with LDP Policy EN8 in this regard.

Impact on Highway and Pedestrian Safety

A Transport Assessment ('TA') has been undertaken to support the planning application. The TA confirms that the site is located in close proximity to a wide range of local facilities that will be used by potential occupants of the proposed development on a daily basis and is highly accessible by non-car modes of transport.

Access will be taken from the existing site access point, with the existing priority junction being modified to provide a more appropriate residential geometry (i.e., a 5.5m wide access road with 6.0m radii kerbs on entry and exit). Footways of 2.0m in

width will be provided through the development site, which will connect directly into the existing footway provision along the northern edge of Elba Crescent.

Some third party objectors have suggested that vehicular access into the site should be obtained from Ffordd Amazon rather than Elba Crescent. However it is not considered to be either desirable or safe for the proposed residential vehicles to be mixing with larger industrial and commercial vehicles that utilise the industrial estate roads to the north of the site. Elba Crescent already serves residential development, therefore is considered appropriate for use as such without bringing users into conflict with large HGVs etc.

The TA advises that the proposed development of the site is predicted to generate approximately 75 and 73 total two-way vehicle trips over the traditional AM and PM highway peak hours of 08:00 to 09:00, and 17:00 to 18:00 respectively. Between the weekday 12-hour period of 07:00 to 19:00, the proposed development would be anticipated to generate a total of 644 total two-way vehicle trips.

The junction capacity assessments have identified that both the proposed new site access junction, and the A483 signalised junctions tested would be anticipated to operate well within capacity during all 'With Development' modelled scenarios for both a 2022 and 2027 forecast year. The proposed development, therefore, is not anticipated to cause any significant capacity issues on the local highway network.

A review of the accident record has identified no apparent existing highway safety concerns in the vicinity of the site. The proposed development is not expected to have an adverse impact on this existing highway safety record. The TA has been reviewed by the Council's Highways Officer who concurs with the conclusions presented.

Conditions are required to ensure vehicular access is obtained from Elba Crescent and to control the detailed design and layout of all proposed roads, footways, parking and cycling provision to ensure they accord with the Council's Adopted Standards. However, the indicative layout and access parameters are considered to be acceptable.

The Council's Highways Officer raises no objection to the planning application, subject to the imposition of suitably worded planning conditions to control the above. Therefore the proposals are considered to be acceptable and complying with LDP complying with LDP Policy TR2 in this regard.

Biodiversity / Ecology

As identified above, Policies EN6 and EN7 of the Local Development Plan will be of relevance insofar as there is a need to ensure any impacts on biodiversity/ natural features are appropriately assessed and, where applicable, mitigated.

A desk-based assessment report confirms the application site holds no statutory or non-statutory designations for nature conservation however as outlined above, noted that the Crymlyn Bog SSSI, SAC, and Ramsar site and the Crymlyn Burrows SSSI are both within a 1km radius. Neither of these statutory sites are considered of ecological relevance to the proposal due to their designating features which mostly

consist of habitats and species that are not present at the application site and therefore are not likely to be affected by the proposed development.

The desk study returned several records for protected fauna and flora within 1km of the site (extended to 2km for bats). This included foraging/commuting records for at least 6no. different bat species although there are no known roosts within a 2km radius of the site and the only existing building on the site (a derelict guard house in the south) has been further surveyed with no evidence of bats found. Other mammalian records identified in the desk study include several sightings of Otter and Water Vole associated with the Tennant Canal, as well as the location of a single known historic Badger sett approximately 1000m north-east of the site. Herpetofauna (reptile and amphibian) records included those for Common Lizard, Grass Snake, Common Frog, Common Toad and Palmate Newt, while the desk study also returned an extensive list of priority and protected bird and invertebrate species found within 1km of the site, the majority of which were associated with the designated sites.

An Extended Phase 1 Habitat survey identified a range of habitats present at the site, most of which are typically associated with colonised brownfield land. Large parts of the site are still covered by existing hardstanding, with parcels of dense scrub, grassland, Bracken and early colonising vegetation also present. The habitats found at the site were considered suitable of supporting commuting/foraging bats, nesting birds and reptiles. No non-native invasive plant species listed under the Wildlife & Countryside Act 1981 (as amended) were found at the site.

The PEA report concludes that development at the site presents opportunities for local biodiversity enhancement such as the inclusion of bat and bird boxes onto new buildings, and retained and replacement tree planting; the creation of gaps at the bottom of any garden and boundary fencing to allow continued connectivity through the site for Hedgehog and other small mammals, the use of native species in any soft landscaping proposals and the management of any retained habitat features.

Planning Policy Wales (PPW) 12 sets out that the quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, informed by an appropriate level of assessment, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, help to overcome the potential for conflicting objectives, and contribute to health and well-being outcomes.

A green infrastructure statement ('GIS') is required for all planning applications as an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15 of PPW 12) has been applied.

