



DESIGN & ACCESS STATEMENT

**Retention and Completion of works to form a Guest House
(By virtue of commencement of Planning Permission P2005/0449)
with Erection of rear single-storey extension to accommodate spa
facilities, together with formation of an HGV Parking Area, Internal
Access Road, Access Junction Improvements & Associated
Infrastructure
At Land at Tyn-y-Caeau, Margam Road, Margam, Port Talbot**

**On Behalf of
Recycling Plant & Machinery Limited**

Our Ref: 1112c
Date: October 2020
Prepared by Richard Banks

1.0 INTRODUCTION

- 1.1 Evans Banks Planning Ltd. has been instructed by Recycling Plant & Machinery Limited in preparing an application for Full Planning Permission for the “*Retention and Completion of Works to Guest House, (by virtue of commencement of Planning Permission P2005/0449) with erection of rear single-storey extension to accommodate spa facilities, together with formation of a HGV Parking Area, Internal Access Road, Access Junction Improvements & Associated Infrastructure*” at Land at Tyn-y-Caeau, Margam Road, Margam, Port Talbot.
- 1.2 This submission is a re-application of P2020/0601 which was refused planning permission on 15th October 2020. That application was refused on five grounds which the Applicants have since considered and revised the proposals in terms of ecology and tree retention. However, a crucial material consideration has emerged with the discovery that a 2005 planning permission for the use of the buildings on the site as a Guest House is extant by virtue of those works being commenced through the extension and refurbishment of the detached Annexe building. It is considered that such a retained lawful use is such that the Council’s concerns over highway safety and proximity to hazardous installations can be addressed, particularly that the highway works proposed under this application are a significant betterment compared to the absence of any works required to the access under the 2005 planning permission. Notwithstanding these proposals, the Applicants are entitled to lawfully use the property as a Guest House and thus overnight guests will come into proximity with hazardous installations. The Applicants are prepared to receive HSE guidance in such matters and implement appropriate emergency planning protocols.
- 1.3 This Design & Access Statement has been compiled under the provisions of Technical Advice Note (TAN) 12 “Design” (2014) and the Town & Country Planning (GDPO) (Amendment) (Wales) Order 2009, No. 1024: Design and Access Statements: Wales. It has been prepared as part of the planning application and its contents should be read in conjunction with the submitted plans. It has been prepared on the basis of the nature and type of the above proposal, and the proposed scheme has been assessed against the following key areas, as well as the site’s context:
- Character
 - Local Development Plan Policies
 - Environmental Sustainability
 - Movement to, from and within the development
- 1.4 This Design and Access Statement has been prepared following the guidance set out in *Technical Advice Note 12: Design (2014)*.
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2.0 SITE ANALYSIS AND CONTEXT

2.1 SITE ANALYSIS

- 2.1.1 The application site is a former small holding set off the western flank of the A48 Margam Road, upon a section of that road which runs between Junction 38 of the M4 motorway at Margam and roundabout junction with the A4241 "Harbour Way" dual carriageway to Margam Steelworks. The site is some 4 acres in size and accommodates a former detached two storey house with basement level, together with a modern two-storey detached annexe set within a compacted surfaced yard to the south-western corner of the site.
- 2.1.2 The property has been vacant in recent years yet nevertheless remains water-tight, with a full roof covering, window and door openings which have remained secure. The property is conspicuous by its double height bay window to the eastern side gable and high saddle roof. The property is set out internally as a detached house with glass conservatory to its rear. Detached to its western side, lies a two-storey annexe which was extended with the addition of a first floor in 2006 as part of works under Planning Permission P2005/0449 to form Guest House accommodation. The structure contains bedrooms uniformly set out over both floors. **The property has not been used for any other use in the interim, and therefore that planning permission remains valid in perpetuity.**
- 2.1.3 The property is accessed via a long, single width surfaced driveway which runs for several hundred metres off a gated access to the A48 road. Open semi-improved grassland lies either side of the driveway with the landform gently undulating. The perimeters of the site are well-defined, being continuous rows of mature deciduous and evergreen trees, which encircle the site.
- 2.1.4 The property lies with further agricultural land to the south, which also bounds the western flank of the A48 as it descends in dual-carriageway form from the Margam motorway interchange. A wide highway verge is to be found which is equipped with surfaced footway, which also forms part of National Cycle Route 38 and the Wales Coastal Path.
- 2.1.5 Figure 1 below illustrates the setting of Tyn-y-Caeau with access off the A48 Margam Road. Figure 2 provides a Google Earth image which illustrates the property, with its detached annexe, existing forecourt areas, grazing paddock and access driveway. The image also provides an indication of its proximity to the A4241 roundabout interchange which provides access to industrial uses at Margam associated with wood recycling and electricity generation. The industrial estate spine road to that nearby development passes north-west of Tyn-y-Caeau, with a turning head formed, separated from this site's perimeter by a swath of unkempt bramble and shrub.

