

Superseded

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE)(WALES) ORDER 2012

APPROVAL OF FULL PLANNING PERMISSION

Name and address of the applicant

Neath Port Talbot Council
Neath Port Talbot County Borough Council
C/O Agent

Name and address of the agent

Mr Pete Sulley
Asbri Planning Ltd.
Unit 9
Oak Tree Court
Cardiff Gate Business Park
Cardiff
CF23 8RS
United Kingdom

DATE REGISTERED: 29 July 2019

APPLICATION NO: P2019/5237

LOCATION: Plaza Cinema, Talbot Road, Port Talbot, Neath Port Talbot,
SA13 1DH

PROPOSAL: Partial demolition of the rear section of Grade II listed building, erection of replacement extension and change of use of whole building to mixed use community facility comprising cafe (A3), hall (D2), multi-purpose rooms (D2), gymnasium (D2) and ancillary facilities, 2no A1/A2/A3 units, offices (A2/B1) and associated car parking, cycle store, bin store, employee amenity area, drainage, highways and engineering works. (20/08/19 - Revised plans consultation on Preliminary Risk Assessment Report and associated appendices A-G).

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL as the Local Planning Authority in pursuance of its power under the above mentioned Act and Order hereby **GRANTS PLANNING PERMISSION** for the development as described above to be carried out in accordance with the application and the plans submitted therewith, subject to compliance with the following conditions:

Conditions:-

This Decision notice is **REVISION NUMBER 3** issued on **22/10/20**.

Time Limit Conditions

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- 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 PPT-GWP-01-00-DR-A-(PA)-0001 Rev. 02
Existing Site Plan PPT-GWP-01-00-DR-A-(PA)-0002 Rev. 02
Topographical Survey PPT-GWP-XX-00-DR-A-(PA)-0003 Rev. 02
Existing Ground Floor Plan PPT-GWP-01-00-DR-A-(PA)-0010 Rev. 03
Existing First Floor Plan PPT-GWP-01-00-DR-A-(PA)-0011 Rev. 02
Existing Second Floor Plan PPT-GWP-02-00-DR-A-(PA)-0012 Rev. 02
Existing South & West Elevations PPT-GWP-XX-00-DR-A-(PA)-0014 Rev. 02
Existing North & East Elevations PPT-GWP-XX-00-DR-A-(PA)-0015 Rev. 02
Ground Floor Demolition Plan PPT-GWP-GF-00-DR-A-(PA)-0020 Rev. 04
First & Second floor Demolition Plan PPT-GWP-01-00-DR-A-(PA)-0021 Rev.04
Roof Demolition Plan PPT-GWP-02-00-DR-A-(PA)-0022 Rev. 02
Topographical Survey - External Levels Demolition PPT-GWP-XX-00-DR-A-(PA)-0023 Rev. 02
Demolition Elevations (South & West) PPT-GWP-XX-00-DR-A-(PA)-0024
Demolition Elevations (North & East) PPT-GWP-XX-00-DR-A-(PA)-0025
Proposed External Works & Sections PPT-GWP-01-00-DR-A-(PA)-0029 Rev.05
Proposed External Works PPT-GWP-XX-00-DR-A-(PA)-0030 Rev. 07
~~Proposed Ground Floor GA Plan PPT-GWP-GF-00-DR-A-(PA)-0031 Rev. 09~~
~~Proposed First Floor GA Plan PPT-GWP-01-00-DR-A-(PA)-0032 Rev. 09~~
~~Proposed Second Floor GA Plan PPT-GWP-02-00-DR-A-(PA)-0033 Rev. 08~~
~~Proposed Roof GA Plan PPT-GWP-03-00-DR-A-(PA)-0034 Rev. 08~~
~~Proposed North & East Elevations PPT-GWP-01-XX-DR-A-(PA)-0035 Rev.09~~
~~Proposed South & West Elevations PPT-GWP-01-XX-DR-A-(PA)-0036 Rev.08~~
Proposed Sections S-01 & S-02 PPT-GWP-01-XX-DR-A-(PA)-0037 Rev. 04
Proposed Sections S-03 & S-04 PPT-GWP-01-XX-DR-A-(PA)-0038 Rev. 04
Condition Repair Proposals to front portion (elevations) PPT-GWP-01-XXDR-A-(PA)-0039
Condition Repair Proposals to front portion (walls) PPT-GWP-01-XX-DR-A-(PA)-0040
Condition Repair Proposals to front portion (floors) PPT-GWP-01-XX-DR-A-(PA)-0041
Condition Repair Proposals to front portion (ceilings) PPT-GWP-01-XX-DRA-(PA)-0042
External Works 01 PPT-GWP-01-00-DR-A-(SK)-0061
Proposed Levels PPT-HYD-XX-XX-DR-C-0500
Proposed Drainage Strategy and Constraints Plan PPT-HYD-XX-XX-DR-C-0600
Proposed Surfacing and Kerbing Layout PPT-HYD-XX-XX-DR-C-0700
Proposed Site Clearance PPT-HYD-XX-XX-DR-C-1200
Design and Access Statement GWP Architecture
Planning Statement Asbri Planning
PAC Report Asbri Planning