In this particular case, the planning application was submitted prior to the above policy requirement formally coming into effect. Nevertheless, consideration of the step-wise approach had already been taken into consideration and a baseline ecological state established with the various ecological reports referred to above together with submission of a Green Infrastructure Statement. In order to satisfy PPW 12 requirements, a replacement tree planting ratio of 3 new trees for every 1 lost will be required. Additionally, in order to provide a satisfactory standard of

residential amenity, a significant (15m) deep landscaped buffer is proposed around at least 3 of the application site boundaries therefore there is enough land and opportunity to deliver a significant biodiversity enhancement in accordance with the above. These requirements can be secured by imposing suitably worded planning conditions to inform the detailed reserved matters stage wherein full GIS proposals, linked to the requisite sustainable surface-water management arrangements, would be designed.

The Council's Ecologist raises no objection to the application. The survey evidence, indicative site layout and landscape parameters are considered to be acceptable and complying with LDP Policies EN6 and EN7.

NRW have reviewed the results of the various technical ecology and air quality assessment reports, and consider that the proposal is not likely to have a significant effect on the SAC. This is because the risk of dust emissions and the potential impacts from traffic emissions on the designated ecological sites are considered to be '*not significant*' and have been assessed in accordance with best practice guidelines. NRW note that no additional mitigation measures are recommended, however they welcome the general dust control measures which they advise should be incorporated within a CEMP, along with their general advice on best practice pollution prevention measures. NRW also confirm that, provided the impact pathways referenced below for the SAC are adequately addressed, they consider the features of the SSSI will also be adequately safeguarded.

Contaminated Land

The submitted Desk Top Study and Preliminary Risk Assessment reports have identified a number of potential pollutant linkages that may be active upon the redevelopment of the site, requiring further site investigation that is targeted to provide information on:

- the concentrations of contaminants of concern (if present) within the soils beneath the site;
- the concentrations of contaminants of concern within shallow groundwater (if present);and
- the ground gas regime beneath the site.

Both NRW and the Council's Contaminated Land Officer have reviewed the site investigation reports and are in agreement with the conclusions. This will require a more intrusive Phase 2 site investigation to be undertaken, together with proposed remediation and verification measures to deal with any matters arising from that further investigation. Subject to this, the proposals are considered to be acceptable and complying with LDP Policy EN8 and the requirements of the Adopted 'Pollution' SPG. NRW and the Council's Contaminated Land Officer raise no objection to the planning application on land contamination grounds, subject to the imposition of suitably worded planning conditions.

Flood risk / Drainage

The Welsh Government published a new Technical Advice Note (TAN) 15: Development, Flooding and Coastal Erosion (2025) in March 2025. That document confirms that it should be read in conjunction with Planning Policy Wales (PPW) 12 and the Welsh National Marine Plan, and that it replaces TAN 14: Coastal Planning

(1998) and the previous TAN 15: Development and Flood Risk (2004). The Ministerial Written Statement dated 31 March 2025, which accompanied the publication of the new TAN, confirms that there will be a transitional period for its implementation. Specifically, planning applications that were submitted and registered before the publication of the new TAN, shall continue to be assessed against the previous version. This is an important procedural point as, being a form of highly vulnerable development, there is a planning policy presumption against new residential development at ground floor level within areas of risk of flooding.

The planning application is supported by a comprehensive Flood Consequences Assessment ('FCA').

In terms of flood risk from fluvial and tidal sources:

- The site is located in River Flood Zone 1, meaning it has less than 1 in 1000 year (0.1%) annual probability of river flooding.
- The site is located within Tidal Flood Zones 2 and 3, meaning it has between a 1 in 200 (0.5%) and 1 in 1000 (0.1%), and a 1 in 200 (>0.5%) or greater annual probability of sea flooding, respectively.
- The site does not benefit from flood defences and is outside of recorded flood outlines.
- Climate change considerations within the FRA concluded ground levels could be raised above the predicted flood level to create a flat and level plateau for the proposed development. The final flood resilience/resistance levels to be achieved will be no lower than 7.91 m AOD (1 in 200 year +Climate Change uplift level).

In terms of flood risk from surface water:

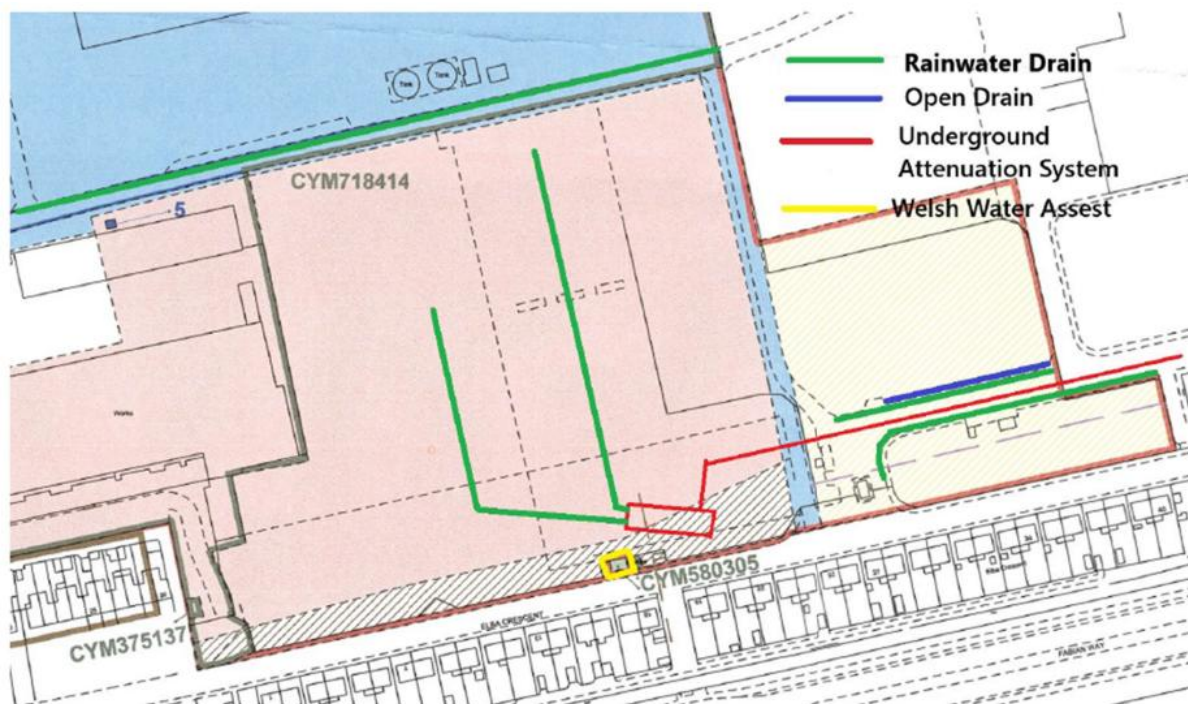
The site is predominantly located in Flood Zone 1 corresponding with an annual probability of flooding that is less than 1 in 1,000 (0.1%).

- There is a portion of land along the centre of the southern boundary that is located within Flood Zone 2, whereby the annual probability less than 1 in 100 (1%) but greater than or equal to 1 in 1,000 (0.1%) including an allowance for climate change, and Flood Zone 3, corresponding with an annual probability greater than 1 in 100 (1%) including an allowance for climate change.

Flood levels are provided within the FCA for both the 70th percentile (to inform design flood level) and 95th percentile (to inform mitigation measures, access and egress routes and emergency evacuation plans). NRW raise no objection to the application on flood risk grounds, subject to the imposition of suitably worded planning conditions. NRW conclude that the submitted FCA shows the risks and consequences of flood risk could be managed to an acceptable level, provided the advice on ground levels under section 9.11 of the FCA is followed. In relation to flood risk elsewhere, NRW note section 9.13 states that flood compensation would not be necessary, due to the proximity of the Swansea Bay to the site and the fact that the flooding is caused by tidal sources. In this instance, due to the location of the development being close to open coastline, NRW confirm that they would not expect there to be an impact on third parties.

Section 9.14 of the FCA recommends a Flood Management Plan is produced and NRW supports that recommendation.

Currently the site is served by surface water drains which feed into a below ground attenuation tank situated in the south of the site. Water is then piped eastwards out of the site under agreed with adjacent landowner.



The proposed development is subject to SAB approval and therefore detailed sustainable surface water drainage arrangements will need to be drawn up at reserved matters stage. The indicative layout plan identifies proposed attenuation along the southern boundary of the site where levels are lowest. There are significant DCWW assets located along this southern boundary (a local sewerage pumping station) as well as along the western boundary (a trunk watermain), which effectively sterilises these areas from any built development and therefore naturally lends itself to proposed soft landscaping and related SuDS features and a detailed Green Infrastructure Strategy.

DCWW have issued a holding objection on the grounds that the indicative layout currently shows dwellings located within the easement of its assets, particularly along the southern boundary. However, given that the layout is indicative only, this objection can be overcome by imposing a suitably worded planning condition that prevents any development within the required protection zones. This would inform the detailed layout design at reserved matters stage. As well as a minimum 3m easement for existing underground water and sewer apparatus, DCWW recommends that no habitable buildings are constructed within 15m of the local sewerage pumping station, in order to minimise any adverse effects of noise and odour nuisance on future residential occupiers. DCWW have confirmed that there are no foul or surface water capacity or pressure issues preventing a positive determination of the planning application.

Archaeology

The information in the Historic Environment Record shows that the development site was within the area of the 20th century King's Dock Tinplate Works, which was demolished around 2008. A review of historic mapping and plans shows the original building and earliest phase of the works was located c.60m to the north of the development area. Additionally, a Bronze Age burial was encountered c.250m to the north-east of the development site. Though the area was formerly wetland, and peat

deposits form in these environments, Welsh Government data and nearby boreholes indicate no peat deposits survive within the site.

A desk-top Archaeological Assessment report has been submitted with the planning application. Heneb confirm that there is a low potential for significant remains to be encountered during the development, however, it is possible that buried archaeological remains could be encountered during the groundworks. Therefore, in order to mitigate the impact of the development on the archaeological resource, Heneb recommend that a condition, for a programme of archaeological work, taking the form of an archaeological watching brief during the groundworks required for the development, should be attached to any consent granted. Subject to this they raise no objection to the application.

