

Location: 40 Windsor Road, Neath Port Talbot SA11 1LU

Description of Development: Change of use of retail premises to coffee wine bar on ground and first floor and arts and crafts use on second floor, replacement frontage and installation of solar panels on roofscape.

SITE AND CONTEXT

The application site is the property known as 40 Windsor Road. The application site is located within the defined settlement limits, as defined in the adopted Neath Port Talbot Local Development Plan.



DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the change of use of the ground, first and second floors of 40 Windsor Road. The uses of the ground and first floor will be for an artisan coffee shop which also sells fine wine during the day and then operates as a coffee/wine bar in the evening. The second floor would operate as a local craft and hobby artists use, offered to community groups and classes during the day and evening. External alterations to the building include the following; changes to the window fenestration (black colour), new shopfront, replacement roof, installation of solar panels.

PLANNING POLICIES

Strategic Policies

- Policy SP3 Sustainable Communities
- Policy SP12 Retail
- Policy SP15 Biodiversity and Geodiversity
- Policy SP16 Environmental Protection
- Policy SP20 Transport Network
- Policy SP21 Built Environment and Historic Heritage

Topic based Policies

- Policy SC1 Settlement limits
- Policy R2/1 Proposals within Retail Centres
- Policy EN6 Important Biodiversity and Geodiversity Sites
- Policy EN8 Pollution and Land Stability
- Policy TR2 Design and Access of New Development
- Policy BE1 Design

Issues

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

Principle of Development

The application is located within settlement limits as defined by the Neath Port Talbot Local Development Plan, 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 subject to compliance with the prevailing planning policies. In this instance the proposed development is considered to be acceptable provided there is no adverse impact on visual amenity, residential amenity, biodiversity, highways and flood risk.

Impact on visual amenity

The proposed external alterations are not considered to impact negatively on the host property, nor indeed that of the established character and streetscene to a degree that would warrant a refusal recommendation on visual ground. The window fenestration changes/upgrades are very much inkeeping with the established style of the property, whilst the replacement shopfront offers and improvement in visual amenity whilst respecting the historic character of the building and the surrounding properties. The installation of the PV panels will not detract the visual amenity of the premises to a level where it can be considering concerning.

As such, it is considered that the development will have no adverse effects on the visual amenity or the character and appearance of the wider area.

Impact on residential amenity

The council's own guidance states that there is an expectation that the proposed use should be located within Town Centres, and levels of noise associated with such uses are expected. The pre application response raised concerns with regard to possible mechanical plants to be installed. This is simply not the case, as it is only proposed to install one coffee machine and refrigeration units. These items will not create noise and disturbance at a level which will adversely affect residential amenity.

The total capacity from patrons on each of the ground and first floors will be 30 individuals for the wine bar use and 10 people for the arts and crafts on the second floor. Furthermore the existing land uses of the immediate adjacent properties do not lend themselves to any conflict with residential amenity. For example, Number 42 is the restaurant Ajaes Brasserie which is owned by the applicant and Number 38 is listed as a retail premises on ground floor with a fitness gym on all other floors.

The hours of operation proposed by the applicant are as follows:

Wine bar use

Monday – Thursday 12pm-11pm

Friday – Saturday 12pm-1am

Craft use

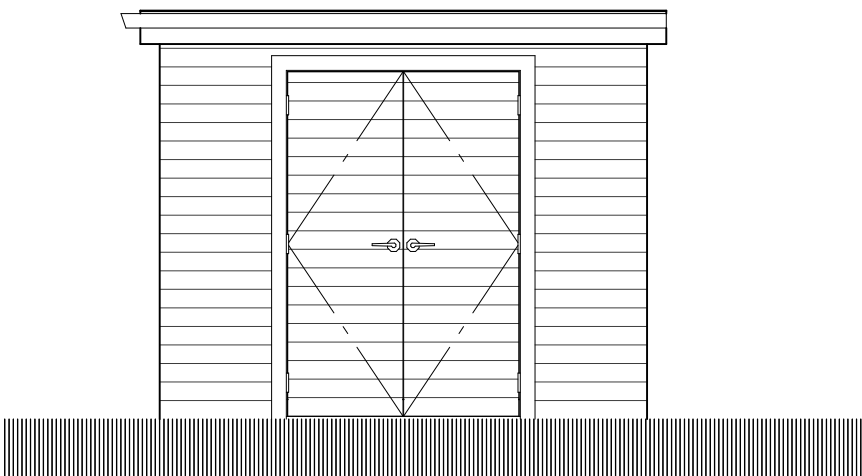
12pm-11pm everyday.

The applicant has also been in direct contact with the Councils Environmental Health Officers who now share the same conclusions notwithstanding what was initially stated in the Pre-Application response.

Therefore, in view of the above, there is not considered to be any impact on residential amenity be it positive or negative.

Highway and Pedestrian Safety

Being located in the town centre, close to existing train and bus stations, there should not be any expectation for the applicant to provide any on-site parking. Bin storage is to be provided to the rear of the premises.