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Heritage Impact Statement GWP
Transport Statement Hydrock
Framework Travel Plan Hydrock
Drainage Strategy Hydrock
Energy and Sustainability Statement Hydrock
Lighting Impact Assessment Hydrock
Flood Consequence Assessment Hydrock
Bat Survey Rob Colley Associates
Phase One Ecology Survey (2016) NPTCBC
Phase One Ecology Survey (2018) NPTCBC
Noise Planning Report Hydrock
Outline Demolition Plan/Method Statement BAM Construction
Waste Management Plan BAM Construction
Land Contamination Preliminary Risk Assessment NPTCBC

Reason:

In the interests of clarity.

The following drawings were approved as a non-material amendment by application P2020/0874 approved on the 22 October 2020:

Proposed Ground Floor GA Plan PPT-GWP-01-GF-DR-A-(00)-0001 Rev.C02
Proposed First Floor GA Plan PPT-GWP-01-01-DR-A-(00)-0002 Rev.C01
Proposed Second Floor GA Plan PPT-GWP-01-02-DR-A-(00)-0003Rev.C01
Proposed Roof GA Plan PPT-GWP-01-03-DR-A-(00)-0004 Rev.C01
Proposed North & East Elevations PPT-GWP-01-XX-DR-A-(00)-0005 Rev.C01
Proposed South & West Elevations PPT-GWP-01-XX-DR-A-(00)-0006 Rev.C01

Pre-Commencement Conditions

- 3 With the exception of works relating to the demolition of the rear part of the building, no other development shall commence on site until an assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:
- (i) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
 - (ii) an assessment of the potential risks to:
 - human health,
 - groundwater and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,- ecological systems,
 - archaeological sites and ancient monuments; and
 - any other receptors identified at (i)
 - (iii) an appraisal of remedial options, and justification for the preferred remedial option(s).

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Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

Details in respect of the above condition were approved by planning permission ref: P2019/5669 on the 18/08/20.

- 4 Before beginning any development at the site, you must do the following: -
- a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and
 - b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason:

To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.

NOTE: Templates of the required Notice and Site Notice are available to download at www.npt.gov.uk/planning

- 5 With the exception of works relating to the demolition of the rear part of the building, no other development shall commence on site until a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historic environment shall be prepared and submitted to and approved in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

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 offsite receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

Details in respect of the above condition were approved by planning permission ref: P2019/5669 on the 18/08/20.

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- 6 Notwithstanding the submitted Demolition Method Statement, no development shall commence including demolition, until such time as a revised Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. The revised statement shall include full details of a dust suppression scheme for the proposed crushing and screening works including water suppression plant and details in accordance with IAQM guidance on demolition and construction. The approved scheme shall be fully implemented on site for the duration of the demolition operation.

Reason.

To ensure adequate air quality measures are implemented throughout the demolition works in accordance with policy EN8.

