

OFFICER REPORT

Application Number: P2025/0725

Site Address: 10 Deeley Road Ystalyfera Neath Port Talbot SA9 2LW

Proposal: Proposed ground floor front extension with flat roof finish

Applicant: Mrs Kim Griffiths

Agent: Mr Chris Morgan

Ward: Cwmllynfell & Ystalyfera

Application Type: Full Plans

Valid Date: 13th October 2025

Statutory Expiry Date: 7th December 2025

Ext. of Time / PPA date: 15th May 2026

Publicity Expiry Date: 22nd April 2026

RECOMMENDATION - Approved

SITE AND CONTEXT

The application site is located at 10 Deeley Road, Ystalyfera. The site comprises of a detached, split-level dwellinghouse, with an extensive curtilage situated to the south-eastern side and rear of the property. The dwelling also benefits from a front courtyard area, adjacent to which sits a detached garage structure.

The site is bound by residential dwellings to the north-west, with the residential highway referred to as Deeley Road situated to the south-west. The south-east boundary of the site is flanked by the 'A4067', with an area of woodland situated to the north-east.

It is considered of relevance to note that the majority of the properties along Deeley Road benefit from a uniform appearance - comprising of four pairs of semi-detached, two-storey dwellings. The application property and adjacent 9 Deeley Road are the exception to this pattern of development, being the only two detached properties and each having a unique design.

DESCRIPTION OF DEVELOPMENT

This is a full application proposing the construction of a single storey front extension. The extension would have a stepped design, projecting out 3.5m beyond the principal elevation for a width of 3.6m, at which point the projection would reduce to 2m for a width of 1.71m. The extension would have a flat roof finish, measuring 3.15m in height, tying in and sitting flush with the existing flat roof front extension present onsite.

The extension would be sited adjacent to the boundary with 9 Deeley Road. The principal elevation of the extension would accommodate a single window and pedestrian access door. The remaining elevations would be blank.

NEGOTIATIONS

Prior to the submission of this application, the application sought pre-application advice. The advice of the pre-application recommended consideration be given to the roof design of the proposed extension and recommended the incorporation of a pitched roof in order to improve visual amenity. As the pre-application enquiry did not include any elevational drawings, the applicant was advised that it was difficult to accurately determine the extent of any potential overbearing or overshadowing impact. Notwithstanding this, the applicants attention was drawn to the presence of the existing ground floor windows situated within the south-eastern side elevation of 9 Deeley Road, which would need to be considered as part of a formal planning application.

Upon submission of a formal planning application, the applicant initially opted to proceed with a flat roof proposal and the initial concerns regarding the potential visual impact of such a proposal was reiterated, with the preference being that the development be amended to a pitched roof proposal in order to enhance the visual amenity of the property. The applicant subsequently opted to amend the proposal to seek consent for a 'proposed ground floor front extension with pitched roof and replacement of existing flat roof on existing single storey front extension with a pitched roof'.

The aforementioned scheme was sent out to public consultation, and prompted concerns being raised relating to the overbearing and overshadowing impact. It was requested that the applicant consider relocating the proposed extension, either to the rear of the property with associated internal alterations, or to set the extension in off the boundary with 9 Deeley Road. The applicant opted to proceed with the original proposal for a flat roof single storey front extension situated adjacent to the boundary with 10 Deeley Road.

PLANNING HISTORY

The application site has the following relevant planning history: -

- P1998/0061 Proposed Conservatory extension approved 12-MAR-1998.

CONSULTATIONS

Ystalyfera Community Council - no response received.

The **Authority's Contaminated Land Officer** - no objection subject to the inclusion of a standard condition relating to the reporting of unexpected contamination.

The **Authority's Head of Engineering & Transport (Highways Section)** - no highway objection.

REPRESENTATIONS

The neighbouring properties were consulted via letter on the 3rd of November 2025, the 18th of November 2025, and the 2nd of April 2026.

A site notice was also displayed on the 6th of November 2025, the 18th of November 2025 & the 7th of April 2026.

