

OFFICER REPORT

Application Number: P2026/0043

Site Address: 53 Briton Ferry Road Neath SA11 1AR

Proposal: Proposed change of use of existing ground floor commercial unit and first floor flat (use class C3) into 1 no. 3-bedroom dwellinghouse (use class C3)

Applicant: Mr Grahame Mann

Agent: Mr William James

Ward: Neath East

Application Type: Full Plans

Valid Date: 26th January 2026

Statutory Expiry Date: 22nd March 2026

Ext. of Time / PPA date: 12th June 2026

Publicity Expiry Date:

RECOMMENDATION - Approved

SITE AND CONTEXT

The application site is located at 53 Briton Ferry Road, Neath, and comprises of a mixed use property which benefits from a commercial unit at ground floor – most recently used as a chiropodist – and a residential flat which encompasses the first floor and loft space.

The site is bound by residential dwellings to the south and west, and fronts onto the class 'A' highway referred to as 'Briton Ferry Road' which runs to the north. The property to the east of the site comprises of a public house, beyond which lies an intermittent mix of residential and commercial units.

DESCRIPTION OF DEVELOPMENT

This is a full application proposing to change the use of the existing ground floor commercial unit and upper floor flat into 1 no, 3-bedroom dwellinghouse (use class C3).

The proposal seeks to utilise the existing floor area of the property, providing a living room, dining room and kitchen at ground floor level, with two bedrooms and a bathroom situated at first floor level and the third bedroom situated within the existing converted loft space.

The majority of the works associated with the change of use would comprise of internal alterations, with the proposal largely seeking to utilise the existing window and door openings. Notwithstanding this, the proposal would include some minor fenestration alterations comprising of; replacing an existing first floor window opening with a tilt and turn style window in place of a top-opener and removing the timber 'shopfront' style façade on the principal elevation and making good with render to match the existing property.

NEGOTIATIONS

During the application process, concerns were raised that the initial proposal to retain the timber 'shopfront' style façade on the principal elevation did not reflect the usual appearance of a residential dwelling. The applicant opted to amend the proposal to include the removal of this feature. Further information was also requested to justify the loss of the commercial unit, which was subsequently provided by the agent.

PLANNING HISTORY

The application site has the following relevant planning history: -

- N1988/0929 Change of use from Tailors Furriers to Orthotics Lab with rear clinic facilities, approved 24-FEB-89.

CONSULTATIONS

Neath Town Council - no response received.

Natural Resources Wales - no objection.

The Lead Local Flood Authority - no objection.

Dwr Cymru Welsh Water - no objection subject to standard condition and advisory note.

REPRESENTATIONS

The neighbouring properties were consulted via letter on the 18th of February 2026 & the 27th of April 2026.

In response, 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:

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

The following guidance is of particular relevance in the assessment of this planning application:

5.4.15 Whilst employment and residential uses can be compatible planning authorities should have regard to the proximity and compatibility of proposed dwellings to existing industrial and commercial uses to ensure that both residential amenity and economic development opportunities are not unduly compromised.

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.*

3.10 *In areas recognised for their particular landscape, townscape, cultural or historic character and value it can be appropriate to seek to promote or reinforce local distinctiveness. In those areas, the impact of development on the existing character, the scale and siting of new development, and the use of appropriate building materials (including where possible sustainably produced materials from local sources), will be particularly important.*

3.14 *Site and context analysis should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment. The analysis process will highlight constraints and opportunities presented by existing settlement structure and uses, landscape, biodiversity, water environment, movement, infrastructure, materials and resources, soundscape and built form which will need to be considered when formulating proposals.*

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) 15: Development, Flooding and Coastal Erosion

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 SP3** Sustainable Communities
- **Policy SP15** Biodiversity and Geodiversity
- **Policy SP20** Transport Network
- **Policy SP21** Built Environment and Historic Heritage

Topic Based Policy

- **Policy SC1** Settlement limits
- **Policy SC2** Protection of Existing Community Facilities
- **Policy EN6** Important biodiversity and geodiversity sites.
- **Policy EN7** Important Natural Features
- **Policy TR2** Design and Access of New development
- **Policy BE1** Design

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 principle of development, together with the impact on the visual amenity of the area, the amenities of neighbouring residents, highway safety, biodiversity, flood risk and drainage.

Principle of Development

The application site is located within settlement limits as designated within the Neath Port Talbot Local Development Plan. Policy SC1 of the LDP outlines that *development within settlement limits that is proportionate in scale and form to the role and function of the settlement as set out in the Settlement Hierarchy will be acceptable in principle*. The principle of development is therefore considered acceptable subject to compliance with other relevant planning policies.