Section 106 Planning Obligations

Local Development Plan **Policy SP 4** (Infrastructure) states that “Developments will be expected to make efficient use of existing infrastructure and where required make adequate provision for new infrastructure, ensuring that there are no detrimental effects on the area and community. Where necessary, Planning Obligations will be sought to ensure that the effects of developments are fully addressed in order to make the development acceptable”.

Policy I1 (Infrastructure Requirements) then states that “In addition to infrastructure improvements necessary to make a development acceptable in health, safety and amenity terms, additional works or funding may be required to ensure that, where appropriate, the impact of new development is mitigated. These requirements will include consideration of and appropriate provision for: Affordable housing; Open space and recreation facilities; Welsh language infrastructure (in language Sensitive Areas); Community facilities including community hubs; Biodiversity, environmental and conservation interests; Improving access to facilities and services including the provision of walking and cycling routes; Historic and built environment and public realm improvements; Community and public transport; Education and training.

The Community Infrastructure Levy Regulations 2010 came into force on 6th April 2010 in England and Wales. They introduced limitations on the use of planning obligations (Reg. 122 refers). As of 6th April 2010, a planning obligation may only legally constitute a reason for granting planning permission if it is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In view of the type and form of development proposed in this location, having regard to local circumstances and needs arising from the development, the following planning obligations are considered necessary to make the development acceptable in planning terms and to meet the policy and legislative tests for planning obligations.

Affordable Housing

Policy AH1 of the Neath Port Talbot Local Development Plan states that all new residential developments of 3 or more units will be required to contribute to affordable housing provision within the Port Talbot, Neath and Pontardawe spatial

areas. The application site lies within the Neath spatial area, where a 25% affordable housing provision is required. This would need to be provided on-site as part of any future reserved matters application.

Education

The Planning Obligations SPG sets out education contribution requirements for all proposed developments of 10 or more 2 and 2+bed residential units of accommodation. Planning obligations will be sought where it is expected that the proposed housing development will generate additional demand for school places and/or place added strain on existing school facilities. In this context planning obligations will be sought where it can be demonstrated that the existing infrastructure would require additional investment to upgrade a facility or facilities to adequately cater for the educational needs of additional pupils.

The Council's Education Officer has advised that all existing schools within the local area are currently at or over capacity. Consequently, there is a need for the development to contribute towards the provision of additional capacity to cater for the needs of additional pupils that would be generated by the proposed development.

Having regard to the Planning Obligations SPG, produced in support of the adopted Local Development Plan, the following maximum contributions have been identified as being necessary for a proposed development of up to 152 dwellings:

Sector	Space Requirements per Pupil (sqm)	Cost per Square Metre (£)	Cost per Additional Pupil (£)	Pupil Yield per Housing Unit	Planning Obligation Cost per Dwelling* (£)
Primary	9.52	2,333	22,222	0.21	4,666
Secondary	9.66	2,758	26,667	0.16	4,267
Total				0.37	8,933

*a contribution towards education is only required for 2-bed+ units

These figures include not only the costs of providing actual accommodation for additional pupils together with accompanying design and supervision fees, but also all other costs associated with providing the necessary and essential equipment for pupils. The timing of such payments together with the nature of the works to be undertaken will be specified and agreed by all parties.

Public Open Space / Children's Play Facilities

Policy OS1 states where there is a quantitative deficiency in outdoor sport, children's play, informal space or allotments, provision will be sought, including the requirement for maintenance in conjunction with all new residential developments of 3 or more dwellings, based on the following standards:

<u>Open Space</u>	<u>Standard</u>
Outdoor Sport	1.6 hectares per 1,000 population
Children's Play	0.25 hectares per 1,000 population
Informal Space	0.55 hectares per 1,000 population
Allotments	0.19 hectares per 1,000 population

Having regard to the 'Open Space Assessment 2013, produced in support of the adopted Local Development Plan, it is noted that there are existing ward shortfalls in outdoor sport (non-pitch) and allotments. Accordingly, these existing deficiencies would be exacerbated by the increase in population arising from the proposed development, and there is a need for the development to contribute towards addressing these deficiencies. The 'Planning Obligations' SPG expects that the needs of future residents of a proposed development will be met through the provision of new areas of open space to be provided within the development site itself.

Having regard to the 'Open Space Assessment 2013, produced in support of the adopted Local Development Plan, the following maximum contributions have been identified as being necessary for a proposed development of up to 152 dwellings:

LDP Policy Characterisation	OS1	On site requirement (sqm)	Cost per dwelling unit (£)	Financial Equivalent (£)
Outdoor Sport - Pitch		4,003	284	0 (no shortfall)
Outdoor Sport – Non pitch		1,566	1,030	156,560
Designated Play Space*		870	855	0 (no shortfall)
Informal Space		1,914	63	0 (no shortfall)
Allotments		661	48	7,296
Total		9,015	2,280	163,856

*a contribution towards children's play space is only required for 2-bed+ units

Social Value for EIA and Major development including larger housing and employers

Neath Port Talbot Council is committed to promoting Sustainable Development through our policies, strategies and services. In Wales, the importance of social value is recognised through the Well-being of Future Generations (Wales) Act 2015 which requires public bodies in Wales to think about the long-term impact of their decisions, to work better with people, communities and each other, and work to prevent issues such as poverty, health inequalities and climate change.

