

SITE AND CONTEXT

The application site is a disused hardstanding area on the western edge of the existing water treatment plant located near Phoenix Wharf, Port Talbot. The site lies approximately 600m to the east of the Port Talbot deep water dock and is surrounded by the TATA steelworks site to the north, east and south. The nearest residential properties are at Mariners Point, Sandfields, approximately 1.5km to the north west and the settlement of Margam 1.8km to the east.

The site is located outside of the residential settlement limits as defined by the Neath Port Talbot Local Development Plan.

DESCRIPTION OF DEVELOPMENT

This is a full application for the construction of a cabin containing offices and welfare facilities. The single storey cabin will contain offices, a kitchen area and toilets and have fenestration on all sides and the entrance door facing east.

The proposed cabin would be sited on a 30cm slab with a width of 21m and a depth of 9.6m. The cabin will have a shallow pitched roof with an eaves height of 3.1m and a ridge height of 3.24m. The cabin will be constructed from Plastisol Steel and will be Goosewing Grey BS 10A05 with Saragasso RAL 5003 fascias and Anthracite RAL 7016 windows and doors.

NEGOTIATIONS

None

PLANNING HISTORY

P1998/1362 - AMENDED APPLICATION - AFAN TREATMENT WORKS. Approved 17/2/99

CONSULTATIONS

Contaminated Land – No objection subject to conditions

Biodiversity – No objection

Drainage – No objection though noted that a SAB application would be required

Highways – No objection subject to condition

REPRESENTATIONS

Site notices were posted adjacent to the access of the site on 2/4/26.

To date no representations have been received.

REPORT

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.

National Planning Policy:

Planning Policy Wales (Edition 12) was revised and restructured in February 2021 to coincide with publication of, and take into account the policies, themes and approaches set out in, Future Wales - the National Plan 2040 and to deliver the vision for Wales that is set out therein.

Future Wales now forms part of the Development Plan for all parts of Wales, comprising 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 well-being of our communities. All Development Management decisions, strategic and local development plans, planning appeals and all other work directed by the development plan need to accord with Future Wales.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015.

PPW12 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision making process.

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

- TAN 5: nature conservation and planning (30 September 2009)
- TAN 12: design (31 March 2016)
- TAN 15: development and flood risk (20 July 2004)
- TAN 18: transport (31 March 2007)
- TAN 11: Noise.

Local Planning Policies

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 SP15** Biodiversity and Geodiversity
- **Policy SP16** Environmental Protection
- **Policy SP17** Minerals

Topic Based Policy

- **Policy SC1** Settlement limits
- **Policy EN7** Important Natural Features
- **Policy TR2** Design and Access of New development
- **Policy BE1** Design
- **Policy EN8** Pollution and Land Stability
- **Policy M1** Mineral Safeguarding Areas
- **Policy TR2** Design and Access of New Development

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- Pollution (October 2016)
- Design (July 2017)
- Biodiversity and Geodiversity (May 2018)

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 visual amenity of the area, the amenities of neighbouring residents and highway safety.

Principle of Development

The site is located outside of settlement limits. Policy SC1 states “*Outside settlement limits, development will only be permitted under the following circumstances:*

- 1. It constitutes a sustainable small scale employment use adjacent to a settlement limit; or*
- 2. It constitutes live-work unit(s) immediately adjacent to a settlement limit in the Valleys Strategy Area only; or*
- 3. It constitutes the small-scale expansion of an existing business or the suitable conversion of an existing building; or*
- 4. It constitutes the appropriate replacement of an existing dwelling; or*

5. *It is an affordable housing exception site; or*
6. *It is an appropriate rural enterprise dwelling; or*
7. *It is an appropriate 'One Planet Development'; or*
8. *It is a sustainable tourism or farm diversification proposal that is suitable in a countryside location; or*
9. *It is associated with the provision of public utilities, infrastructure and waste management facilities that cannot reasonably be located elsewhere; or*
10. *It is associated with either agriculture, forestry, minerals or energy generation; or*
11. *It relates to the appropriate provision of accommodation for Gypsies / Travellers; or*
12. *It constitutes the provision of open space and small scale ancillary facilities adjoining the settlement limit” (emphasis added)*

The proposed welfare unit is required to support the operations undertaken by Welsh Water at the site as there are currently inadequate welfare facilities on the site. The development relates to facilitating the operation of the existing sewerage infrastructure and treatment process, and as such, it is considered that the proposed development would comply with the requirements of policy SC1 as it would constitute the provision of public utilities and infrastructure facilities that could not be reasonably located elsewhere. As such the principle of development is considered acceptable subject to the development complying with the requirements of the other development plan policies.