2.1.6 Photographs 1-4 below provide illustrations of the existing arrangements at Tyn-y-Caeau, and specifically the existing access off the A48, and the open expanse of pasture to the foreground of the house.

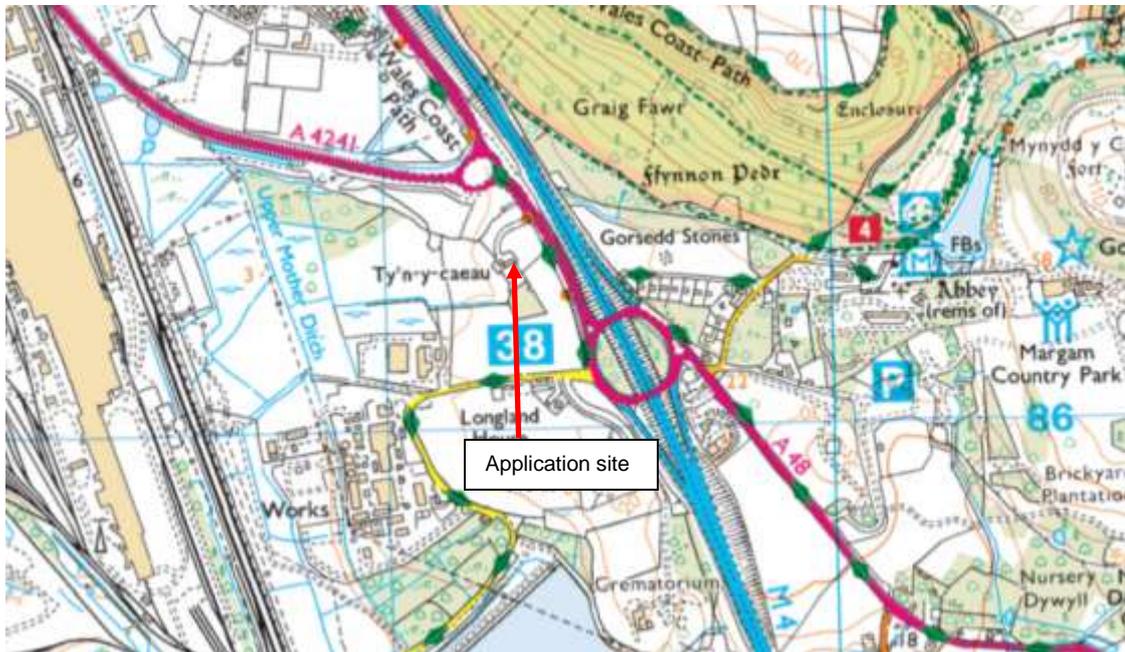


Figure 1 – Ordnance Survey Explorer Map extract



Figure 2 – Google Earth image – June 2018



Photo 1 – view of the existing buildings at Tyn-y-Caeau



Photo 2 – view of side elevation of existing house



Photo 3 – view of existing detached, two-storey Annexe



Photo 4 – view from A48 carriageway to existing site access gates



Photo 5 – existing access gates

3.0 PLANNING POLICY

- 3.1 The development plan in form for the purposes of Section 38(6) of the Planning & Compensation Act 2004 is the Neath-Port Talbot Local Development Plan, which was adopted in January 2016.
- 3.2 The application site is located within the Margam Moors part of Port Talbot as contained within the Plan. The Proposals Map of the LDP is reproduced below as Figure 3 and indicates the land encircled to the north, south and west by allocations for future strategic employment growth, under Policy EC1 and Policy W/1/1 relating to land set aside for potential In-Building Waste Treatment Facilities. The site at Tyn-y-Caeau is unallocated, probably as it is held in private ownership, whereas land adjoining is held in public ownership for future employment growth.