Details in respect of the above condition were approved by planning permission ref: P2019/5669 on the 18/08/20.

- 7 No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority

Reason

As the building is of architectural and cultural significance the specified records are required to mitigate impact and to accord with policy SP21.

Details in respect of the above condition were approved by planning permission ref: P2020/0053 on the 10/08/20.

- 8 No development shall commence (including works of demolition) until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method Statement shall be in accordance with the requirements of British Standard BS5228-1:2009 - "Code of practice for noise and vibration control on construction and open sites". The approved Statement shall be adhered to throughout the construction phases. The Statement shall provide for:
- a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) Routes of vehicles taking into account the proximity of residential dwellings;
 - d) storage of plant and materials used in constructing the development;
 - e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f) wheel washing facilities to prevent deposition of material onto any hard surface road;
 - g) measures to control the emission of dust and dirt during construction;
 - h) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - i) scheme for the erection of temporary/semi-temporary signage warning drivers of speed restrictions;
 - j) The frequency and size of vehicles used to transport the waste material arising from the demolition works;

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- k) Measures to prevent stacking of vehicles onto the public highway;
- l) Identification of the significant construction noise sources, detailing the physical and operational management controls necessary to mitigate emissions from these noise sources, as well as noise complaint investigation procedures;
- m) details of the site compound and contractors car parking provision.
- n) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason:

In the interest of highway and pedestrian safety, the environment, and the amenity of residents, and to ensure accordance with Policies BE1, EN8 and TR2 of the adopted Neath Port Talbot Local Development Plan.

Details in respect of the above condition were approved by planning permission ref: P2019/5669 on the 18/08/20.

Action Conditions

- 9 Prior to the first beneficial use of the hereby approved development full details of the bin storage area shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include plans, elevations and proposed materials for any proposed screening structure. The approved details shall be fully implemented on site prior to the first beneficial use of the development and shall be retained as such thereafter.

Reason: In the interests of the provision of appropriate bin storage facilities

- 10 Notwithstanding the details submitted, prior to the insertion of any window frames into the new building section of the development, full details of an obscure glazing scheme to the approved development shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall fully detail the method of obscuring vision from the following windows:
- Ground floor window in north western side elevation serving store 5.
 - All first floor windows in north western side elevation serving meeting room 1, meeting room 2, staff room and stair 2.
 - The furthest south, first floor window panel in the south eastern side elevation serving the open plan office area.
 - The furthest north, first floor full window panel in the south eastern side elevation serving the gym area.
- The development shall be construction in accordance with the approved details and shall be retained as such thereafter.

Reason :In the interest of the amenities of the adjacent properties, and to ensure accordance with Policy BE1 of the adopted Neath Port Talbot Local Development Plan.

- 11 Prior to the installation of any external lighting units, full details of the proposed external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include full details of the lighting unit specifications, the proposed locations, the method of installation and proposed lux

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levels. Only the approved details shall be implemented on site and shall be retained as such thereafter.

Reason: In the interests of visual and residential amenity as well as highways safety and to comply with policy BE1 and TR2.

- 12 Prior to the installation of any external CCTV camera units, full details of the proposed CCTV camera scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include full details of the CCTV unit specifications, the proposed locations, the method of installation and field of view. Only the approved details shall be implemented on site and shall be retained as such thereafter.

Reason

In the interests of visual and residential amenity and to comply with policy BE1 and TR2.

- 13 Prior to the start of works on the construction of the roof of the hereby approved extension, full details of the proposed green roof, including species mix/density, shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also include full details of a Green Roof Management Plan to include details of the long term design objectives, management responsibilities, and maintenance schedules for the green roof. The development shall be constructed and thereafter managed in accordance with the approved details and retained as such thereafter.

Reason

In the interests of drainage and biodiversity and in accordance with policy EN7.

- 14 14 Prior to their use in the construction of the development hereby permitted, full details and samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

In the interest of the visual amenity of the area and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 15 Prior to the start of any piling operations on site, full details of the proposed justification for the piling methodology to be used for this development shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of all mitigation measures to be implemented on site to prevent noise and nuisance to adjacent noise sensitive receptors, including details of hours of piling operations. The development shall be undertaken in full compliance with the approved details.

