

SITE AND CONTEXT

The application site comprises a single storey ice cream parlour and restaurant known as Café Remos, with an adjacent outdoor seating area partly covered by canopies. The property is located in Sandfields on the promenade with Aberavon Beach to the southwest. Aberavon Aquasplash is located to the northwest, to the southeast is grassed landscaping with a surf school approximately 30m away and to the northeast is public car parking and The Princess Margaret Way. The site and surrounds are relatively flat though raised above the beach by the sea wall.

The application site is located within of the settlements boundary as defined by Policy SC1 of the NPTCBC LDP.

DESCRIPTION OF DEVELOPMENT

Planning consent is sought for the construction of an aluminium framed pergola with a retractable roof.

The pergola is proposed to be attached to the southwest elevation of the restaurant facing the beach. It would be sited on an existing raised platform/patio which is 30cm high and is currently enclosed by a glass balustrade with metal rails.

The pergola would project outwards 2m from the elevation of the restaurant with a width of 11m, an eaves height of 2.3m and would adjoin the restaurants side elevation at a height of 2.6m. The pergolas main, southwest facing elevation would be segmented into three, the easternmost two of which would feature glass balustrades with a height of 1.1m and open above, and the westernmost segment which would remain open over the access steps into the restaurant. The roof of the pergola would feature a retractable PVC awning.

NEGOTIATIONS

It was suggested to the applicant that the pergola frame be coloured teal to match the existing fenestration of the restaurant, however the applicant wished to pursue a white finish which would match the railings and street furniture on the promenade and also the existing canopy poles over the outdoor seating area.

The potential of altering the steps to the southeast entrance to a ramp though the applicants builders said that there would be insufficient room to install a ramp with a suitable gradient and that alternative wheelchair access from the restaurant to the promenade was available.

Glass balustrades have been incorporated in the design since the application was first submitted.

PLANNING HISTORY

The application site has the following relevant planning history:

P2003/0628 – Ice Cream Parlour/Restaurant. Approved 10/7/03

P2005/1129 - ADDITION OF SHUTTERS & BIN STORE & MINOR AMENDMENTS TO EXISTING FULL PLANNING PERMISSION 03/628. Approved 24/6/05

P2009/0543 – SINGLE STOREY EXTENSION TO SOUTH EAST ELEVATION. Refused 26/6/09

P2010/0987 - SINGLE STOREY EXTENSION TO SOUTH EAST ELEVATION. Approved 29/10/10

P2013/0211 - Single storey extension to promenade elevation Approved 16/4/13

P2013/0662 – Single storey side extension. Approved 28/8/13

CONSULTATIONS

None

REPRESENTATIONS

A site notice was displayed adjacent to the site on 6/5/26

In response, to date, no representations been received.

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 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

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.

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

- TAN 12 – Design

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

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

The proposed pergola would be constructed with a powder coated white aluminium frame with glass balustrade on the main elevation and off-white/sand coloured PVC retractable roof. The roof material would match that of the sail shades of the existing canopies over the outdoor seating area. It should be noted that the sail shades are currently being replaced. The white powder coated frame would be in keeping with the white sea wall railings and street furniture along the promenade as well as the canopy poles of the outdoor seating area.

The proposed pergola is moderate in scale in relation to its host structure with materials that would not detract from existing restaurant. It is considered that the

proposal would have minimal additional visual impact and is therefore acceptable in this regard.

Impact on Residential Amenity

With regard to the closest residential property, 13 Bay View Close to the north is located approximately 80m from the proposed pergola. The existing restaurant completely screens the proposal from this property such that there is no overlooking, overshadowing or overbearing impacts on this property.

Taking the above into account, it is not considered that the development will adversely affect the residential amenity of any of the surrounding properties. It is therefore considered that the proposal would comply with Policy BE1 of the Local Development Plan.

Parking and Access Requirements and Impact on Highway Safety

Given that the proposal has not altered the parking requirement from the existing use nor displaced any existing parking it is considered that the proposal would be acceptable in terms of highway and pedestrian safety. The development would therefore accord with Policy TR2 of the Neath Port Talbot 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.

A green infrastructure statement was submitted in support of this application and will provide a bird box attached at eaves height on the northeast elevation of the hotel which will be secured by a suitably worded condition.

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.