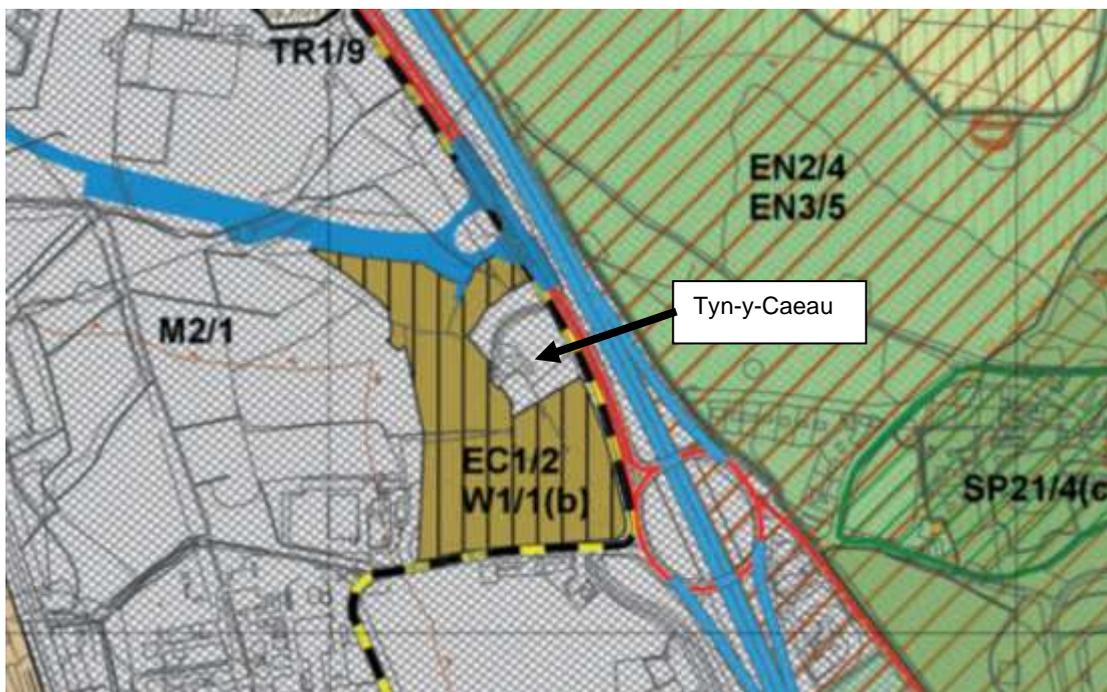


Figure 3 – LDP Proposals Map extract of Margam

- 3.3 Policy EC1 of the LDP earmarks “Land south of J38” as “*The strategic employment allocation at J38 lies to the south of Harbour Way and adjacent to the A48 and M4 and thus benefits from excellent road transport links. The site is near to several existing employment and industrial operations. Harbour Way passes to the north of the allocation improving the transport linkages to the site. It is anticipated that the site will be delivered over the short term.*”
- 3.4 It is noted that the LDP does not contain any direct planning policies or proposals for transport-related schemes aiming to provide for “service areas” or “roadside

facilities”. Instead, LDP Policy TR2 covers all development proposals to pay regard to the need to safely access the highway network, and states that:

Policy TR2 - Design and Access of New Development

Development proposals will only be permitted where all of the following criteria, where relevant, are satisfied:

- 1. The development does not compromise the safe, effective and efficient use of the highway network and does not have an adverse impact on highway safety or create unacceptable levels of traffic generation;*
- 2. Appropriate levels of parking and cycling facilities are provided and the access arrangements for the site allow for the safe manoeuvring of any service vehicles associated with the planned use;*
- 3. The development is accessible by a range of travel means, including public transport and safe cycle and pedestrian routes;*
- 4. Transport Assessments and Travel Plans are provided for developments that are likely to create significant traffic generation.*

3.5 Policy BE1 “Design” is a generic development control policy, applying to all development proposals, and requires proposals to respect the character and setting of the immediate and wider locality.

3.6 Policy SC1 “Settlement Limits” of the LDP provides exceptions by which development proposals can be considered acceptable, stating that:

“Outside settlement limits, development will only be permitted under the following circumstances:

It constitutes a sustainable small-scale employment use adjacent to a settlement limit; or, (criterion 1.), or;

*It constitutes the small-scale expansion of an existing business **or the suitable conversion of an existing building**; (criterion 3.)*

3.7 The Appeal proposals at Tyn-y-Caeau involve the **conversion** and adaptation of two buildings which could provide existing accommodation together with the formation of a hard-surfaced parking area for HGVs and cars. No new buildings are proposed, with the only “new construction” being the replacement of an existing rear conservatory with a single-storey extension.

The external proposals involve the laying of hardsurfacing over approximately 30% of the southern part of the open grassland between the existing buildings and perimeter with the A48 road corridor. Those engineering works are therefore wholly ancillary and subordinate to the proposed use of the host buildings as overnight sleeping accommodation, with daytime café and spa.

3.8 National Planning Policy

3.8.1 National planning policy guidance is provided by Planning Policy Wales (Edition 10) (November 2019), together with selected Technical Advice Notes, with particular attention to guidance provided within Technical Advice Note 23 (Economic Development) (February 2014).