It is noted that the proposed use would result in the loss of a commercial unit. The application site is not located within a designated retail centre and as such Policy R2 (Proposals within Retail Centres) of the Neath Port Talbot Adopted Local Development Plan is not considered applicable to this application. Policy SC2 of the Neath Port Talbot Adopted Local Development Plan is considered applicable, however. The aforementioned Policy seeks to protect existing community facilities as whilst the supporting text stipulates that *for the purposes of this policy, any facility that serves a community purpose can be defined as a community facility, including community halls,*

libraries, local or village shops, public houses and places of worship, it is noted that the term community facilities is wide-ranging and can also include health and social care facilities which a chiropodist use could be argued to fall within.

Policy SC2 states *any proposals which would result in the loss of an important existing community facility will only be permitted where it can be demonstrated that:*

- 1. The facility is surplus to requirements; or*
- 2. The existing use is no longer viable*

Where a facility performs (or has performed) an important or central function in the life of the local community, any change to non-community use will be resisted unless it can be demonstrated that the facility is no longer viable or needed by the community and that there is no potential that the building can be used for an alternative or shared community use. Policy SC2 clarifies that *the type of evidence required will vary depending on the type of facility under consideration, but may include details of why the building is no longer in use, what provision there is locally, what other community options have been considered for the building and evidence to show that reasonable efforts have been made to market the facility for sale or lease for its existing use.*

The information submitted in support of this application indicates that the property was purchased by the owner in 1991 and at the time of purchase it was derelict, with the last known use being a chiropodist at ground floor and a first floor residential flat. The property remained derelict up until 2012, when after minor renovation works it was put on the market for rent as a mixed commercial and residential unit, but no offers were received for the commercial unit. The residential unit was rented out separately from 2012 up until two years ago when the tenant moved. The information submitted indicates that the property was marketed as a commercial property across a period of 10 years by a commercial and residential letting agent, via their website and facebook. Mapping imagery also shows the presence of a letting board displayed in August 2025. In response to the advert, two enquiries were received, both of which stated that the space was too small for their needs, and no offers were received. The period of vacancy, spanning approximately 35 years and the alleged absence of interest in a commercial use is considered sufficient argument to demonstrate that the ground floor commercial use is surplus to requirements. The period of vacancy also makes it difficult to argue that the loss of the commercial unit would result in the loss of a community facility, as the building evidently has not served the community for an extensive period of time.

Taking the aforementioned information into account, whilst the preference of the Local Planning Authority would be that the commercial use of the premises be retained and utilised, on balance it is considered that sufficient evidence has been demonstrated to prove that the commercial use is surplus to requirements. As such, the principal of the proposed change to residential use would be in accordance with Policy SC2 of the Neath Port Talbot Adopted Local Development Plan.

Impact on Visual Amenity

The application property lies within a mixed residential and commercial use area and as such it is not considered that the use of the property solely for residential purposes would appear out of character with the surrounding site context. The only external works associated with the proposed change of use would be the replacement of an existing top-opening window with a tilt and turn style window and the removal of the timber 'shopfront' style façade. The alteration to the rear first-floor window would be minor in nature and is not considered to alter the appearance of the application property. The proposed alterations to the principal elevation would be more reflective of the residential use of the property, and the intended use of matching render to 'make good' the façade is considered to enhance the design. The proposal is therefore considered to accord with Policy BE1 of the Neath Port Talbot Adopted Local Development.

Impact on Residential Amenity

The proposal seeks to utilise the existing floor area of the property and no extensions are proposed in order to facilitate the development. As such, it is not considered that the proposal would result in an overbearing or overshadowing impact upon any of the surrounding properties above and beyond that of the existing, established relationship.

With regard to privacy, it is noted that the proposal seeks to alter the internal layout of the property, which will result in the rear first floor room of the property being utilised as a bedroom in place of its current use as a W/C. The Council's Householder Design Guide states that in order to safeguard privacy, a minimum distance of 21m should be retained between directly overlooking habitable room windows on that the application property and those in any existing property. The distance between the first floor rear bedroom window in question and the properties to the rear meet the required 21m separation distance and therefore it is not considered that any overlooking impact would arise.

Taking the aforementioned information into account, the development is considered to accord with Policy BE1 of the Neath Port Talbot Adopted Local Development Plan.

Parking and Access Requirements and Impact on Highway Safety

Whilst it is noted that no parking scheme has been submitted as part of the application, consideration has been given to the fact that the site does not have the capacity to accommodate off-street parking provision, evidenced in the fact that the existing commercial unit currently has no off-street car parking facilities.

It is considered that the proposed change of use to a single residential unit would result in fewer trip generations than that typically expected from a mixed use commercial and residential unit and no greater pressure on the existing on-street parking facilities. Regard has also been given to the proximity of the development to Neath Town Centre, with the site being within short walking distance to a wide range of facilities that may be

used on a daily or regular basis by residents of the development, which includes retail, leisure, education, employment, and medical facilities. The application site is also located within close proximity to public transport bus and rail routes. The proposal is therefore not considered to impact upon the existing highway and is considered to accord with Policy TR2 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.

