

# Superseded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  
Manning Construction  
C/O Agent

Name and address of the agent  
Jenkins Gould Partnership  
Suite1 Dragon House  
Bridgend industrial Estate  
Princes Way  
Bridgend  
CF313AQ

DATE REGISTERED: 15 February 2017

APPLICATION NO: P2011/0486

LOCATION: THE WELFARE HALL, GLYNNEATH, NEATH, SA11 5EE

PROPOSAL: Residential development 10 detached dwellings and associated works (Amended drainage information received 13/05/2019)

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:

This decision notice is **REVISION NUMBER 1** issued on **August 26<sup>th</sup> 2020**

**Conditions:-**

Time Limit Conditions

- 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:  
-10.19/01B Site layout for 10 dwellings

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- 10.19/02 Type A Floor Plans
- 10.19/03 Type B Floor Plans
- 10.19/06 Type B Handed Plans and elevations
- 10.19/08A Road Sections
- 10.19/09A Site Cross Sections
- 10.19/R01 Highway Details - Sheet 1
- 10.19/R02 Highway Details - Sheet 2
- 10.19/R03 Highway Details - Sheet 3
- 10.19/R04 Highway Details - Sheet 4
- Site level survey

Reason:

In the interests of clarity.

## Pre-Commencement Conditions

- 3 Prior to the commencement of works on site a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the emergency access and egress arrangements on to / from Gelliceibryn. The approved scheme shall be fully implemented on site prior to the first beneficial occupation of any dwelling, and retained and maintained as such thereafter.

Reason

As the primary access to the site from Park Avenue is vulnerable to flooding to an extent which may be considered unsafe / unpassable in extreme events against TAN15 assessment criteria, and a secondary, flood free, vehicular access point is therefore required to the north for utilisation in an emergency scenario only.

**Details in respect of the above condition were approved by planning permission ref. P2020/0592 on the 26/08/2020**

- 4 Prior to work commencing on site a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing a replacement culvert under the proposed road, this culvert shall be designed to ensure it meets the requirements for green field runoff for the catchment served by this culvert and the specification of the Local Highway Authority. The approved scheme shall be fully implemented on site prior to the first beneficial occupation of any dwelling, and retained and maintained as such thereafter.

Reason

To ensure the adequate drainage of the site

- 5 Prior to work commencing on site, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing junction improvements at the junction of Park Avenue with the application site, together with details of an associated works phasing programme and any related traffic regulation orders that may be required. The approved scheme shall be implemented on site prior to the commencement of any work on site in accordance with the approved phasing and shall be retained and maintained as such thereafter.

Reason

In the interests of highways and pedestrian safety

- 6 Notwithstanding Dwg 10:19/01 Rev B, prior to any development commencing on site, a scheme shall be submitted to and approved in writing by the Local Planning

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Authority detailing a revised scheme (including a new inlet and grill) detailing access arrangements for maintenance of the new culvert inlet and outlet. These arrangements shall provide for maintenance vehicles to be parked off the proposed road and the existing public right of way. This scheme shall be implemented as agreed prior to first occupation of any dwelling.

Reason

To ensure the adequate drainage of the site

- 7 No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the LPA. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
  - ii. loading and unloading of plant and materials
  - iii. storage of plant and materials used in constructing the development
  - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - v. wheel washing facilities
  - vi. measures to control the emission of dust and dirt during construction
  - vii. access arrangements to ensure the safe and continued use of the library and Trem y Glyn Nursing home.

Reason

In the interests of highways and pedestrian safety

- 8 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed road within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The road shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under S.38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

Reason

In the interests of highways and pedestrian safety

**Details in respect of the above condition were approved by planning permission ref. P2020/0592 on the 26/08/2020**

- 9 No 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) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;
  - (ii) 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;
  - (iii) an assessment of the potential risks to:
    - human health,

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- 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)
- (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

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.

- 10 No 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.

## Action Conditions

- 11 No occupation of any dwelling shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping including for the area of open space located towards the east end of the application site. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to ensure the