3.8.2 Paragraph 1.2.5 states that *“Local planning authorities should recognise market signals and have regard to the need to guide economic development to the most appropriate locations, rather than prevent or discourage such development.”*

Paragraph 1.2.6 goes further stating *“In line with these principles, there will be instances where the planning system may not provide the land the market demands, and in the places where the market demands it. Some proposed developments or sites may be resisted by planning authorities – for example because they would have unacceptable environmental impacts, divert demand from town centres or would go against agreed spatial strategies. In these circumstances, so far as possible planning authorities (and planning applicants) are encouraged to look for alternative sites which offer the same, or very similar, advantages.”*

3.8.3 The proposals seek to wholly utilise two existing former dwellinghouses and their immediate curtilage to provide a transport-related facility located directly off the M4 motorway and the pivotal node that is Junction 38 at Margam. However, the proposals do not seek to create new buildings, instead the two existing units of accommodation, which already benefit from an extant planning permission to provide a Guest House, will be used without any wholesale alterations. Such a re-use and adaptation is firmly in line with national advice given in paragraph 2.5.1, which states that: *The re-use and adaptation of existing rural buildings has an important role in meeting the needs of rural areas for commercial and industrial development, and tourism, sport and recreation.*

In recognising this, local planning authorities are expected to adopt a positive approach to the conversion of rural buildings for business re-use, especially those buildings located within or adjoining farm building complexes on the basis that:

- *they are suitable for the specific use;*
- *conversion does not lead to dispersal of activity on such scale as to prejudice town and village vitality;*
- *their form, bulk and general design are in keeping with their surroundings;*
- *imposing conditions on a planning permission overcomes any planning objections, for example on environmental or traffic grounds, which would otherwise outweigh the advantage of re-use;*
- *if the buildings are in the open countryside, they are capable of conversion without major or complete reconstruction;*

- *conversion does not result in unacceptable impacts upon the structure, form, character or setting where the building is of historic and / or architectural interest.*

- 3.8.4 The Appellants have carefully considered the need and demand for such facilities and noted that there **are no dedicated truck stop facilities within Neath-Port Talbot, let alone neighbouring Swansea or Carmarthenshire**. Limited truck driver facilities are available at Sarn Park services near Bridgend. Instead, it is noted that HGV drivers are parking overnight in lay-bys, such as off the opposite flank of the A48 at Margam. There are no facilities in which truck drivers can park and enjoy a daytime break, or an overnight stop, with guest room facilities.
- 3.8.5 Port Talbot is dependent on a whole range of employment uses, needing 24/7 access to the M4, and the facility at Margam would serve those drivers without placing the movement of HGVs into contact with residential properties and also the movement of the adjoining Strategic Employment Site, should it come into fruition in line with the LDP, as outlined below at paragraph 3.2.2.
- 3.8.6 The Applicants have liaised with the “**Freight Transport Association**” and the “**Welsh Freight Council**” who both highlight the need in South Wales to promote satisfactory overnight facilities for Freight drivers. The site is an excellent example of a location with easy access of the M4 and sufficient space to provide facilities in an existing residential property, but without impinging on any nearby residential neighbourhood. The site lies more akin to the adjoining commercial uses than the residential area of Margam located further north.

4 DEVELOPMENT PROPOSALS

4.1 DESIGN CONCEPT

- 4.1.1 The proposals seek to provide for a Retention and Completion of the works granted planning permission in 2005 under Planning Permission P2005/0449. Those works commenced through the extending of the detached annexe from what was a flat-roofed set of studio apartments by adding a whole new first floor and surmounting the building with a pitched roof. The Local Authority's Building Control Section issued a Completion Notice under the Building Act in 2006 for those works, and by doing so verified the date upon which the planning permission had been not just commenced but partly completed, and all within 5 years from the date the 2005 planning permission was granted.
- 4.1.2 By virtue of those works, the Applicants could merely recommence refurbishment works to the older former house and begin using the site as a commercial Guest House. It is noteworthy that the 2005 planning permission did include any proposals to improve the existing vehicular access onto the A48. Instead, visitors and overnight guests to the Guest House would continue to enter and exit the site via the existing arrangement, and pair of double gates located just off the A48 carriageway verge.
- 4.1.3 The Applicants nevertheless wish to promote the Guest House as one where HGV drivers can stop and enjoy an overnight stay and / or meal as well as general washing and toilet facilities. The proposals will make continue to make use of the existing buildings, by forming a transport hub and service area for HGV drivers and other motorists. The existing two-storey buildings will continue to accommodate overnight Guest House use, coupled with a café, and serving bar at ground and lower floor levels. Figure 4 below illustrates the current floor arrangement at Tyn-y-Caeau and multiple rooms within the property. Figure 5 illustrates a scheme to convert the first-floor space to 8 guest rooms, together with the removal of the rear conservatory to form an extension, introducing spa facilities for overnight guests. An additional 8 guest rooms can be provided within the two-storey annexe as shown in Figures 6 and 7, with the only alterations being internal sub-division of rooms to create en-suite bathrooms.