In response, to date a number of representations from 1 no. individual have been received, with the issues raised summarised as follows: -

- Stated that the submitted plans are inaccurate and misleading as they do not detail all of the existing windows and doors present within the south-eastern side elevation of 9 Deeley Road, which they state will all be affected by the extension. Detailed the location of all the windows and doors present at their property which they feel would be affected and provided clarity on the rooms that these windows serve.
- Extension will have a huge effect on light and heat coming into their home and will lead to an uncomfortable living environment.
- Extension would restrict light to the entire outside pathway leading to health and safety and security concerns for this area and areas deeper within the property.
- The close proximity to their property, the length and height of the proposed walls and the proposed pitched roof would lead their property to become a claustrophobic closed in area and will have an overbearing impact and overbearing effect on the whole of their property, and in turn have a negative effect on the wellbeing of its occupants.
- Request that the development be considered against the "right to light", local and national planning restrictions, government advice, and considerations under health and safety and security issues, the size, layout and density of buildings.

- Highlighted that their north-west wall has no windows and that this could not be modified as it directly overlooks their other neighbours property.
- Requested that if the development was to be considered for approval after the objections have been taken into consideration, that a daylight and sunlight assessment be considered prior to approval.
- Highlighted that the change from a pitched roof to a flat roof does not alleviate any of the objections made.
- State that the original flat roof extension at 10 Deeley Road already has a decremental effect on their property, and that the new extension would add to the overshadowing and overbearing impact, and would be oppressive and dominating due to its proximity, height and length, along with the loss of light and heat being able to enter their property.
- Will have a negative effect on the wellbeing of occupants, along with increased security concerns due to their pathway to the side door being enclosed.
- Queried the materials listed under the proposed plans with regard to roof covering, states pitched roof when the proposal indicates a flat roof.
- Flat roof does not fit with the character of the entire street, all of which have traditional houses with pitched roofs.
- Expressed hope under the householder extension guidance, where NPT “strongly recommend” that first floor extensions have a pitched roof and flat roofs might only be acceptable where they are not visible from the surrounding streets or public areas is applied.
- State the extension would be visible from the entire street and the adjoining street of Canal Terrace and other public areas, as such they urge the Council to reject the application.
- State that they hope the 45-degree rule where extensions do not unreasonably block light is considered and enforced – suspect the plan would break the rule as it would affect light into their kitchen.
- Concern regarding whether this flat roof could be used as a roof terrace/balcony, which would overlook their property and windows, causing a lack of privacy and becoming a noise issue.
- State that they hope Policy BE1 (Design) and the Strategic Policy SP21 (Built Environment and Historic Heritage) will be considered along with any other current relevant policies when deciding on this application.
- Urge the Council to reject this application following their original and subsequent list of concerns.

REPORT

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 9 – Resilient Ecological Networks and Green Infrastructure

[Planning Policy Wales \(Edition 12, February 2024\)](#) 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, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places

PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities. It encourages a wider, sustainable and problem solving outlook which focuses on integrating and addressing multiple issues rather than on an approach which is fragmented, un-coordinated and deals with issues in isolation. It provides an opportunity to remove any actual or perceived problems in current approaches and stimulate and support innovative and creative ideas as well as high standards of evidence and assessment to underpin the preparation of development plans and strategies and individual proposals. Monitoring and learning from development outcomes so as to drive sustainable improvements in planning practice is also important.

3.9 The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement.

4.1.51 A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development. Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport.

6.2.12 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) has been applied.

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

- Technical Advice Note (TAN) 12: Design
- Technical Advice Note (TAN) 18: Transport

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:

- **Policy BE1** Design
- **Policy TR2** Design and Access of New Development
- **Policy EN6** Important Biodiversity and Geodiversity Sites
- **Policy EN7** Important Natural Features
- **Policy EN8** Pollution and Land Stability

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- [Parking Standards](#) (October 2016)
- [Design](#) (July 2017)

Issues

Having regard to 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.

