

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

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT
PROCEDURE) ORDER 1995**

APPROVAL OF FULL PLANNING PERMISSION

Name and address of the applicant	Name and address of the agent
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WESTERN BIO-ENERGY MICHELIN HOUSE 81 FULHAM ROAD LONDON SW3 6RD	ECO2 TRAFFORD PLAZA SEYMOUR GROVE OLD TRAFFORD M16 OLD
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Whereas on the Tuesday, 12 June 2007 you submitted an application for the following development:-

PROPOSAL	BIOMASS FIRED POWER STATION
LOCATION	LAND AT LONGLANDS LANE MARGAM PORT TALBOT

THE NEATH PORT TALBOT COUNTY BOROUGH COUNCIL AS THE LOCAL PLANNING AUTHORITY IN PURSUANCE OF ITS POWER UNDER THE ABOVE MENTIONED ACT AND ORDER HEREBY PERMITS THE DEVELOPMENT TO BE CARRIED OUT IN ACCORDANCE WITH THE APPLICATION AND THE PLANS SUBMITTED THEREWITH, SUBJECT TO COMPLIANCE WITH THE CONDITIONS SPECIFIED HEREUNDER:

Conditions:-

Reference No: P2007/0826

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) Unless otherwise agreed in writing with the Local Planning Authority, the materials to be used shall be in accordance with the letter and information provided in a letter dated 30/8/07 except for the administration building which shall be signal grey in colour with black down pipes.

Reason

In the interest of visual amenity.

(3) Prior to first beneficial use the access road shall be hardsurfaced to finished level in accordance with consent P2006/1277 and constructed in accordance with Dwg 20G.

Reason

In the interest of highway safety.

(4) Any barrier or gate erected on the access road shall be set back a minimum distance of 20 metres from the public highway.

Reason

In the interest of highway safety.

(5) Prior to first use a scheme including lighting shall be submitted for approval detailing carriageway improvements measured from the junction of the access road (Longlands Lane) over a distance of 100 metres in an easterly direction and 20 metres in a westerly direction. This scheme shall include the widening of the carriageway to 6.5 metres and where necessary carriageway and footway reconstruction. The scheme shall be implemented prior to the first use of the plant.

Reason

In the interest of highway safety.

(6) Prior to first use the scheme for highway drainage detailed in consent P2006/1549 shall be implemented.

Reason

In the interest of highway safety.

(7) Prior to first use a 4.5 metre by 90 metre visibility splay shall be constructed in either direction at the access to the public highway with these splays being made up as footway unless otherwise agreed in writing with the local planning authority.

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Reason

In the interest of highway safety.

(8) Notwithstanding the submitted parking scheme detailed on Dwg 04C a minimum of 2 spaces shall be available for disabled drivers which shall be hardsurfaced in tarmacadam, concrete or block paving prior to first beneficial use.

Reason

In the interest of highway safety.

(9) Notwithstanding the submitted drawings, unless otherwise agreed in writing with the Local Planning Authority access shall be derived via Longlands Lane until 3 months after the opening of the Peripheral Distributor Road Stage 2 for public use. Thereafter vehicular access shall be derived via that road.

Reason

In the interest of highway safety and amenity.

(10) Unless otherwise agreed in writing with the Local Planning Authority, no more than 30 deliveries of wood fuel shall take place on Monday to Friday and no more than 20 on Saturdays. There shall be no deliveries on Sundays or public or Bank Holidays.

Reason

In the interest of amenity.

(11) Within 1 month of the date of this permission, a detailed method statement outlining the provision for water pollution prevention, surface water disposal and foul water disposal shall be submitted to the Local Planning Authority and the scheme implemented as approved.

Reason

To prevent pollution of the water environment.

(12) Foul water and surface water discharge shall be drained separately from the site. No surface water or land drainage run off shall be allowed to be connected (either directly or indirectly) to the public sewerage system.

Reason

To help protect the integrity of the public sewerage system.

(13) The rating level LAeqTr of the operational noise from any process or activity at the approved development and plant, when assessed at any residential property within 400 metres of the site boundary shall not exceed 50dB(A) between 07.00 hours and 19.00 hours and 47dB(A) at any other time. All measurements and assessments for the above rating level for

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operational noise shall be carried out in accordance with BS4142 1997 or any subsequent standards that replace such British Standards.

Reason

In the interest of amenity.

(14) Notwithstanding the submitted plans, unless otherwise agreed with the Local Planning Authority the process of wood fuel chipping shall only be carried out inside a sound insulated chipping shed and its operation shall be limited to between 08.00 and 17.00 hours on any working day.

Reason

In the interest of amenity.

(15) The noise mitigation scheme approved under planning consent P/06/1448 shall be implemented during all operations, unless otherwise agreed in writing with the local planning authority..

Reason

In the interest of residential amenity.

(16) Unless otherwise agreed with the Local Planning Authority wood fuel delivery vehicles of any nature shall only enter or leave the site between 08.00 and 19.00 hours Mondays to Fridays and 07.00 to 14.00 hours on Saturdays.

Reason

In the interest of the amenities of the area.