Reason.

In the interests of residential amenity and to comply with policies EN8 and BE1.

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- 16 16 The noise rating level emitted from external mechanical plant serving the approved use shall not be greater than the existing background noise level. The noise levels shall be determined at the nearest noise-sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made in accordance with BS4142:2014 Method for Rating and Assessing Industrial and Commercial Sound.

Reason

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with policies SP16, EN8 and BE1.

- 17 Prior to the start of construction works on site a detailed scheme demonstrating that the sound insulation performance of the hereby approved development is such that the internal ambient noise levels do not exceed the values detailed in British Standard BS8233:2014, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be fully constructed in accordance with the approved scheme and shall be retained as such thereafter.

Reason

In the interests of residential amenity and to accord with policies SP16, EN8 and BE1.

- 18 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 Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). 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, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 19 Prior to beneficial use of the proposed development commencing, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in accordance with condition 5 shall have been submitted to and approved in writing by the Local Planning Authority.

Reason:

Superseded

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 offsite receptors and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 20 Notwithstanding the submitted Framework Travel Plan, no less than six months prior to first beneficial use of the development hereby approved, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The updated Travel Plan shall include details of the appointment of a Travel Plan Coordinator, and address the means to encourage staff and customers to use more sustainable means of transport and reduce the demand on private transport. The Plan should also include a detailed monitoring scheme/schedule, which shall include regular reviews covering the initial five year period, together with details covering submission and approval of subsequent updated Travel Plans every five years for the duration of the operation of the development. These updates shall seek to address any issues that have failed to reduce the use of the car and meet the agreed targets set in the travel plan. All measures identified within any approved Travel Plan required by the scheme shall be implemented within three months following its approval.

Reason:

In the interests of promoting sustainable transport and to ensure the development complies with Policy SP20 of the Neath Port Talbot Local Plan.

- 21 The use hereby approved shall not commence until such time as the kerb to the existing vehicular crossing has been reinstated and a new vehicular crossing constructed to the car park area off Eagle Street.

Reason:

In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.

- 22 The use hereby approved shall not commence until such time as a traffic management scheme has been submitted to and approved in writing by the local planning authority, and the approved scheme implemented. This scheme shall include details of a loading/unloading bay Traffic Regulation Order to be located on Eagle Street, to facilitate deliveries to the development and include any amendments to the existing orders along with a no waiting at any time order to protect the proposed new access off Eagle Street into the car parking area.

Reason:

In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.

- 23 The use hereby approved shall not commence until such time as the car parking layout shown on Drwg No PPT-GWP-01- DR-A-(PA)-0029 has been provided and permanently marked out on site, and the approved parking shall thereafter be retained to serve the development hereby approved.

Reason:

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In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.

- 24 24 Prior to work commencing on construction of the proposed car park an assessment shall be undertaken (including calculations) of the existing retaining wall to Eagle Mews, with the results of the assessment submitted to and approved in writing by the Local Planning Authority, and any recommendations for improvement implemented prior to first use of the car park.

Reason:

In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan

Regulatory Conditions

- 25 Demolition and construction works shall not take place outside the hours of 08:00hrs to 18:00hrs Mondays to Fridays and 08:00hrs to 13:00hrs on Saturdays and no works on Sundays or Bank Holidays.

Reason

In the interests of residential amenity and to ensure the development complies with policies BE1 and EN8 of the Neath Port Talbot Development Plan.

- 26 No deliveries shall be taken in or dispatched from the site between the hours of 08:30hrs and 09:00hrs, and 15:00hrs and 16:15hrs Mondays to Fridays.

Reason

To ensure that deliveries to the site avoid school pick-up and drop-off times and in the interests of highway and pedestrian safety and to accord with conditions BE1 and TR2.