Impact on Visual Amenity

It is acknowledged that an objection has been made on the grounds that the flat roof finish of the proposed extension does not fit with the character of the entire street, which comprise of traditional houses with pitched rooves. Within their objection, the objector quoted the householder guidance, where Neath Port Talbot Council “strongly recommend” that first floor extensions have a pitched roof and that flat rooves might only be acceptable where they are not visible from the surrounding streets or public areas. The objection goes on to highlight that the extension would be visible from the entire street and the adjoining street of Canal Terrace as well as other public areas, and as such they urge the Council to reject the application.

Strategic Policy SP21 of the Neath Port Talbot Adopted Local Plan stipulates, amongst other matters, that the built environment and historic heritage will, where appropriate, be conserved and enhanced through encouraging high quality design standards in all development proposals. Policy BE1 of the Neath Port Talbot Adopted Local Development expands upon this further, stating:

“All development proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Proposals will only be permitted where all of the following criteria, where relevant, are satisfied:

- 1. It complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment;*
- 2. It respects the context of the site and its place within the local landscape, including its impact on the important arterial gateways into the County Borough, its effects on townscape and the local historic and cultural heritage and it takes account of the site topography and prominent skylines or ridges;*
- 3. It utilises materials appropriate to its surroundings and incorporates hard and soft landscaping and screening where appropriate;*
- 5. Important local features (including buildings, amenity areas, green spaces and green infrastructure, biodiversity and ecological connectivity) are retained and enhanced as far as possible;...”*

There is a general presumption against large scale front extensions due to their prominent location. Notwithstanding this, the Council's Householder Design Guidance does acknowledge that how such an extension would integrate with the existing property, and the existing pattern of development would be paramount, and as such an assessment of the local character and area would be essential when considering the acceptability. The Council's Householder Design Guide States front extensions should:

- Leave sufficient space between the extension and the front boundary of the house to retain the appearance of openness around the dwelling.*
- Not be obtrusive, prominent features in the street scene.*
- Respect the size and proportions of the existing house.*
- Respect the architectural features, brickwork, stonework, colour and texture of the existing house...*

The Design Guidance also stipulates that where there is a strong building line or an architectural cohesiveness which would be broken, front extensions are unlikely to be acceptable.

With regard to the objection made on the grounds that the flat roof finish of the proposed extension does not fit with the character of the entire street and would be

readily visible from various public vantage points within the surrounding area, the existing site context and pattern of development is deemed to be particularly relevant when considering this application. The properties along Deeley Road are predominately uniform in design, comprising of semi-detached, hipped roof, two-storey dwellings with distinct fenestration details, projecting pitched roof principal elevations, and a consistent building line. The two properties, 9 Deeley Road and 10 Deeley Road (the application site), situated at the end of the street however are the exception to this uniformity, in that they are both unique in their design. 9 Deeley Road comprises of a detached, two-storey, pitched roof property, set back just approximately 40cm from the public highway, whilst 10 Deeley Road comprises of a split-level dwelling, which benefits from a part pitched, part flat roof covering over the main dwellinghouse. 10 Deeley Road also benefits from a flat roof, single storey front extension. The principal elevation of 10 Deeley Road currently sits behind that of 9 Deeley Road.

Whilst it is acknowledged that the flat roof finish on the proposed single storey front extension does not replicate the character of the surrounding properties, the design is considered to reflect the design and appearance of 10 Deeley Road. In light of this, it is not considered that the proposed extension would appear at odds within the existing streetscene above and beyond that of the existing relationship between the application property and the surrounding site context. The proposal would therefore comply with the Council's Householder Design Guidance for front extensions in that it would not be obtrusive or unduly prominent within the streetscene.