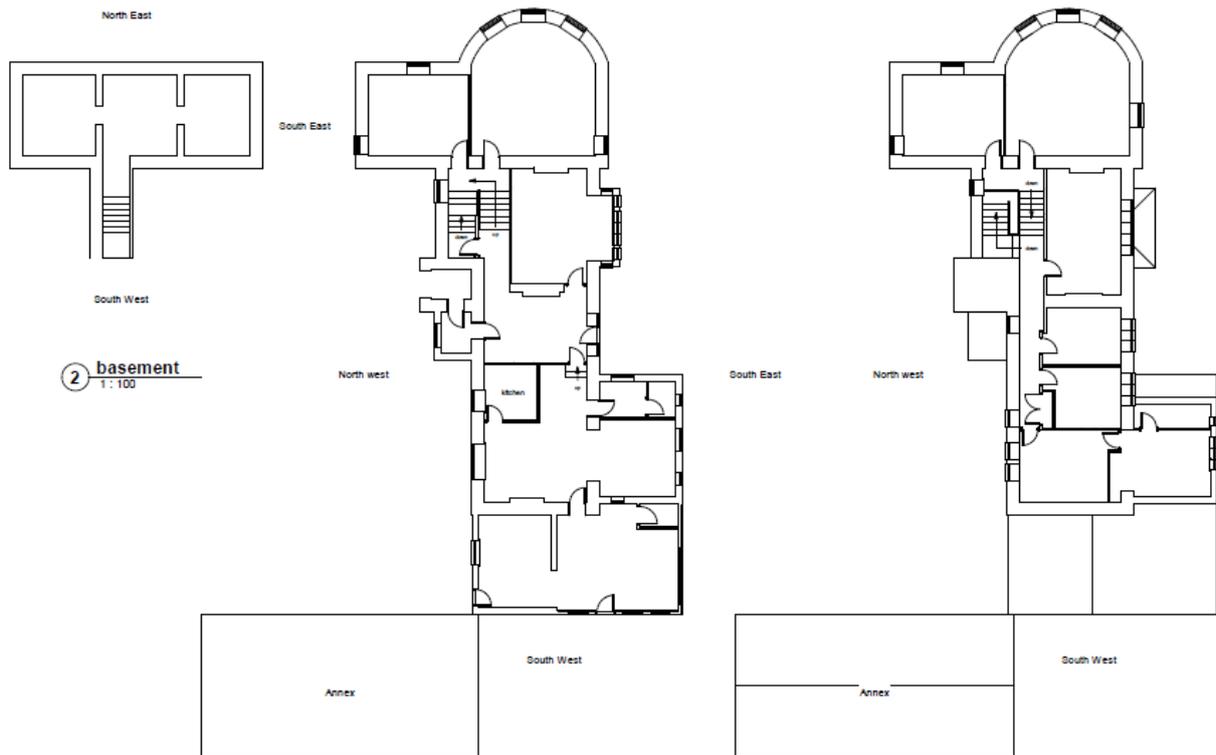


Figure 4 – existing floor layout within House

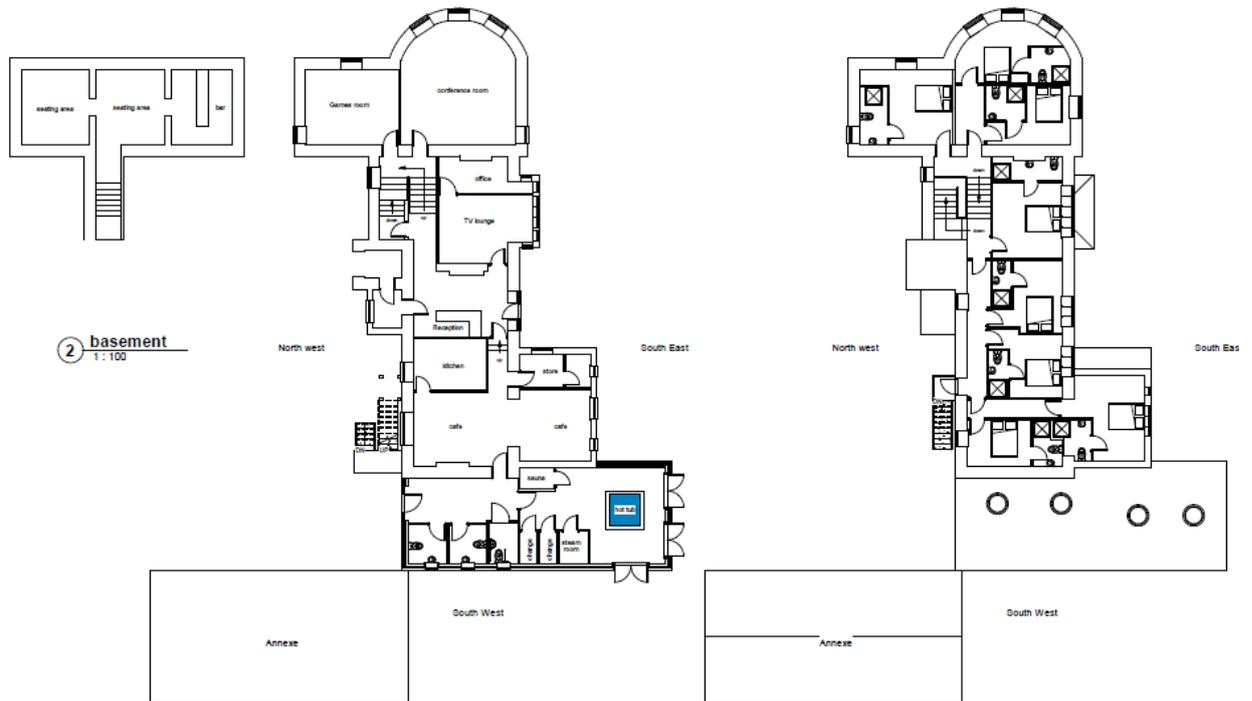


Figure 5 – proposed floor layout of Guest rooms, café and ancillary spa.



Figure 6 – existing Annexe floor layouts



Figure 7 – proposed Annexe floor layouts

- 4.1.4 The proposals would allow for all guests to utilise the ground floor café which extends into the basement area where a licenced bar could function. The ground floor could also provide meeting facilities and networking opportunities with those rooms let out to motorists also enjoying the other facilities at Tyn-y-Caeau.
- 4.1.5 The proposed site layout reveals that HGV parking can take place away from the expansive tree perimeters and their respective root protection zones. Parking for up to 21 HGVs can take place about the eastern and central areas within the site, whilst still allowing the majority of open pasture to remain undeveloped. Appropriate sustainable drainage measures are proposed to ensure pollution control of ground waters and the effective disposal of surface water. Figure 8 below provides an extract of the site layout plan.



Figure 8 – Proposed site layout of the Truck Stop

- 4.1.6 The Applicants have carefully considered the need and demand for such facilities and noted that there are no dedicated truck stop facilities within Neath-Port Talbot, let alone neighbouring Swansea or Carmarthenshire. Limited truck driver facilities are available at Sarn Park services near Bridgend. Instead, it is noted that HGV drivers are parking overnight in lay-bys, such as off the opposite flank of the A48 at Margam. There are no facilities in which truck drivers can park and enjoy an overnight stop, with guest room facilities.