Social Value can be defined as the positive impact on local people & communities, the local economy, and the environment that we create.

These can be through:

- Social benefits that deliver positive outcomes for individuals and/or communities
- Economic benefits that strengthen a workforce, industry, sector and/or the economy
- Environmental benefits that result in protection or enhancement of the environment, e.g. carbon reduction or nature protection.
- Cultural benefits i.e. culture, heritage and Welsh Language by encouraging people to participate in the Arts, sports and recreation

The Council believes that through this approach we can achieve both a return on investment on a whole life basis and generate benefits for the local economy and environment.

Other Matters

As identified earlier in this report, a number of objections were received in response following the publicity exercise. In response to the main issues raised which have not been addressed elsewhere in this report, the following comments are made:

- The proposal is for residential development with a target end user of family and starter houses. Therefore, to address any concerns about a potential increase in HMO or student accommodation in the local area, the applicants are willing to accept a condition restricting future reserved matters proposals to a C3 residential use class.
- The inclusion of a small retail/shop is designed to reduce the need for future residents to travel for basic conveniences. It would need to be small in order to comply with LDP retail policies, and therefore not considered to be of a size or scale that would lead to anti-social behaviour issues. The details can be controlled by imposing a suitably worded planning condition.
- The availability of an undeveloped site to accommodate an Air Ambulance in an emergency is not considered to be a material planning consideration that justifies withholding consent for its future development.
- De-valuation of a private property is not a material planning consideration.

CONCLUSION

The site is considered to be suitable for residential use being a brownfield, underused site which is well related to the existing settlement pattern and would improve the stock and range of local housing.

The site is accessible by public transport, cycling and walking and is well located in terms of access to the primary road network.

The development will remediate a derelict site and offers an opportunity for significant environmental and biodiversity enhancements. This would result in a betterment to the appearance and character of the area thereby having a positive impact on the residential amenity of existing residents.

The proposal makes an appropriate and efficient use of brownfield land adjacent to an established residential and commercial area and will contribute towards the provision of new housing, including affordable housing, to complement existing employment sites.

RECOMMENDATION To grant planning permission subject to the following conditions and upon the signing of a Section 106 Agreement with the following Heads of Terms:

- To secure the provision of public open space and play facilities to serve the ward of Coedffranc West, equivalent to a maximum size of 9,015sqm on-site and a maximum cost of £2,280 per dwelling off-site, to accord with LDP Policy OS1;

- To secure an on-site affordable housing provision of a minimum of 25%, to accord with LDP Policy AH1; and
- To secure a contribution of £8,933 per dwelling of 2-bed or more in size, towards the provision of off-site education infrastructure to serve the development, to accord with LDP Policy I1 and the Adopted 'Planning Obligations' SPG.

Conditions:-

Time Limit Conditions

- 1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason:

The application was made for outline planning permission.

- 2 Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 3 The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

List of Approved Plans

- 4 The development shall be carried out in accordance with the following approved plans and documents:

JSL4195 101 Rev B Illustrative Masterplan

JSL4195 102 Site Location Plan

Pre-Application Consultation Report August 2022

Planning Statement June 2022

Design & Access Statement October 2024

Transport Assessment November 2023

Preliminary Ecological Appraisal November 2021

Stage 2 Ecology Survey Report August 2022

Ecology Addendum Notes (with Preliminary Roost Assessment) April 2025

Archaeological Desk-Based Assessment December 2023

Flood Consequences Assessment and Drainage Feasibility Report March 2024

Drainage & Flood Technical Note July 2025
Environmental Noise Assessment 1777/ENS6
Air Quality Assessment 11/02/2025
JSL4233_770 Tree Survey and Arboricultural Impact Assessment March 2022
Desk Top Study and Preliminary Risk Assessment October 2021
Green Infrastructure Statement

Reason:
In the interests of clarity.

Pre-Commencement Conditions

- 5 Before beginning any development at the site, you must do the following: -
- a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and
 - b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason:
To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.

NOTE: Templates of the required Notice and Site Notice are available to download at www.npt.gov.uk/planning

- 6 As part of the reserved matters application, a new acoustic means of enclosure for the application site and a soft landscaped buffer of at least 15m depth shall be provided along the northern, eastern and western boundaries in order to protect the proposed residential development from adjacent industrial and commercial developments.

Details for the acoustic enclosure shall be provided as part of the mitigation measures required by condition 7 of this permission and installed on site prior to the beneficial occupation of any of the dwellings.

Details for a minimum 15m buffer shall be provided in accordance with the requirements of condition 32 of this permission and the completed soft landscaped buffer shall thereafter be managed and maintained in perpetuity.

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, and to accord with Policy EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 7 Prior to commencement of development, a detailed scheme of noise mitigation shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within the development and retained as such thereafter.