It is also acknowledged that the Council's Householder Design Guide does place a preference on pitched roof finishes, however this would only apply where the host property has a pitched roof, as the purpose of the design guide is to encourage extensions to adhere to the overarching design of the main dwellinghouse. The Householder Design Guide encourages developers to *look at the verge, eaves and ridge of the original house and aim to replicate these details within the extension in the same way taking cues from the host property* in order to achieve a sense of continuity between the host building and the proposed extension. In this instance, a flat roof finish on the proposed front extension replicates the roof finishes present on the existing property. The use of matching external materials and the continuation of the existing flat roof also creates a sense of continuity between the existing and proposed elements. This integration is considered to further diminish any potential visual impact, and would comply with the Council's Householder Design Guidance for front extensions in that it is considered to respect the size, proportions and architectural features of the existing dwellinghouse

Whilst it is acknowledged that the proposed front extension would sit forward of the existing principal elevation, it is considered that the stepped design and degree of setback from the public highway set to be maintained would retain an appearance of openness around the dwelling. Furthermore, as the most principal elevation of the resultant dwellinghouse would sit flush with the principal elevation of 9 Deeley Road it is not considered that the proposed extension would appear at odds with the existing building line.

Taking the aforementioned assessment into account, it is considered that the proposed development would not adversely affect the character and appearance of the application property, surrounding area or the streetscene. The design of the proposal would accord with the Council's Householder Design Guidance for front extensions and subsequently would comply with Policies SP21 and BE1 of the Neath Port Talbot Adopted Local Development Plan.

Impact on Residential Amenity

Policy BE1 of the Neath Port Talbot Adopted Local Development Plan states development proposals will only be permitted where it is evident that the criteria set out within the policy can be satisfied, one of which requires development proposals be designed in such a way to ensure it *would not have a significant adverse impact on the amenity of occupiers of adjacent land or the community*. The Council's Householder Design Guidance also specifies that front extensions should *not unduly affect neighbours amenity*.

It is acknowledged that an objection has been received expressing concern regarding the impact of the development upon the residential amenity of the occupiers of 9 Deeley Road. The objection states that the original flat roof extension present at 10 Deeley Road already has a detrimental effect on their property, and that the new extension would add to the overshadowing and overbearing impact. The objection expresses concern that the extension would appear oppressive and dominating due to its proximity, height and length, and would not only lead their property to become a claustrophobic, closed in area, but would also have a huge effect on the light coming into their home, leading to an uncomfortable living environment for the occupiers.

The objector subsequently requested within their objection that the proposal be considered against the "right to light", local and national planning restrictions, and government advice. They also requested that a daylight and sunlight assessment and the 45-degree rule be considered.

Before proceeding with the assessment of the development, it is considered of relevance to highlight that "right to light" is a private property right, meaning it is a separate legal issue from planning legislation. As such, "right to light" is not a material consideration of the planning process. Notwithstanding this, one of the functions of planning is to assess the amenity of existing and proposed buildings in the context of Local and National Planning Policies, which are developed in order to balance a multitude of factors including the needs of individuals, environmental factors and the localities involved. These amenity considerations include the potential overbearing and overshadowing impact of a development upon the neighbouring properties; however, it should be stressed that the planning system gives protection but not rights.

The relationship between the existing properties is an established relationship which falls outside of planning's remit of control. The key issue to consider for the purposes of

this planning application therefore is whether the proposed extension would have a detrimental overbearing or overshadowing impact upon the existing windows present within the south-east side elevation of 9 Deeley Road. There are no adopted national planning policies for measuring light to assess whether a proposed new development would have an 'over-shadowing' impact, however the BRE publication *Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice* provides techniques for safeguarding of daylight and sunlight within existing buildings near to development. To assess loss of sunlight to an existing building, the aforementioned guidance stipulates that all main living rooms of dwellings should be checked but that whilst care should be taken not to block too much sun, loss of sunlight need not be analysed to kitchens. In this instance, the windows within the south-east side elevation of 9 Deeley Road directly serve a bathroom and an open plan hallway/staircase and kitchen space. The guidance does however state that both the total amount of skylight and its distribution within the building are important. The guidelines given with regard to safeguarding the daylight to nearby properties are intended for use for rooms in adjoining dwellings where daylight is required, including living rooms, kitchens and bedrooms. This section of the guidance stipulates that windows to bathrooms, toilets and circulation areas need not be analysed. The nearest window to the proposed development within the south-east side elevation of 9 Deeley Road serves a kitchen. When assessing the potential impact of development, the BRE publication *Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice* recommends utilising the 25° rule, which entails: measure the angle to the horizontal subtended by the new development at the level of the centre of the lowest window. If this angle is less than 25° for the whole of the development, then it is unlikely to have a substantial effect on the diffuse sunlight enjoyed by the existing building. Whilst the proposed extension does not meet the aforementioned criteria, in this instance it is considered of relevance to note that the kitchen is also served by a second window situated within the principal elevation, which would be unaffected by the proposed development. It is also considered of relevance to note that the advice given within the BRE publication *Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice* is not mandatory and the guide should not be seen as an instrument of planning policy.