Flood Risk

A detailed Flood Risk Report accompanies this Planning Application.

Biodiversity

A Green Infrastructure statement accompanies this Planning Application.

CONCLUSION

It is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on the amenities of neighbouring residents, visual amenity of the area or highway and pedestrian safety. Accordingly the proposed development is in accordance with Policies BE1, TR2, SC1, R2/1 and EN6 of the adopted Neath Port Talbot Local Development Plan.

GREEN INFRASTRUCTURE

Background

On 11th October 2023¹ the Welsh Government issued updated National Planning Policy for chapter 6 of Planning Policy Wales.

The updated policy guidance recognises the value of green infrastructure within the built environment. In order to facilitate a quality built environment enhanced by integrated green infrastructure all planning applications must now include a green infrastructure statement.

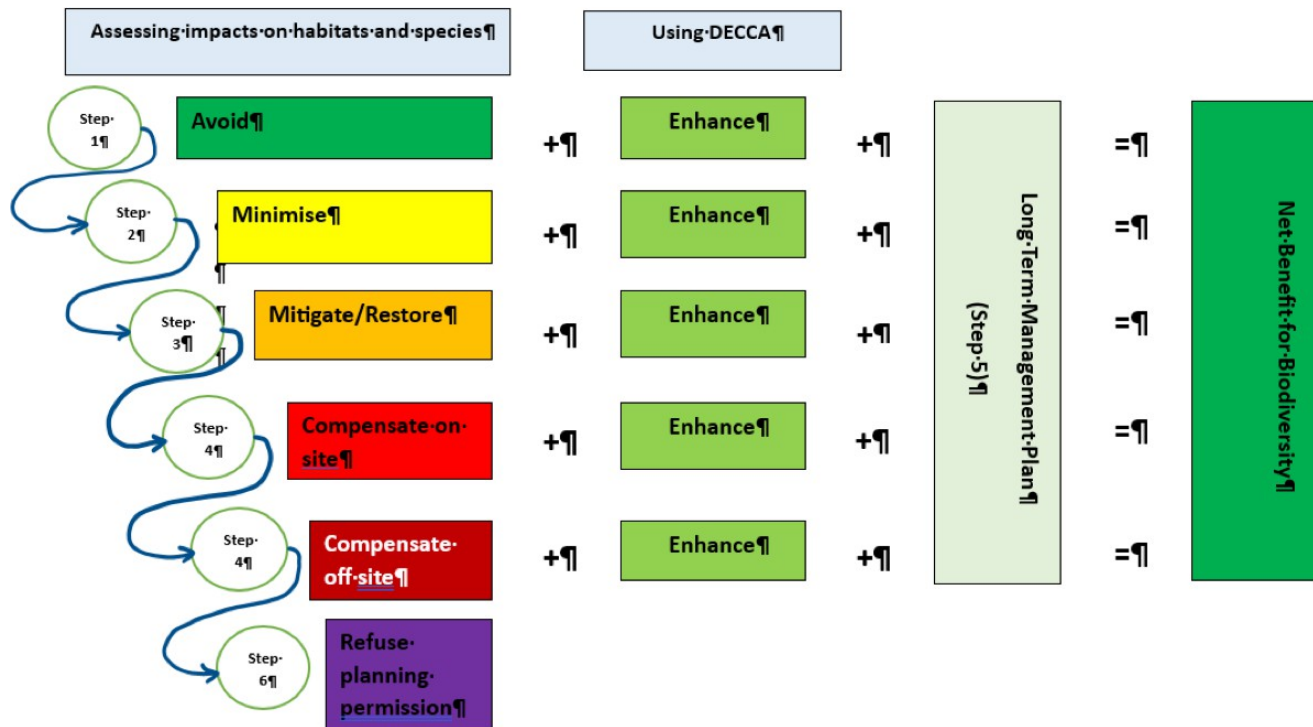
“6.2.6 A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be 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 6.4.21) has been applied.”

Figure 1 below sets out the summary of the stepwise approach as set out in the Annex² to the published advice

¹ <https://www.gov.wales/sites/default/files/publications/2023-10/addressing-the-nature-emergency-through-the-planning-system.pdf>

² <https://www.gov.wales/sites/default/files/publications/2023-10/annex-addressing-the-nature-emergency-through-the-planning-system.pdf>