- 4.1.7 Port Talbot is dependent on a whole range of employment uses, needing 24/7 access to the M4, and the facility at Margam would serve those drivers without placing the movement of HGVs into contact with residential properties and also the movement of the adjoining Strategic Employment Site, should it come into fruition in line with the LDP.
- 4.1.8 The Applicants have liaised with the “**Freight Transport Association**” and the “**Welsh Freight Council**” who both highlight the need in South Wales to promote satisfactory overnight facilities for Freight drivers. The site is an example location,

with easy access of the M4 and sufficient space to provide facilities in an existing residential property.

4.2 SCALE

- 4.2.1 The submitted site layout provides an illustration of the existing footprints of the Tyn-y-Caeau former dwellinghouse and adjacent Annexe. Under these proposals, neither building will be altered in scale. The existing buildings will merely be converted as they would continue to be under the permitted 2005 Guest House proposals, with the only significant change being the removal of the rear conservatory to be replaced by single-storey spa extension, together with external fire escape stairwell to the side elevation as shown in Figures 9 and 10 below.



Figure 9a – proposed unaltered scale of existing property, to be retained as a Guest House with café and spa facilities.



Figure 9b – proposed rear elevation with replacement single-storey addition

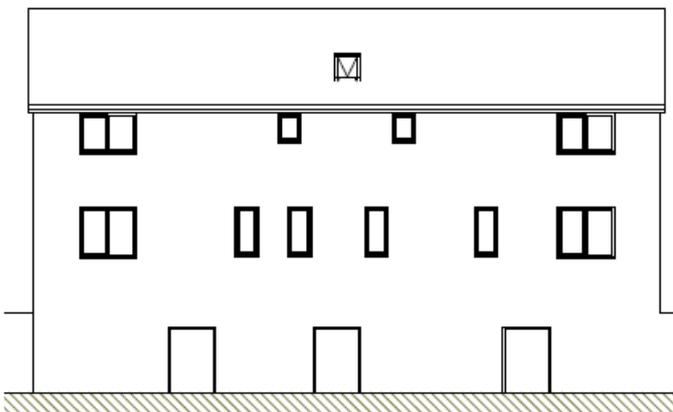
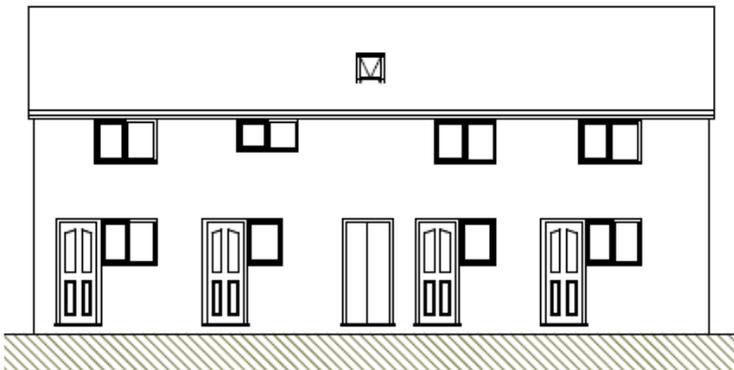