When considering the potential overbearing and overshadowing impact of the development local policy and guidance is considered pertinent. To assess the impact of development upon the residential amenity of neighbouring properties Neath Port Talbot Council utilise the Adopted Local Development Plan, specifically Policy BE1, and the Council's Householder Design Guide (contained within the Neath Port Talbot Design Supplementary Planning Guidance).

In the interest of clarity, the 45-degree rule referenced by the objector is only used where a window would be next to a development but does not directly face it and is applied to first floor extensions only, as such the 45-degree rule would not be applicable to this application. When considering the potential overbearing and overshadowing impact of development regard should be given to whether the window(s) in question serve a habitable room and whether it is considered a secondary window. The Council's Householder Design Guidance stipulates that *a habitable room is considered to be any*

room within that property apart from a utility room, hallway/landing, kitchen (if not a kitchen diner), bathroom or en-suite. In this instance, the windows within the south-east side elevation of 9 Deeley Road directly serve a bathroom and an open plan hallway/staircase and kitchen space. Due to the compact layout of the kitchen space there does not appear to be scope to incorporate a dining element and as such all of the aforementioned rooms are deemed non-habitable.

It is noted that by virtue of the internal layout of 9 Deeley Road, an interior, unglazed opening between the living space located at the centre of the property and the hallway allows light from the kitchen and hallway windows to penetrate the living room. As such, an argument could be made that these windows do act as an indirect light source to the habitable living space. Notwithstanding this, as previously identified regard must also be given to whether the windows in question are secondary windows. The internal layout of 9 Deeley Road has been established through a review of the floor plans approved under previous planning permission granted at the property (namely application P2002/0287) and an officer visit to the property. Whilst there are no windows present within the north-west side elevation of 9 Deeley Road serving the living room, and it is noted that the site boundaries limit the feasibility of such an opening being added, the floor plans for no.9 indicate that the living room and dining room were intended to be open plan and gained natural light from the patio doors present on the principal elevation of 9 Deeley Road. It is noted from the site visit that the occupiers have installed a set of internal doors to separate the dining room and living room, which limits the natural light from these patio doors, however it is considered of relevance to note that the kitchen is also served by an additional window contained within the principal elevation of the property. As such, the windows within the south-east side elevation of 9 Deeley Road are considered to be secondary windows.

Given the orientation of the windows within the south-east side elevation of 9 Deeley Road relative to the sun path, it is noted that there would be some degree of overshadowing from the proposed extension at certain points of the day, namely during the morning. However, in this instance, given the limited scale of the development – which is of a sympathetic height and single storey nature – considered cumulatively with the fact that the windows in question are secondary windows which directly serve non-habitable rooms, it is not considered that a significant overbearing and overshadowing impact would arise, such that would justify a negative officers recommendation on residential amenity grounds. With regard to the potential impact upon the living room, again this room is also served by openings within the principal elevation of 9 Deeley Road, which would be unaffected by the proposed development. As such, on balance, it is not considered that any potential overbearing or overshadowing impact would be sufficient to justify a negative officers recommendation in this instance.

With regard to privacy, no windows would be installed within the side elevation facing 9 Deeley Road and as such it is not considered that any loss of privacy or overlooking issues would arise as a result of the proposed development.