Figure 1



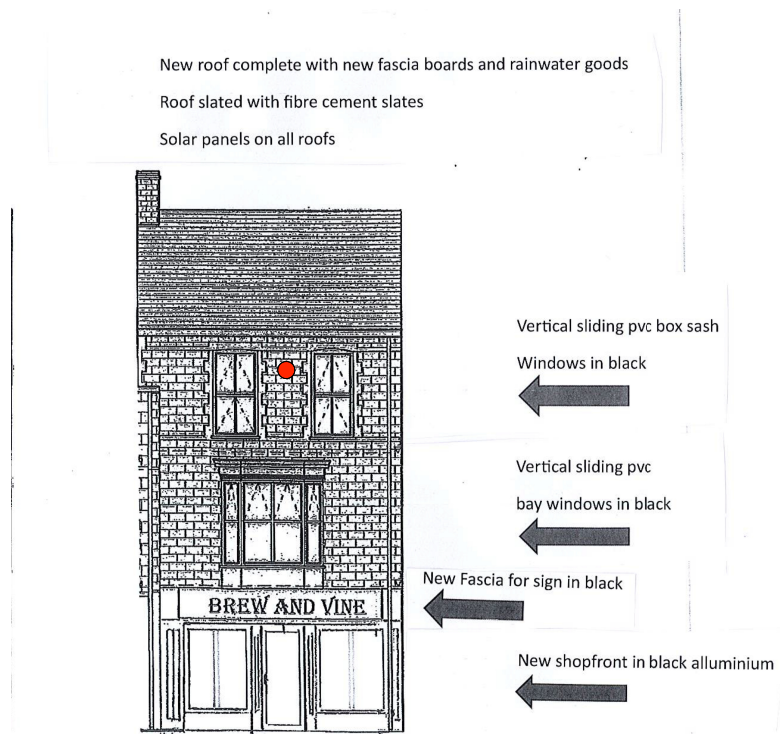
Proposed Enhancement

It is accepted that Future Wales now requires ecological enhancement however, it is submitted that any ecological enhancement must be proportional to the development proposed.

Given the scale of the proposal it is considered that the provision of a bird boxes within the site will provide adequate ecological enhancement. Details of the location and type of box set out below **Figure 1**.

Location of bird box

Figure 1 – Red circles denotes box set in the elevation



Box Specifications

Boxes to attract garden birds and woodland breeding species such as tits, nuthatch, redstart and pied flycatcher can be placed in gardens, orchards, woodlands and a wide variety of other habitats. The species of birds attracted to the box will depend upon the size of the entrance hole (see table below).

Boxes should be fixed two to five metres up a tree or wall, out of the reach of predators such as domestic cats. Unless there are trees or buildings, which give permanent shelter, it is best facing between north and east.

General		
Example	Description	Picture
Schwegler No. 1B General Purpose Nest box	www.arkwildlife.co.uk Suitable for various garden and woodland birds, created with different sized entrance holes to avoid competition between species. Other variations (e.g. 2M) can be free hanging, to deter predators	
Entrance Hole	Species	
26mm	Blue-, Marsh-, Coal- and Crested Tit, possibly Wren. All other species are prevented from using the nest box due to this smaller entrance hole.	
32mm	Great-, Blue-, Marsh-, Coal- and Crested Tit, Redstart, Nuthatch, Pied Flycatcher, Tree and House Sparrows.	
Oval	Redstart; also used by species that nest in the diameter 32 mm boxes. However, because more light enters the brood chamber, it is preferred by Redstarts.	

Under the Wildlife and Countryside Act 1981 it is an offence to disturb breeding birds and therefore annual cleaning cannot be undertaken between the months of March and September inclusive. Bird nest boxes should be cleaned in October to prevent the build-up of nest parasites in the boxes whilst avoiding the risk of disturbing birds using the boxes as a roost site during the cold winter months. All nesting material and other debris should be removed from the box. Ideally, it should then be scrubbed clean with boiling water to kill any parasites (avoid using any chemicals). Once the box is clean, it should be left to dry out thoroughly. Bird boxes should be left up over winter as they can provide useful roosting sites for birds in bad weather.

Site lighting and dark corridors

Measures will be taken to minimise light pollution to reduce any impact on nocturnal fauna such as bats and moths. Any lighting within the rear garden will be in accordance with the guidance provided by the Bat Conservation Trust (BCT 2018).

Appropriate ground facing, energy-saving lighting will be used, on timers. There will be no light spillage into landscape areas such as trees and hedgerows on site will not be affected that's allowing dark corridors to be maintained for Nocturnal wildlife.

Implementation

- Bird Boxes - Within one month of the completion of works

GIA Assessment

Table 1 below sets out the stepwise approach in assessing impacts of a development on habitats and the species

Table 1

	Steps	Assessment	Enhancement	Long Term Maintenance	Net Benefits
1.	Avoid	The proposal is constructed on land devoid of any ecological value The proposal avoids damage to any biodiversity and as such accords with the <i>stepwise</i> approach set out in the published advice.	Bird boxes to be provided	No maintenance required	Yes
2.	Minimise	Na	Na	Na	Na
3.	Mitigate/restore	Na	Na	Na	Na
4.	Compensate on site	Na	Na	Na	Na
5.	Compensate offsite	Na	Na	Na	Na

Conclusion

Applying the step-by-step approach, the assessment indicates that:

- The development avoids any damage to biodiversity
- The proposal provides an ecological enhancement proportionate to the scale of the development.
- The proposed ecological enhancement will be maintenance free

There is a net benefit to biodiversity as a result of the development