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, and to accord with Policy EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 8 Prior to commencement of any development on site, details of proposed biodiversity enhancement(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided on site prior to occupation of any of the dwellings and thereafter retained as part of the development in perpetuity.

Reason:

In the interest of biodiversity and to accord with Policy 9 of Future Wales: The National Development Plan 2040 and Policy SP15 of the Adopted Neath Port Talbot Local Development Plan.

- 9 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the Local Planning Authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason:

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

- 10 No development shall commence until a site wide flood risk management scheme has been submitted to and approved in writing by the Local Planning Authority. The flood risk management scheme should include:
 - Details to ensure ground levels will be set no lower than 7.91 metres above ordnance datum (AOD).

The development shall be carried out and subsequently maintained in accordance with the approved details and plans.

Reason:

To reduce the risk of flooding to the development and elsewhere and to accord with Future Wales Policy 8.

- 11 No development shall commence until a Construction and Environmental Management Plan ('CEMP') that accords with the requirements of British Standard BS5228-1:2009 - 'Code of Practice for noise and vibration control on construction and open sites' has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the demolition and construction phases.

The submitted CEMP shall provide for:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) Storage facilities for all fuels, oils and chemicals
- e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f) wheel washing facilities and measures to control light spill;
- g) measures to control the emission of dust and noise during construction;
- h) a bespoke plan of mitigation for air quality and dust in accordance with the approved air quality assessment;
- i) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- j) Full details of how any watercourses will be crossed or confirmation that this is not applicable;
- k) Any sources of pollution (including silt), potential pathways for that pollution to enter any watercourses within the vicinity of the site and appropriate pollution control measures to be implemented on site;
- l) Details of the nature, type and quantity of materials to be imported on to the site;
- m) Details on waste types that will be produced and how they will be managed;
- n) Details on any invasive species on site and how they will be managed;
- o) Identification of any buried services, such as sewers and water mains, so that they are protected;
- p) Details of emergency contacts, for example Natural Resources Wales' Pollution hotline 0800 807 060;
- q) Details of the route of construction traffic to and from the development;
- r) Details of site deliveries including routes of vehicles, plus delivery and construction times, taking into account the proximity of residential dwellings and the University Campus opposite, there shall be no deliveries in excess of 3.5 tonnes shall access or leave the site via any route during the hours of 8am to 9.30am and 2.30pm to 4pm during school term times; scheme for the erection of temporary/semi-temporary signage warning drivers of the presence of children and speed restrictions; Measures to prevent stacking of vehicles onto the public highway; The frequency and size of vehicles used to transport the waste material arising from the demolition works;
- s) Details of hours of working on site including specified hours for deliveries; details of restrictions to be applied during construction and demolition works (including timing, duration and frequency of works); and
- t) Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP and their emergency contact details, the CEMP must also be signed by the responsible person.

The CEMP must be communicated to all contractors and sub-contractors prior to commencement of works on site and any deficiencies rectified immediately.

Reason:

In the interest of highway and pedestrian safety, the environment, and the amenity of residents, and to ensure accordance with Policies BE1, TR2 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 12 Prior to commencement of development a scheme shall be submitted and approved in writing detailing the proposed vehicular and pedestrian access arrangements into the development, which must be from Elba Crescent. The scheme shall include the following:
- a. Any new access junction(s) into the development with Elba Crescent shall be provided with visibility splay in accordance with Manual for Street and the 85thile Vehicle Speed identified within the Transport Assessment, nothing over 600mm in height shall be erected or allowed to grow within these splay areas, any works required to the existing highway as a consequence of a new junction(s) shall be undertaken under the provision of a Section 278 agreement.
 - b. Any off-site highway improvement works as identified within the Road Safety Audit
 - c. The provision of a footway with a minimum width of 2 metres which shall be constructed to adoptable standards along the entire frontage of the development site, to the surface level and with kerbing to adjoin the existing footway adjacent to the bus shelter to the eastern side of the site and this land shall remain open for the public thereafter
 - d. The incorporation of any active travel routes

The above scheme as approved shall be implemented prior to the commencement of construction on any dwelling.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 13 As part of the first reserved matters application a further assessment of the nature and extent of contamination affecting the application site area shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall follow on from the Phase 1 (desk-top) site investigation report hereby approved and include:
- (i) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
 - (ii) an assessment of the potential risks to:
 - human health,
 - groundwater and surface waters
 - adjoining land,

- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - ecological systems,
 - archaeological sites and ancient monuments; and any other receptors identified in the Phase 1 report;
- (iii) an appraisal of remedial options, and justification for the preferred remedial option(s).