Taking the above into account, on balance it is not considered that the development would adversely affect the residential amenity of the neighbouring property to the extent that would justify a negative officer recommendation. As such, the proposal is considered to accord with Policy BE1 of the Local Development Plan.

Parking and Access Requirements and Impact on Highway Safety

Given that the proposed development would not displace any of the existing off-street parking provision serving the application property, it is not considered that the development would result in a negative impact upon highway or pedestrian safety. The development is therefore considered to accord with Policy TR2 of the Neath Port Talbot Adopted Local Development Plan.

Biodiversity

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.

In this case the development will provide a bird box on the existing south elevation and seeks to introduce a number of native species of plants/shrubs within the rear garden area, which will be secured by a suitably worded condition.

Contaminated Land

The application site is located within a contaminated land consultation zone. The Authority's Contaminated Land Officer was consulted and offered the following advice:

“Deeley Road is in an area where there has been historic coal mining/quarrying nearby as well as evidence of historic industry shown in the 19th and early 20th century maps. It is likely that some materials used in the construction of the roads, canals or dwellings may have come from materials from the quarries.

Whilst it is unlikely that the site of no.10 Deeley Road will have become heavily contaminated by the identified nearby historic land-uses, it cannot be ruled out.

The proposed development appears to require minimal ground excavation, however, the applicant must remain vigilant to the possibility of contaminants when undertaking the groundworks for the proposed extension.

In light of the aforementioned I would recommend the following is included when determining the application:

LC05 Reporting of Unexpected Contamination - *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 Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Development of Land Affected by Contamination Developers Guide 2023. 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 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.*

Footnote: *All contaminated land investigations must be undertaken by a suitably competent person in accordance with the Welsh Local Government Association, Natural Resources Wales & Welsh Government “The Development of Land Affected by Contamination: A Guide for Developers (version 4) 2023”, and, BS 10175:2011+A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice.*

MG Informative 3 for householder applications

The development site is located within a Coal Authority Coal Mining Reporting Area which could be a potential source of ground gas. You are advised to undertake a mine gas risk assessment in accordance with CL:AIRE – Good Practice for Risk Assessment for Coal Mine Gas Emissions; October 2021 and implement any recommended findings”.

The aforementioned information would be included as a mix of informative notes and a condition on any given consent. Provided the advice and condition is adhered to, the development is considered to accord with Policy EN8 of the Neath Port Talbot Adopted Local Development Plan.

Flooding

A search of the site constraints has identified that 10 Deeley Road is situated within Natural Resources Wales (Flood Map for Planning) Surface Water & Small Watercourse Risk Zone: Flood Zones 2 & 3. Paragraph 6.1. of Technical Advice Note (TAN) 15 states: '*A Flood Consequences Assessment is required for any development proposal located fully or partly in Surface Water and Small Watercourses – Flood Zones 2 & 3*'. Notwithstanding this, TAN 15 does advise that Local Authorities may exercise some discretion for householder applications where the risk may be lower due to the nature of the development being proposed. In this instance, it does not appear that a development of the scale and nature indicated would have an adverse impact, such that would justify the Local Planning Authority requesting a Flood Consequences Assessment.

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:

- While the proposed development would result in some reduction in sunlight to the neighbouring property at certain points of the day, which has been assessed in amenity terms, any consequential impact on internal heating requirements or energy efficiency is not a material planning consideration.
- In response to concern raised that the submitted plans are inaccurate and misleading as they do not detail all of the existing window and door openings present within the south-eastern side elevation of 9 Deeley Road, under planning there is no obligation for developers to include details of the siting of openings on adjacent properties within their submitted drawings. The case officer has undertaken several site visits to the properties throughout the course of considering this application and is aware of the presence of the windows/door in question. Consideration has been given to the potential impact of the development upon these openings and the respective rooms they serve within this report.
- The objectors statement that the change from a pitched roof to a flat roof does not alleviate any of the objections they have made is noted.
- In response to the query that the materials listed under the proposed plans with regard to roof covering reference pitched roof when the proposal seeks a flat roof, the agent has rectified this on the submitted drawings.
- With regard to the concern raised that the flat roof could be used as a roof terrace/ balcony, which would overlook their property and windows, causing a

lack of privacy and becoming a noise issue, it should be noted that a roof terrace / balcony does not form part of this planning submission. Planning permission would be required for the creation of a balcony/roof terrace and as such if the applicant or any future occupiers were to propose such a use, this would be subject to a formal planning application whereby an assessment of the potential impact would be undertaken. A suitably worded informative will be added to any decision notice advising the applicant of this requirement.