Figure 10 - existing scale of detached Annexe to remain unchanged

4.3 LAYOUT OF DEVELOPMENT

- 4.3.1 The proposals as displayed within the submitted site layout illustrate the widening of the existing access driveway and straightening of its initial section to allow satisfactory use by HGVs. A small area of vegetation would have to be cleared to widen the existing gates onto the A48 carriageway. The road is “one-way” at this point with all vehicles having to enter from the north and exit to the south. This section of highway offers several hundred metres of visibility to allow for adequate sight of oncoming vehicles, together with deceleration of vehicles to negotiate turning radii which is proposed to be widened to 20 metres.
- 4.3.2 The proposals will also allow for all existing trees on the site to be **fully retained**, with the HGV and car parking carefully positioned carefully sited to avoid contact with root protection areas.
- 4.3.3 The proposals also allow the existing car parking spaces to be retained in their current position set off Guest House and annexe buildings. The application proposals are also accompanied by extensive drainage measures to dispose of surface water by sustainable means. Percolation testing has revealed good infiltration results on site, with an attenuation basin introduced to act in storm conditions and also for biodiversity gain following the removal of parts of the semi-improved grassland. The drainage measures have largely dictated the site layout as has the need to respect tree integrity,

4.4 APPEARANCE

- 4.4.1 The proposals illustrate for the two existing buildings to be retained in painted render, grey tiled roofs and with oak-coloured upvc windows. Views from the public highway are very restricted as a consequence of the distance of some 100 metres from the A48, but also due to the high, mature tree lines about all perimeters.
- 4.4.2 Views of the two buildings will therefore remain largely unchanged, with both buildings appearing enhanced with fresh external painting, roof coverings and new doors and windows, but set in original frames.

4.5 LANDSCAPE DESIGN

- 4.5.1 It is considered that the proposals offer a transport service facility which seeks to integrate with the Strategic Employment surroundings with an existing residential property and its Annexe being utilised and improved. Tyn-y-Caeau is unique in this sense, in that it is potentially surrounded by new employment development but retains its excellent linkage with the A48 and M4.

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- 4.5.2 The proposals will provide for a **retention of perimeter trees and hedgerows**, and specifically the A48 roadside, which will prevent passing motorists, walkers and cyclists from views into the site, and of parked HGVs. Nevertheless, those HGVs will be parked on existing ground levels, which is compatible with the A48 road levels, and thus will not appear pronounced or conspicuous at this location.
- 4.5.3 The site will continue to allow the northern and central tracts of semi-improved grassland to remain undeveloped and thus promote a visually pleasing foreground to the proposed Truck Stop proposals concentrated about the Guest House and Annexe.

5. ACCESSIBILITY

- 5.1 All-inclusive design issues identified have been addressed wholly in compliance with the requirements of the Disability Rights Commission Code of Practice “Rights of Access: Services and Premises” and Part M of the Building Regulations, where applicable. Thereafter full compliance will be maintained in perpetuity.
- 5.2 The proposed Guest House and Annexe re-development is sited over level ground, with the only difference in ground level being over the footprint of the existing Annexe. The Annexe will provide for ground floor guest rooms and thus accessible by all users regardless of mobility. Disabled parking spaces can be provided in close proximity to the two existing buildings.
- 5.3 The development proposal will ensure, wherever possible, that the maximum gradient of driveways and footways to building entrances will be as level as possible, but certainly no more than 1:20, and compliant with Part M of the Building Regulations. The development will be provided with non-slip pathways and laid to a minimum width of 1000mm.
- (a) Car parking spaces will be surfaced firm and level, free from loose stones. Every effort will be made to ensure proposed parking facilities are naturally lit, or use is made of bollard lighting where necessary, identifiable for all users.
 - (b) Hard and soft landscaping of garden and amenity areas will be wheelchair friendly and capable of access for all.

Building Structure

The Guest House and Annexe are two-storey, and the following will apply:

- (a) Access to external doorways will be made available via a short, shallow ramp. It is unlikely due to the site topography that handrails will be

required as accompanying features on the above ramps. Ramps will be flush with door openings and surrounding ground level wherever possible.