In this case the development will provide a bird box installed on the rear elevation, which will be secured by a suitably worded condition.

Flood risk

A search of the site constraints has identified that 53 Briton Ferry Road is situated within Natural Resources Wales (Flood Map for Planning) Surface Water and Small Watercourse Flood Zones 2 & 3. The Flood Map for Planning also identifies the application site to be at risk of flooding and within Flood Zone 2 and 3 (Rivers/Sea).

Natural Resources Wales were consulted as part of the application process and offered the following response:

***“We have no objection to the proposed development as submitted and provide the following advice.*”**

Flood Risk

The planning application proposes a highly vulnerable development, namely the change of use of an existing ground floor commercial unit and first floor flat into a 3-bedroom dwellinghouse. The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 2 and 3 (Rivers/Sea).

Given the scale and nature of the proposed development (and in the absence of a flood consequences assessment) we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences. We would also expect the developer to take the opportunity to incorporate flood resilient design where feasible.

The Applicant may wish to undertake a Flood Consequences Assessment for their own benefit, to explore suitable options for incorporating flood resistance and/or resilience measures into the design and to develop a flood plan for the occupants.

Guidance on resilient design can be found in Chapter 13 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025, which references advice from Construction Industry Research and Information Association, including a Code of Practice and Guidance for Property Flood Resilience.

We provide advice on our website Natural Resources Wales / Preparing for a flood which may be useful for the developer or occupant of the proposal”.

Based upon the aforementioned consultation response from Natural Resources Wales it was not considered necessary to request a Flood Consequences Assessment relating to Flood Zones 2 and 3 (Rivers/Sea). The advice given by Natural Resources Wales within their response will be included as advisory notes on any given consent.

The Lead Local Flood Authority comments on matters where development lies within surface water and small water courses flood zones. Within their initial consultation response, the Lead Local Flood Authority requested that a Flood Consequences Assessment be submitted. A Flood Consequences Assessment was subsequently submitted by the applicant and sent to the Lead Local Flood Authority for comments, who responded with no objection on the grounds that *the proposed development involves a change of use of an existing building, with no increase in footprint, no raising of ground levels, and no alterations to the floodplain storage or flood routes, and as such the proposal is not considered to increase flood risk elsewhere.*

Drainage

In response to the public consultation, Dwr Cymru Welsh Water provided the following consultation response:

“After reviewing the submitted information, it appears that the proposed would utilise an existing connection with no change in footprint of the existing premises, in light of this no additional connections to the public sewer would be permitted.

*Nonetheless, for the avoidance of doubt, we would request if minded to grant planning consent that the following **Condition and Advisory Notes** are included to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets:*

Condition

No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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.*

Advisory Notes

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water and sewerage connections.

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

As of 7th January 2019, this proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. In the event this proposed development amounts to a total impermeable area of 100sqm or more, approval of Sustainable Drainage Systems (SuDS) features will be required in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It would therefore be recommended that the developer engage in consultation with Neath Port Talbot Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991”.

The recommended condition and advisory note will be attached to any given consent.

Other Matters

Within their consultation response, Natural Resources Wales advised that their comments relate to matters which are included on their consultation topics list and that they do not rule out the potential for the proposed development to affect other environmental interests that are not included on this list. They subsequently advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development and direct them to refer to their website for further details. This will be included as an informative note on any given consent.

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 visual amenity of the area, the amenities of neighbouring residents, highway safety, biodiversity, flood risk and drainage. Accordingly, the proposed development is in accordance with Policies SP3, SP15, SP20, SP21, SC1, SC2, EN6, EN7, TR2 & BE1 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040, specifically Policy 9 (Resilient Ecological Networks and Green Infrastructure) 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:
 - Location Plan, dated 26-JAN-2026.
 - Proposed Layout, drawing no. 2026/01, received 24-APR-2026.
 - Existing & Proposed Elevations Rev A, drawing no. 2026/01, received 24-APR-2026.
 - Existing Layout, drawing no. 2026/01, received 24-APR-2026.
 - Green Infrastructure Statement, dated 24/03/2026.
 - Flood Consequences Assessment, dated May 2026.

Reason:

In the interests of clarity.

Action Conditions

- 3 Notwithstanding the submitted details, prior to the first beneficial use of the development hereby approved the approved scheme of ecological enhancement indicated within the Green Infrastructure Statement dated the

24th of March 2026 shall be implemented and shall be retained as such 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 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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 accord with policy EN8 of the Neath Port Talbot Adopted Local Development Plan.

Case Officer Daisy Tomkins

Telephone No. 01639 686747

Date of Recommendation 22nd May 2026