It is also noted that the site is located within a Mineral Safeguarding Area under Policy M1 of the adopted LDP (coal). Policy M1 looks to safeguard mineral resources as they are finite and any development will need to meet criteria which ensures they are not sterilised or their extraction hindered. However, in this development, it is considered that given that this is within an existing facility to treat wastewater it is very unlikely it would interfere with any future mineral extraction of this site. Accordingly, there is no objection to the principle of development on mineral safeguarding policy M1 grounds

Impact on Visual Amenity

The application site lies deep within an area defined by a large-scale industrial landscape. The wastewater treatment facility in which the storage compound resides consists of raised water processing pools, multi-storey processing facilities, plant and machinery. This facility is further located near a large deep-water dock with its associated infrastructure and is surrounded by the TATA steelworks together with its large-scale industrial buildings of a functional design and stocking yards. Given that the nearest residential properties range between 1.5km and 1.8km away and would have to look through this industrial landscape to see the proposed compound, it is considered that the proposed cabin would have a very marginal effect on the characteristics of the surrounding area and would not add unacceptably to the presence of visual elements on the nearby Port Talbot Dock and surrounding steelworks.

It is therefore considered that the proposal would not have a detrimental impact upon the character and appearance of the surrounding area and would subsequently accord with Policy BE1 of the Neath Port Talbot Local Development Plan.

Impact on Residential Amenity

The nearest residential properties range between 1.5km and 1.8km away and given this distance it is not considered that the proposal would have an adverse impact on the amenity of these properties from overlooking, overshadowing or overbearing.

In light of the aforementioned information, it is not considered that the proposed use would detrimentally impact upon the residential amenity of the surrounding properties. The proposal is therefore considered to accord with Policies BE1 & EN8 of the Neath Port Talbot Local Development Plan.

Parking and Access Requirements and Impact on Highway Safety

The proposed development is located within an existing water treatment plant compound approximately 330m by internal road from the treatment plant entrance. The plant entrance itself is accessible only by private roads gated by security checkpoints from the public. The most direct of these is via a port access road approximately 3.4km travel distance from the nearest connecting public highway. Other, longer routes are possible through the TATA site though these are similarly inaccessible to the public.

The authority's highways section was consulted on the proposal and offered no objection subject to a condition requiring the submission of a Construction Method Statement including a Traffic Management Plan. However, given the distance from the public highway and the limited scale of the proposal this would be considered excessive.

The proposed development would not result in the displacement of any existing off-street parking provision and is to improve existing facilities. It is therefore considered that the proposed welfare cabin would not have a detrimental effect on highway safety and would subsequently be in accordance with Policy TR2 of the Neath Port Talbot Local Development Plan.

Drainage

The authority's drainage section was consulted on the proposed development and offered no objections though had noted that SAB approval would be required and that an informative advising as such be added to any consent.

Land Contamination

The authority's contaminated land officer was consulted regarding the proposal and noted that based on their records the site may have contaminated land due to its current and past uses. Having noted that no contaminated land assessment had been provided and as such have suggested that conditions be imposed regarding carrying out an initial site investigation; detailing and implementing a remediation strategy; verifying the effectiveness of that remediation scheme and a further condition relating to the discovery of unexpected contamination. It is recommended that should consent be granted, suitably worded conditions be imposed in the interests of ensuring 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 off site receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

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.

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 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 6.4.15 of PPW 12) has been applied.

A preliminary ecological appraisal and green infrastructure statement was submitted alongside the application on which the authority's biodiversity section was consulted. Our ecologists offered no objection subject to the implementation of the biodiversity enhancements proposed. The green infrastructure statement states that the development will provide two bird boxes, two brush piles and an insect box to be installed on the site which will be secured by a suitably worded condition should the proposal be approved.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016.

It is considered that the proposal represents an appropriate form of development that would provide essential drainage infrastructure and would have no unacceptable impact on the residential amenity of adjacent residents; the character and appearance of the immediate and wider surrounding area, the highway and pedestrian safety and would improve the current foul drainage within the area.

There would also be no adverse impact upon land stability or biodiversity. Accordingly, the proposed development is in accordance with Policies SP1, SP2, SP3, SP15, SP16, SP17 SC1, EN7, TR2, M1 EN8 and BE1 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040 and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.