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policies SP16 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

Action Conditions

- 14 No development shall commence on site until a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historic environment shall be prepared and submitted to and approved in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policies SP16 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 15 Prior to beneficial use of the proposed development, a verification report providing details of the data that will be collected to demonstrate that the works set out in the remediation strategy required by condition 14 have been completed, are effective, and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, shall be submitted to and approved in writing by the Local Planning Authority.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason:

To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

- 16 Prior to the beneficial use of the development, a longterm monitoring plan for water quality and land contamination shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:
- i) Details of the methods and triggers for action to be undertaken;
 - ii) Timescales for the long-term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required (for x years);
 - iii) Timescales for submission of monitoring reports to the LPA e.g. annually;
 - iv) Details of any necessary contingency and remedial actions and timescales for actions; and
 - v) Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason:

To ensure there are no longer unacceptable risks to controlled waters following remediation of the site and to ensure compliance with Policies SP16 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 17 No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been first submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Reason:

Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

- 18 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks and to

ensure compliance with Policies SP16 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 19 Prior to the commencement of development, a scheme shall be submitted to and approved in writing for a dedicated off-street car parking arrangement to serve the proposed retail unit. The provision shall be in accordance with adopted Parking Standards. The spaces and access as approved shall be hard surfaced and white lined prior to commencement of construction of the retail unit and retained open and free for such use thereafter.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 20 Following installation of the approved mitigation required by condition 7 and prior to first occupation of the approved development, a Noise Assessment demonstrating compliance with the internal and external noise criteria set out in the Hunter Acoustics, Environmental Noise Assessment Land at Elba Crescent Swansea, Dated 29/05/2024, report reference 1777/ENS6 shall be submitted to, and approved in writing by, the Local Planning Authority. Units shall not be occupied until compliance with the aforementioned limits has been achieved.

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, and to accord with Policy EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 21 As part of a reserved matters application, a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings/buildings hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority. No part of the development shall be occupied until the approved scheme has been fully implemented on site and thereafter retained in perpetuity.

Reason:

To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

- 22 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment and to ensure the development complies with Policy EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 23 As part of the first reserved matters application for each phase of the residential development a scheme detailing the residential highway construction shall be submitted to and approved in writing by the Local planning Authority. The submitted scheme shall show all residential access roads having a width of 5.5m wide carriageway with 2m footways to each side (carriageway width

increased to 6.5m where a bus route is facilitated) a suitable turning facility and shall have gradients no greater than 1 in 12 or less than 1 in 150. The submission shall include:

- (a) Longitudinal sections showing a gradient of not more than 1 in 12 or less than 1 in 150
- (b) Cross sections every 20 metres, and/or where any culvert outfalls, headwalls are located
- (c) Highway Drainage (including gullies, gully leaders, manholes, pipe sizes and gradients)
- (d) Highway Construction details
- (e) A schematic street lighting design
- (f) Highway Retaining Walls (if any), along with full structural and design calculations
- (g) Auto-tracking for all bus routes and turning facilities

The scheme as approved shall be implemented in its entirety prior to the occupation of the first dwelling within that phase.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 24 As part of the first reserved matters application, a Waste Management Plan for the control, management, storage and disposal of any waste material generated by the development shall be submitted to and approved in writing by the Local Planning Authority. All waste shall be treated in accordance with the agreed waste plan. The plan shall be implemented as approved.

Reason:

To ensure the appropriate disposal of any waste arising from the development in terms of protection of the environment and to ensure the sustainability principles are adopted during development and to comply with Policy W3 of the Adopted Neath Port Talbot Local Development Plan.

- 25 As part of the first reserved matters application, an Energy Assessment Masterplan which shall include but not be limited to proposed methods of energy production and generation, including renewable energy and a heat network, together with passive methods to be implemented to achieve energy reduction shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the scheme as approved.

Reason:

In the interest of sustainability and to comply with the requirements of Policy RE2 of the Adopted Neath Port Talbot Local Development Plan and Policy 16 of Future Wales.

- 26 As part of the first reserved matters application, a plan sub-dividing the overall site area into phased development areas together with strategic infrastructure phases and temporary works, including any temporary car parking, to substantially accord with the concept masterplan, and the parameters of

development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. This phasing plan shall include details of any temporary access arrangements required in connection with site investigations (together with any associated details of surface water and ecological mitigation relating to such temporary works), timing of delivery of the development by land use, a breakdown of the number and size of each residential unit proposed for each phase and timing of delivery of the required on-site public open space and play area. The development shall be carried out in accordance with these approved details.

Reason:

To allow the sub division of the overall site into coherent areas and the submission of reserved matters pursuant to each development area and to ensure the development complies with Policy BE1 of the Adopted Neath Port Talbot Local Development Plan.