(17) Unless otherwise agreed in writing with the Local Planning Authority works related to the construction of the development hereby granted shall not take place other than between the hours of 7.00 a.m. and 6.00 p.m. Mondays to Fridays and 8.00 a.m. and 6.00 p.m. Saturdays, Sundays or Bank or Public Holidays.

Reason

In the interest of the amenities of the area.

(18) The means of enclosure shall be implemented in accordance with details approved under planning ref. no. P/06/1280.

Reason

In the interest of visual amenity.

(19) Notwithstanding the details to the submitted condition no. 17, in respect of means of enclosure, within 1 month of the date of the consent, details shall be submitted to and approved by the Local Planning Authority for the erection of a fence along the northern and western boundaries of the site, to protect

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and identify areas of ecological significance. The means of enclosure approved under this condition shall be erected as approved.

Reason

To identify the means of protection to adjacent areas of nature conservation interest.

(20) No development shall occur on any part of the marshy grassland as identified in yellow on approved Plan Ref. E.

Reason

In the interest of nature conservation.

(21) Within 3 months of the date of this permission a scheme for landscaping shall be submitted to and approved by the Local Planning Authority which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, taking into account potential growth, together with measures for their protection in the course of development. This scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner, and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act 1990.

(22) The landscaping scheme to be submitted under condition 20 above shall include inter alia:

- an area of replacement marshy grassland.
- areas of natural recolonisation
- methodology for translocation.
- species matrix and specification of all planting and seeding to be carried out and the schedule of maintenance
- woodland/shrub planting shall have native species of local provenance.
- hedgerow species shall include Oak (*Quercus* spp), Alder (*Alnus glutmosa*) and Birch (*Betula pendula*) along with existing species such as Chuchthorn, Sycamore, Hazel, Willow and Holly.

Reason

To ensure that the landscaping of the site includes sufficient biodiversity in the interest of nature conservation.

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(23) Unless otherwise agreed with the Local Planning Authority the maximum height of the emission stack shall be no more than 55 metres from the ground level of the main building of the development.

Reason

In the interest of visual amenity.

(24) The only fuel to be used within the combustor and boiler plant of the power station hereby approved shall be wood fuel which shall be in an untreated form, free of any chemical applications or treatment, other than gas oil required for 'start up' and other ancillary use..

Reason

In the interest of sustainable development and to prevent operations not envisaged at the time when the planning application was considered.

(25) Unless otherwise agreed in writing with the Local Planning Authority timber shall be stored in accordance with details approved under planning reference P/06/1504.

Reason

In the interest of safety and visual amenity.

(26) All bankside trees and vegetation within 7 metres of the watercourse shall be protected from development.

Reason

To protect the river corridor.

(27) Prior to being discharged into any watercourse, surface water sewer or soakaways system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason

To prevent pollution of the water environment.

(28) Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 as may be applicable (or any order revoking or re-enacting that order) no tank for the storage of oils, fuels or chemicals shall be erected within the curtilage of the development unless it is sited on an impervious base and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the volume of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund

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shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets must discharge downwards into the bund.

Reason

In order to prevent pollution of the water environment.

(29) If during construction, contamination not previously identified, is found to be present at the site, unless otherwise agreed in writing with the Local Planning Authority, no further development shall be carried out until the developer has submitted to and approved by the Local Planning Authority a method statement detailing how this contamination shall be dealt with, and the method statement shall be implemented as approved.

Reason

In the interest of safety.

(30) Slab levels for any buildings other than basement areas required to house and maintain plant, machinery etc. shall be a minimum of 5.5m AOD .

Reason

To prevent risk from flooding.

(31) Dust suppression measures shall be carried out in accordance with details approved under planning reference No. P/06/1514.

Reason

In the interest of amenity.

(32) An archaeological watching brief shall be carried out in accordance with details approved under planning reference No. P/06/1282.

Reason

To identify and record any archaeological features.

(33) Within 3 months of the date of this permission a scheme shall be submitted to and approved by the local planning authority for the monitoring of air emissions from the plant. The scheme shall be implemented as approved.

Reason

To monitor the effect of air emissions on residential and adjoining industrial premises.

(34) Within 3 months of the date of this permission, a scheme shall be submitted to and approved by the local planning authority for fire precautions and fire systems. The scheme shall be implemented as approved.

Reason

In the interest of safety.

Reason for Granting Planning Permission

The decision to grant planning permission has been taken in accordance with Section 54A of the Town and Country Planning Act 1990, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

It is considered that the proposal is acceptable in that there are no sustainable adverse impacts on the environment or residential amenity. The provision of electricity from renewable sources is an important component of the UK Energy Policy and whilst this scheme is relatively small in scale and would employ 17 persons, the principle should be supported.

Applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The development complies with Development Plan Policies and the presence of an extant consent is a material planning consideration. It is considered therefore that the developments should be approved.

Signed :
Geoff White – Head Of Planning

Date: 18/09/2007

Important Notes:

(1) 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 8300:2001).

(2) 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.

(3) Before commencing development, the developer is advised to contact Hyder Network Development Consultants on 01443 331155 in relation to building in the vicinity of a sewer or a connection to a sewer.

(4) The proposed development lies within a coal mining area. In the circumstances Applicants should take account of any coal mining related hazards to stability in their proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of the site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.