- The concern raised that the extension would restrict light to the entire outside pathway leading to health and safety and security concerns for this area and areas deeper within the property is noted. While it is accepted that fears to personal safety and the impact of such fears on residents' well-being can be material considerations, such concerns must be substantiated by robust evidence. No substantive evidence has been presented to demonstrate that the proposed extension would directly lead to security concerns and regard must be given to works which could be undertaken without the need for planning permission. In this instance, a 2m high wall/fence could be installed on the boundary between 9 & 10 Deeley Road without the need for planning permission. Such a development would provide an equivalent level of screening as that of the proposed extension. It is also noted that there are windows located within the south-east side elevation of 9 Deeley Road which directly overlook the area in question.
- Regarding the objection raised on the grounds that the proposed development would impact the wellbeing of the residents of 9 Deeley Road, I note that the Authority cannot account for the individual circumstances of the surrounding residents, or the perception they may hold of the impact of the development upon their wellbeing. Notwithstanding this, residential amenity has an important influence on the wellbeing experienced by residents. Due consideration has been given to the potential impact of the development upon the residential amenity of the surrounding properties, and it has been concluded that the development as a whole would not have a detrimental impact upon the residential amenity of the occupiers of 9 Deeley Road.

It is considered of relevance to note that within their consultation response, the Authority's Contaminated Land Officer also provided the following advice:

"Due to the age of the property, there is the potential that asbestos may have been used within the structure and potentially the surrounding lands. It is the responsibility of owners/developers to determine the extent of any asbestos and/or contamination on site and ensure safe development and secure occupation."

I would also recommend that the developer consider the following:

Asbestos Potential – Advisory

If at any stage during the development, the presence of asbestos is suspected, the work should stop immediately and the material should be investigated. Details are required to

be submitted to Building Control prior to commencement of works to ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

Footnote: *Asbestos cement sheet and textured coating (artex) materials may be removed by non-licensed contractors, but should be done in accordance with the guidance: <https://www.hse.gov.uk/pubns/guidance/a14.pdf> HSE - Asbestos: Asbestos essentials Most other asbestos materials must be removed by a contractor licensed by the Health and Safety Executive”.*

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 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 (Design) and TR2 (Design and Access of New Development) 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.

RECOMMENDATION

Approved

Subject to the following conditions/reasons, which have been imposed for the reasons stated:-

Time Limit Conditions

- 1 The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

List of Approved Plans

- 2 The development shall be carried out in accordance with the following approved plans and documents:
- Site Location Plan, drawing no. CPD-001, dated 19-09-2025.
 - Existing & Proposed Site Plans, drawing no. CPD-002, dated 19-09-2025.
 - Existing Elevations & Floor Plan, drawing no. CPD-003 Revision B, revised 01-04-2026.
 - Proposed Elevations & Floor Plan, drawing no. CPD-004 Revision C, revised 23-04-2026.
 - Green Infrastructure Statement, dated 23rd September 2025.

Reason:
In the interests of clarity.

Action Conditions

- 3 The approved scheme of ecological enhancement indicated within the Green Infrastructure Statement dated the 23rd of September 2025 shall be implemented prior to the first beneficial use of the development hereby approved and retained thereafter for the lifetime of the development.

Reason:
In the interests of Biodiversity and to provide a net benefit to Biodiversity in accordance with Policy 9 of Future Wales and so as to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 4 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 Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Development of Land Affected by Contamination Developers Guide 2023. 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 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.

Case Officer Daisy Tomkins

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Date of Recommendation 14th May 2026