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development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 12 Prior to their use as part of the development hereby permitted, a schedule and samples of the materials to be used in the construction of the external surfaces of the buildings and in the external surface of the driveways and/or forecourts, shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason  
In the interest of visual amenity and highways and pedestrian safety
- 13 Prior to any building works commencing, any Fallopia Japonica (Japanese Knotweed) that is located on the site shall be treated and eradicated in accordance with the Natural Resources Wales Code of Practice.  
Reason  
In the interests of amenity, and to ensure that the treatment is carried out in accordance with recognised good practice.
- 14 The public right of way shall be protected at all times and any damage caused to the right of way shall be rectified to the satisfaction of this authority.  
Reason  
In order to protect the public right of way that affects this site.
- 15 Prior to work commencing on the replacement of the existing soakaway shown on Drg 10-19-01 Rev B a scheme shall be submitted to and approved in writing by the local planning authority detailing its size, depth and revised location (to be set back a minimum of 5 metres behind edge of carriageway). The approved scheme shall be implemented as agreed prior to occupation of any dwelling.  
Reason  
In the interests of highways and pedestrian safety
- 16 Prior to work commencing on constructing the proposed new highway soakaway, a scheme shall be submitted to and agreed in writing by the local planning authority detailing a soakaway system having a minimum depth of 1.6 metres below the invert of the incoming highway drain and this scheme shall also include:-  
Details and visual records of trial holes excavated 1.0 metre below the invert level of the soakaway.  
Size, type, manufacturer and number of crates if utilised.  
Any design calculations used to size the proposed soakaway.  
Reason  
To ensure the adequate drainage of the site
- 17 The access road and footways shall be completed to binder course level, adequately drained and lit for the first 120 metres measured back from the nearest metalled edge of Park Avenue in accordance with the approved plans and also in accordance with a works phasing programme which shall be submitted to and agreed in writing by the local planning authority prior to commencement of any works. The development shall be carried out in accordance with the agreed works phasing programme and approved plans thereafter and upon completion of the last dwelling all roads and footways shall be completed to their surface course levels.  
Reason  
In the interests of highways and pedestrian safety

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- 18 Prior to occupation of any dwelling a surfaced and lit footway shall be provided along the front of the dwelling and linking onto Park Avenue.  
Reason  
In the interests of highways and pedestrian safety
- 19 Prior to occupation of any dwelling, the associated drive shall be hard surfaced in bituminous bound material, concrete or block paving to a maximum gradient of 1 in 9 and each drive shall be provided either side with pedestrian vision splays of 2.4 metres by 2.4 metres (measured back from back edge of footway) within which nothing greater than 600mm shall be erected or allowed to grow. The development shall be retained and maintained as such thereafter.  
Reason  
In the interests of highways and pedestrian safety
- 20 Notwithstanding Dwg 10:19/01 Rev B, prior to first occupation of any of the dwellings a revised street lighting scheme, which shall be in accordance with the attached specification, shall be submitted to and for the written approval of the Authority. The scheme shall be implemented as approved prior to occupation of any dwellings and retained and maintained as such thereafter.  
Reason  
In the interests of highways and pedestrian safety
- 21 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 10 shall have been submitted to and approved in writing by 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 offsite receptors and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.
- 22 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.

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- 23 Prior to first beneficial occupation of any dwelling hereby approved, an Open Space and Footpaths Management Scheme shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
- i. A plan identifying all parts of the site which will be subject to ongoing management under the scheme;
  - ii. A timetable for its implementation, and
  - iii. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body, or any other arrangements to ensure all identified areas of open space and footpaths are managed throughout its lifetime.
- Reason  
In the interest of visual and residential amenity.
- 24 All retained trees on and adjacent to the application site that may be directly affected by the proposed development, including encroachment into Root Protection Areas, shall be adequately protected as specified in Figure 2 (page 20) BS5837:2012 'Trees in relation to Construction' by the provision of root zone protection (protective fencing). The erection of fencing for the protection of any retained tree shall be undertaken before any ground work commences and before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.
- Reason  
In order to protect the long term health of the trees to be retained.
- 25 Any gates fronting onto the highway shall be of a type which open inwards only, and shall be retained and maintained as such thereafter.
- Reason  
In the interests of highways and pedestrian safety
- 26 Prior to the occupation of any of the dwellings hereby approved a scheme indicating the positions, height, design, materials and type of boundary treatment to be erected to all boundaries shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed, as approved, prior the first beneficial occupation of the dwelling and retained as such thereafter.
- Reason:  
In the interest of visual amenity and to ensure compliance with Policy BE1 of the Neath Port Talbot Local Development Plan.

## Regulatory Conditions

- 27 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), the garages / car parking spaces identified on the approved plans shall be retained and kept available for the parking of motor vehicles at all times.

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Reason:

In order to ensure that adequate off-street parking is retained to serve the approved development, in the interest of highway safety.

- 28 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of any wall of that dwellinghouse which fronts onto a road or private access drive.

Reason

In the interest of visual amenity

- 29 Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no buildings shall be erected other than those expressly authorised by this permission and identified on the approved drawings.

Reason:

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the development, residential amenity, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 30 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), there shall be no extension or external alteration to any building forming part of the development hereby permitted without the prior grant of planning permission in that behalf.