- 27 The hereby approved mixed uses shall not be carried out outside the hours of 06:00hrs to 23:00hrs Monday to Saturdays and 09:00hrs to 18:00hrs on Sundays.

Reason:

In the interest of residential amenity and to ensure the development complies with Policy BE1 and EN8 of the Neath Port Talbot Local Development Plan.

- 28 Between the hours of 22:00 and 07:30, the first floor windows serving the gymnasium shall remain closed, and there shall be no amplified music played (audible outside of the building).

Reason:

In the interest of residential amenity and to ensure the development complies with Policies BE1 and EN8 of the Neath Port Talbot Local Development Plan.

- 29 Any gates provided across the access to the rear compound area shall be of a type which open inward only and can be seen through, and shall be retained as such thereafter.

Reason:

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In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.

Informatives:

1 The Archaeological work must be undertaken to the appropriate standard and guidance set by Chartered District for Archaeologists (CIfA) (www.archaeologists.net/codes/cifa) and it is our policy to recommend that is carried out by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited MCIfA Member.

2 Any revocation of existing and implementation of the required new traffic regulation orders, shall be at the applicants' expense. For the implementation of the Traffic Regulation Order you should contact the Project Manager Specials and Traffic of Neath Port Talbot County Borough Council at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG f.a.o. Mr Martin Brumby Project Manager Highways (e-mail m.brumby@npt.gov.uk or telephone 01639 686013) who will advise you of the procedure for the implementation of the required Traffic Regulation Order. *Please note this process can take up to 4 months - subject to the consultation process outcome.

3 Please note that SAB approval will be required prior to any work commencing. It is a breach of approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018.

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 the Neath Port Talbot Local Development Plan (2011-2026) adopted January 2016. Special regard has also been had in accordance with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

While the proposal would involve the demolition of the rear portion of this Grade II listed building, it is considered that the repair and refurbishment of the building's significant frontage, and the sensitive extension to the rear, would represent an appropriate form of development that would help to secure the future of the modernist Art Deco frontage of a listed building which has been unused for a number of years and whose condition continues to deteriorate, while also creating a vibrant landmark hub for community activity within the settlement in which it is located. The proposal would also have no unacceptable impact on the character or appearance of the immediate and wider area, upon the residential amenity of the occupiers of the adjacent residential properties, upon highway and pedestrian safety, archaeology, flood risk and drainage, biodiversity or contaminated land. Accordingly, the proposed development is in accordance with Policies R2, SC1, SP1, SP2, SP3, SP5, SP11, SP12, SP15, SP16, SP18, SP19, SP20, SP21, SC1, SC2, R3, TO4, EN7, EN8, EN9, RE2, TR2, BE1 and W3 of the Neath Port Talbot Local Development Plan.

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It is further considered that the decision complies with 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.

Signed: 

Nicola Pearce – Head of Planning & Public Protection

Date: 25 September 2019

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IMPORTANT:

(1) Please note that for all decisions issued after 16th March 2016 for outline or full planning permission, a revised decision notice will be issued whenever a subsequent consent is given, for example providing details of any Reserved Matters approvals (outline applications only) and/or approval of conditions (including on Reserved Matters). This will ensure that the current status of the conditions applied to a consent is clear. Accordingly you are advised to visit www.npt.gov.uk/planning to view the application documentation to see if this is the current version, or whether it has been superseded by a more up-to-date revision of this Decision Notice. For Reserved Matters approvals the revised Decision Notice will only be shown under the Outline approval.

(2) Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

(3) In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition). Please note that any works carried out without compliance with the conditions attached to this approval will be entirely at the risk of the persons involved and may result in formal action being taken by the Local Planning Authority.

(4) The developer should have regard to Sections 4, 7, 8 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the British Standards Institution's Code of Practice for "Design of buildings and their approaches to meet the needs of disabled people" (BS 8300:2009+A1:2010).

(5) From 1st October 2012 it has been an offence to install a public sewer or lateral drain without having an adoption agreement in place. From the 1st October 2012 the vast majority of all existing private sewers and lateral drains which link with the public sewer network were transferred to Welsh Water. For further details on how this will affect your development please contact: Welsh Water Developer Services, PO Box 3146, Cardiff, CF30 0EH. Telephone No. 0800 9172652 or email: developer.services@dwrcymru.com.