- 27 Each dwelling shall be provided with one car parking space per bedroom up to a maximum of three in accordance with Adopted Parking Standards. Driveway car parking shall comply with the following:-
- (i) Single driveway shall be 3.6m wide and 6m in length;
 - (ii) Parallel parking, the first space shall be 3.6m wide with the additional space or spaces thereafter being 2.6m (for example; parallel parking for two vehicle, the dimensions should be 6.2m wide (3.6m plus 2.6m) by 6m in length). For a third space you would add on an additional 2.6m wide;
 - (iii) Parking in tandem for a single driveway width would require a width of 3.6m wide, together with the first space being 6m in length and then other length(s) being 4.8 metres in addition (for example; two car parking in tandem would require a width of 3.6m and a length of 10.8m (6m plus 4.8m). For a third space you would add on an additional 4.8m;
 - iv) All single garages shall have a minimum internal dimension of 3 metres width by 6 metres length or 6 metre width by 6 metre length for a double garage;
 - v) Visitor parking scheme at a rate of one space per five dwellings which shall be clearly shown on the submitted site layouts - this can be provided 'on-street' where suitable space allows;
 - vi) Bicycle parking; and
 - vii) Pedestrian vision splays of 2.4 metres by 2.4 metres (measured back from back of footway) shall be maintained each side of each vehicular access within which nothing over 600mm in height shall be erected or allowed to grow and shall be retained as such thereafter.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 28 A traffic management scheme to prevent vehicular obstruction at the site entrance shall be submitted to and approved in writing by the Local Planning Authority prior to construction work commencing. The scheme as approved shall be implemented on site prior to the commencement of construction of any dwellings.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 29 All shared drives (serving a maximum of 5 dwellings) to have a gradient not exceeding 1 in 9 to be 4.5m wide have pedestrian vision splays of 2.4m by 2.4m (behind footway) which should be hard surfaced, and a turning facility provided so all vehicles can enter and leave in a forward gear. Shared drives should not exceed 30m in length (carrying distance for bins) and there will be a need to widen the footway or provide a bin parking area where bins/sacks can be placed on collection day without obstructing the footway. Traverse length of turning facility is 8.65m.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 30 All works to be constructed on the public highway shall be subject to Road Safety Audits, stages 1 to 4 in accordance with Design Manual for Roads and Bridges. Each stage of the Road safety Audit shall be submitted for approval in writing by the Local planning Authority. All issues highlighted at each stage, being addressed to the written approval of the Local Planning Authority within 3 months of that stage of that Road safety Audit has been approved.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 31 As part of the first reserved matters application, a comprehensive drainage strategy for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of land, surface and foul water flows and thereafter implemented in accordance with the approved details and any phasing approved prior to the occupation of the development, and retained as such thereafter.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and ensure the development complies with Policy SP16 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

- 32 No development shall take place on any phase of development until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority for that phase. These details shall include:

- a) statement setting out the design objectives and how these will be delivered;
- b) earthworks showing existing and proposed finished levels or contours;
- c) means of enclosure and retaining structures;

- d) other vehicle and pedestrian access and circulation areas;
- e) hard surfacing materials;
- f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, etc.),
- g) water features; and
- h) tree planting at a minimum ratio of 3 new trees for every 1 tree removed as a consequence of the development.

Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work where relevant).

The landscaping works shall be carried out in accordance with the approved details during the first planting season immediately following completion of that phase of development or an agreed implementation program. The completed scheme shall thereafter be managed and maintained in accordance with an approved scheme of management and maintenance.

Reason:

In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to comply with PPW12, Policy 9 of Future Wales and Policies SP15 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

- 33 Any topsoil (natural or manufactured) or subsoil to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the Welsh Local Government Association guidance 'Requirements for the Chemical Testing of Imported Materials for Various End Uses'. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with the approved scheme.

Reason:

To ensure that risks from topsoil or subsoil to be imported to the site to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policies SP16 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 34 As part of the first reserved matters application details of the proposed siting, design and finish of all proposed means of enclosure to all property boundaries shall be submitted to and approved in writing with the Local Planning Authority. The means of enclosure shall be erected in accordance with the approved details prior to the occupation of the proposed development and retained as such thereafter.

Reason:

In the interest of visual amenity and to ensure compliance with Policy BE1 of the Adopted Neath Port Talbot Local Development Plan.

- 35 The proposed retail unit floorspace shall not exceed 100m² gross.

Reason:

To ensure the development complies with Policies SP12 and R3 of the Adopted Neath Port Talbot Local Development Plan.

- 36 No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided on-site and shall meet the definition of affordable housing in Annex B of TAN 2, or any future guidance that replaces it. The scheme shall include:

(i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 25% of housing units/bed spaces;

(ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

(iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];

(iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

(v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason:

In order to secure an appropriate level of affordable housing in accordance with Policy AH1 of the Adopted Neath Port Talbot Local Development Plan.

- 37 Notwithstanding any other details which may be given in the 'Illustrative Masterplan' (Drawing Number 101 Rev.B) or therein any other plans or supporting documents hereby approved, as part of the first reserved matters application a hydraulic modelling assessment of the on-site sewerage pumping station ('SPS') and potable water supply network must be undertaken and there shall be no buildings or private amenity areas shown to be constructed within the protection zones of the on-site SPS, incoming and outgoing public rising mains, trunk water mains and meter complexes, unless prior written consent has been obtained for these underground assets to be diverted.

Reason:

To protect the health and safety of existing and future residents and ensure no pollution of or detriment to the environment, and ensure the development complies with Policies SP16, EN8 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 38 The site shall only be developed for dwellinghouses used as a sole or main residence under Use Class C3a with an ancillary retail (convenience goods) unit under Class A1, and for no other purpose (including any other purpose in Class C3 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).

Reason:

For the sake of clarity, in order that use(s) can be assessed in the interests of amenity and to accord with Policies SP7 and H1/LB/3 of the Adopted Neath Port Talbot Local Development Plan.