- (b) External doorways will be in compliance with Part M of the Buildings Regulations. The entrances shall be clearly identifiable to all users.
- (c) All internal doors will be a minimum of 800mm, with corridors to comply with Part M of the Building Regulations.
- (d) Entrance doors will avoid the use of large glass facades, and doors thresholds will be flush. Door handles will be easy to grip in accordance with Part M of the Building Regulations, and similarly door closures will require a minimum use of force.
- (e) There will be sufficiently a sized turning circle, within ground floor hallways, being a minimum 1200mm diameter allowing for wheelchair maneuverability.
- (f) Wherever possible, wheelchair access to a bathroom and kitchen will be encouraged. The placement of window cills and electrical sockets will have regard to the need for use by all users and be in compliance with the Building Regulations.

5.4 The proposals therefore ensure ease of access for all.

6.0 COMMUNITY SAFETY

6.1 The proposals will allow the Guest House and Annexe to be publicly viewed from the adjacent HGV and car parking areas. Furthermore, the degree of separation between the built form and boundaries of the site will be retained. This ensures that a healthy degree of natural sunlight will flourish.

6.2 The complete lack of overbearance to any neighbouring properties allows the site buildings to sit within their own grounds, which can be security managed from one access point. A sense of natural surveillance will be actively promoted.

7.0 ENVIRONMENTAL SUSTAINABILITY

7.1 The proposals will allow for Guest House residents and visitors to continue to access the site by means of transport other than the private motor car. Accessing the site by foot or bicycle will still be available, following the completion of the Truck Stop.

The site lies upon the “Wales Coastal Path”, which also form NCN 38 at Margam, being part of an integrated cycle network linking to nearby Margam Country Park.

- 7.2 The “X1” public bus services operates every hour along Margam Road, running between Margam and Swansea City Centre.

8.0 CONCLUSION

- 8.1 This Statement has illustrated that the proposals meet the underlying policies of the Neath-Port Talbot Local Development Plan, and specifically make good use of an existing area of land within the grounds of a property which benefits from an extant planning permission to form a Guest House. The proposal for a dedicated Truck Stop serving the existing and proposed Strategic Employment sites of Junction 38 will accord with the Economic Regeneration Strategy promoted at Margam and provide a form of overnight accommodation ancillary to those employment uses, whilst retaining the scale and form of detached house and annexe.
- 8.2 The existing landscaping features of this site, the perimeter trees, will be fully retained and act as a natural buffer to surrounding employment proposals should they be developed. In retaining those features, any ecological interests at the site will also be retained, with an attenuation basin providing an opportunity for biodiversity gain. A Bat Roost will be provided within an existing outbuilding, located off the western perimeter of the site, which will be adapted for such use. The existing trees at the site have also been surveyed for bat use and found to not exhibit any widespread bat population. The proposals also include for a Dormice Mitigation Strategy to allow any potential for such species to be safeguarded.
- 8.3 The converted Annexe has been retained as wholly complementary to the mass, form and design of the host building, and being sited with close proximity to that original structure to benefit from a close inter-relationship of staff and services between buildings. The completion of works in 2006, as confirmed by the Authority’s Building Control Section, is such that even without these proposals the Applicants will seek to continue and complete the Guest House works as approved in 2005. Those works do not include for improvements to the existing access with the A48. The consequences of which are those vehicles entering the site would have to slow down and negotiate the existing access radii to enter the site. Furthermore, upon exit, those vehicles would have to negotiate oncoming traffic under existing conditions.

By contrast, the proposed access will continue off the A48 and significantly improved to ensure safe turning and movement by HGVs and other users. Satisfactory visibility to the south extends for several hundred metres, and thus in compliance with National Highway Planning Policy.

- 8.4 We understand that when considering a previous planning application at this site (Application P2020/0601) that the Health and Safety Executive were concerned that the use of the buildings as overnight guest accommodation would place those individuals at potential risk from a proximity to the nearby BOC Plant off Heol Cae'r Bont to the southwest of the site. Furthermore, the site is crossed near the eastern perimeter with the A48 by a high-pressure gas main line. However, investigations in the summer of 2021 have revealed that **Planning Permission P2005/0449 is indeed extant** by virtue of a Completion Certificate to undertake and complete Guest House works to the detached Annexe. As stated above, the Applicants intend to return to the site and complete the Guest House works. There will be a Guest House in lawful operation at this site regardless of the concerns of the HSE. Nevertheless, the Applicants will take necessary health and safety advice including respecting "emergency planning" advice and protocols should any threat of an incident from those two hazardous installations emerge in the future.
- 8.5 We therefore submit that this Planning Application should be assessed against the contents of this Statement, which has demonstrated that the proposals can comply with Local Planning Policy and be subsequently granted full planning permission, subject to appropriate conditions.