

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

The Town and Country Planning (Development Management Procedure)
(Wales) Order 2015 (as amended)

HEAD OF ENGINEERING & TRANSPORT

HIGHWAYS OBSERVATIONS

PLANNING APPLICATION NO: 2/3/26/0413/00
APPLICANT: DAVE MUMFORD
LOCATION: KENFIG INDUSTRIAL ESTATE, MARGAM,
NEATH PORT TALBOT, SA13 2PE
PROPOSAL: CONSTRUCTION OF A DUO-PITCHED PORTAL
FRAMED BUILDING TO ACCOMMODATE OFFICE
AND WORKSHOP SPACE WITH A VEHICLE
LOADING BAY AND UNLOADING SERVICE YARD
AND ASSOCIATED CAR PARKING AREA.

The Highway Authority, in responding to the above application, provides the following substantive response:

No comment	☐
No objection (subject to any specified conditions below)	☐
Concerns have been identified (see below for how those concerns can be addressed by the applicant)	☒
Objection – on the grounds set out below	☐

MY HIGHWAYS OBSERVATIONS ON THIS PROPOSAL ARE AS FOLLOWS:-

The proposed scheme is acceptable in principle. However, as it involves the subdivision of a single plot to accommodate the proposed office and workshop development alongside the existing B2 facility (hereafter referred to as the 'donor' site), several details require clarification. Supporting information and plans must be submitted to and approved in writing by the Highway Authority prior to the commencement of any works.

At this stage, the Highway Authority cannot be satisfied that the proposed development will not adversely affect highway safety or the operation of the donor site. While the submitted *Transport Statement* provides a detailed assessment and concludes that the donor site and proposed development can operate independently, with no adverse impact on parking provision, access arrangements or vehicle manoeuvrability, further evidence is required to demonstrate this. The principles set out within Sections 4.2 to 4.4 are accepted in principle. However, a plan should be submitted showing the proposed access arrangements, parking provision and vehicle manoeuvring areas for both sites, specifically addressing the following:

Donor Site

1. A parking plan shall be submitted showing both the existing parking layout serving the donor site and the revised donor site parking layout following the subdivision of the site and construction of the adjacent development, clearly identifying the number, location and allocation of parking spaces retained for the donor site.
2. An updated swept path analysis for highway within the donor site must be submitted to and approved in writing by the Local Planning Authority, using the largest vehicle expected to go site. The tracking must be undertaken using AutoTrack CAD software.

Proposed Development

The proposed construction of an office and workshop is acceptable in principle. The layout, parking provision, manoeuvrability (including submitted swept path analysis), and new access are accepted subject to being built in accordance with submitted drawings and documents, and subject to the following conditions:

3. No development shall commence until details of the proposed highway works have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented under a Section 278 and/or Section 38 Agreement with the Highway Authority prior to the first beneficial occupation of the development (see Note to Applicant).

NOTES TO APPLICANT

Potential Consistency Amendments

Please note that should the submission for the proposed development need to be amended to facilitate the required parking provision, access arrangements, and vehicle manoeuvrability of the donor site, these changes would be required to be reflected on all submitted documents related to the new development site via suitable revisions.

Highway Adoption Agreements

To ensure the road works you are required to undertake are carried out to the satisfaction of the local planning authority you are advised prior to commencing any work on these works to contact the Head of Engineering and Transport at The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG (Highway Development Control Section Telephone No. 01639 686850 or e-mail sab-hdc@npt.gov.uk) to agree the specification, enter an adoption agreement and arrange onsite inspection of your works.

The Final Completion (adoption) Certificate for the required S.278 Agreement of the Highways Act 1980 to facilitate the junction giving access to the development, will not be issued until confirmation is submitted to the Local Planning Authority that a S.104 Agreement of the Water Industry Act 1991 has been completed and is in its maintenance period prior to adoption by DCWW.

Works on the Existing Highway (S.38 / 278 Hybrid)

Developers' attention is drawn to the provisions of Section 278 of the Highways Act, 1980 in cases where a development would require access or other works to be carried out within the existing highway. Where highway works to benefit a development require land adjacent to an existing highway to be constructed upon together with works on the existing public maintained highway, a hybrid S38/278 shall be used. Works that are to be undertaken within the existing public maintained highway only will require a S278 agreement. No Work shall be undertaken on the existing public maintained highway until the appropriate legal agreement has been entered into.

Any works undertaken on the public highway without the appropriate legal agreement with the Highway Authority, the Highway Authority has the right to request the developer to remove and/or reinstate that part of the highway back to its original condition to the satisfaction of the Highway Authority.

A plan detailing the differences between the existing and proposed highway shall be submitted to form part of the legal agreement, this should be made up of two colours, green for the proposed area to be adopted and brown for the existing highway.

Developers are reminded that consent under the Town and Country Planning Act, 1990/91, conveys no approval for works to be undertaken affecting any part of the public highway, including verges and footways. The Developer must:-

- i. Obtain the approval of Neath Port Talbot County Borough Council as Highway Authority for the details of any works to be undertaken in the Public Highway.
- ii. Indemnify the Authority against all claims arising from such works, including claims under the Land Compensation Act.
- iii. Give not less than 1 calendar months' notice in writing of the date of commencement of the works.

As part of this process you are advised that only certain contractors are permitted to undertake the works on the public highway, a list of these contractors are available from the Highway Authority's Highway Development Control Section.

SIGNED: N. Evans DATE: 20/07/2026
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