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IMPORTANT INFORMATION: TOWN AND COUNTRY PLANNING ACT 1990

The applicant's attention is drawn to the notes below.

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- (2) You can also appeal to the Welsh Government against a decision to refuse permission or grant subject to conditions in respect of applications made for :- Listed Building or Conservation Area Consent; Consent under a Tree Preservation Order; Advertisement Consent.
- (3) You can also appeal If your application for a Certificate of Lawful Existing Use or Lawful Proposed Use is partly or wholly refused or is granted differently from what you asked for (under Section 195/196) of the Town and Country Planning Act 1990 (as amended).
- (4) If you are aggrieved of the LPAs decision, the following deadlines apply for appeals to be submitted to the Welsh Government (from the date of the Council's decision):-
 - (1) Planning Permission (with the exception of Minor Commercial and Householder applications – see below) Within 6 Months
 - (2) Householder Appeal ^{see endnote i} Within 12 weeks
 - (3) Minor Commercial Appeal ^{see endnote i} Within 12 weeks
 - (4) Listed Building or Conservation Area Consent appeals Within 6 months
 - (5) Tree Preservation Order (TPO) Consent Within 28 days
 - (6) Advertisement Consent Within 8 weeks
 - (7) Certificate of Lawfulness of Existing (Section 191) or Proposed (Section 192) Use or Development Within 6 months
 - (8) Hazardous Substances Consent Within 6 months
- (5) Appeals must be made on a form which is obtainable from the Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ – Tel 0303 444 5940, or online at www.planningportal.gov.uk/pcs .
- (6) The Welsh Government has power to allow a longer period for the giving of notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (7) The Welsh Government is not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted having regard to the statutory requirements to the provisions of the development order, and to any directions given under the Order. They do not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by them.
- (8) If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Welsh Government, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the County Borough Council, in which the land is situated, as the case may be, a **purchase notice** requiring that Council purchase his interest in the land

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in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Making an Appeal

- (9) Please note that for all applications received by the LPA after 5th May 2017, it is now a requirement that any appeal made to the Planning Inspectorate (other than Householder and Minor Commercial Appeals, and appeals against refusal to grant advertisement consent) must be accompanied by all the information and evidence you intend to rely upon (a **“full statement of case”**). You must also send a copy of the notice of appeal and full statement of case to the LPA.
- (10) In addition, for ‘planning appeals’ an amendment to an application following notice of appeal may only be made to correct an error.
- (11) Additional details and information on making an appeal to the Welsh Government is available from the Planning Inspectorate at the above address and website. The relevant documents are entitled “making your planning appeal” and “planning appeals Public Local Inquiries”.
- (12) Further correspondence regarding this application should bear the reference number quoted on the top of the decision notice.

THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

- BUILDING REGULATIONS – Please contact buildingcontrol@npt.gov.uk or 01639 686949 to discuss all aspects of the service that is offered by Building Control
- HIGHWAY LEGISLATION

IF PLANNING CONSENT HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

ⁱ Please see the [Town and Country Planning \(Referred Applications and Appeals Procedure\) \(Wales\) Regulations 2017](#) for appeal procedures and for full definitions of:

- *“householder application”* (essentially an application for the enlargement, improvement or other alteration of a dwellinghouse, or development within the curtilage of such a dwellinghouse, or change of use to enlarge the curtilage of a dwelling house)
- *“householder appeal”* means an appeal in relation to a householder application, but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.
- *“minor commercial application”* (essentially relates to existing buildings of no more than 250 square metres gross external floor space at ground floor level, currently in use for any of the purposes set out in Schedule 1A to The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2015 which is an application for change of use from Class A1 to A2 or A3; or Class A2 to A3); or the carrying out of building or other operations to a shop front.
- *“minor commercial appeal”* means an appeal in relation to a minor commercial application but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.