Reason:

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for extensions, having regard to the particular layout and design of the development and need to protect the amenity of nearby properties, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 31 Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

Reason:

To prevent hydraulic overload of the public sewerage system and pollution of the environment.

- 32 No surface water from any dwelling shall drain onto or over the proposed highway in accordance with Dwg 10:19/01/ Rev B

Reason

In the interests of highway and pedestrian safety and to ensure the adequate drainage of the site

- 33 Foul water and surface water discharges shall be drained separately from the site.

Reason:

To protect the integrity of the public sewerage system.

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- 34 No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

## Informatives:

1 In order to ensure the road works you are required to undertake are carried out to the satisfaction of the Local Planning Authority and subsequently adopted if you so wish you are advised prior to commencing work on any of these works to contact the Head of Engineering and Transport at The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG (f.a.o. Mr T Davies - Telephone No. 01639 686392 or email t.davies2@npt.gov.uk ) to agree the specification, enter an adoption agreement and arrange on-site inspection of your works.

2 Lighting Specification. The standard column for new private developments is 6m aluminium road lighting column, with 0.5m "hockey stick" bracket arm set at 5 ° inclination, for use within Neath Port Talbot CBC. The column is to be of such construction it will allow the mounting of a 0.3msq road traffic sign mounted at around 2.5 to 3.5mts, above ground level. Our current standard lantern for Private Developments is the TRT Eco1 Aspect 27 Watt LED Lantern, with DALI enabled driver and NEMA socket ready for a Telensa Telecell. Please note the type of column and the type of LED lantern may change dependant on the road conditions width etc or the lighting requirements of the situation it is to be installed into. Therefore a design must be undertaken under the guidance of BS5489-1:2003 and BS EN 13201-2:2003 to establish the correct illumination levels are met, which may have an impact on the spacing of the columns, height of the columns, and the lumens output of the lantern. All new street lighting is to be electronically controlled using Telensa NEMA socket telecell. The Telensa NEMA Telecell must be purchased directly from Telensa for use within the Neath Port Talbot CBC area. The Telensa NEMA socket telecell shall be fitted by the contractor to the lanterns at the time of installation. All lighting columns are to be provided with a direct DNO/WPD 230V ac 50Hz PME underground supply. Supplies to be arranged by contractor. Lighting columns shall be positioned such that the operative will be facing oncoming traffic when the door is accessed and in most instances at the rear of the adopted highway / footpath. All lighting columns are to be provided with a secondary double pole lockable isolator, as manufactured by Charles Endirect Ltd cat No L2/SFE/A2 or similar, complete with BS6004 / 618Y specification 10mm PVC/PVC tails to be connected into the DNO/WPD cut out. The main protective conductor between the DNO/WPD cut out and the column main earthing terminal shall be 10mm<sup>2</sup> PVC single core insulated cable Green & Yellow with copper conductors, complying with EN50525 / 6491X or 6491B. The flexible cable between the base compartment of the column and the luminaire must be 3 core 2.5mm<sup>2</sup> Arctic Blue cable to BS6004 / 318A or 318AG Lighting columns shall be numbered with the Charles Endirect Ltd 'Enplate' system or similar. The plates shall be attached to the columns with stainless steel banding/plastic tie raps and face oncoming traffic at a height of 2.4m above the finished surface level. The identification numbers shall be obtained from Neath Port Talbot CBC Lighting section. The installation shall be installed, tested and commissioned in accordance with BS7671 "Requirements For Electrical Installations - IET

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Wiring Regulations Eighteenth Edition with appropriate test certificates issued to the Project Engineer on completion of the Works, who must forward onto the Public Lighting Department at NPTCBC for updating onto their computer system. Please note these test result certificates must include the signature of the tester, serial number of the instruments used, along with their calibration certification dates, any recommendations/comments etc, and the period time recommended of the next inspection. 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](mailto: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 Welsh water Advisory Notes If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Developer Services on 0800 917 2652. Some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal we request the applicant contacts our Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. The Welsh Government have introduced new legislation that will make it mandatory for all developers who wish to communicate with the public sewerage system to obtain an adoption agreement for their sewerage with Dwr Cymru Welsh Water (DCWW). The Welsh Ministers Standards for the construction of sewerage apparatus and an agreement under Section 104 of the Water Industry Act (WIA) 1991 will need to be completed in advance of any authorisation to communicate with the public sewerage system under Section 106 WIA 1991 being granted by DCWW. On the 1st October 2012 the Welsh Government introduced the Welsh Ministers Standards and we would welcome your support in informing applicants who wish to communicate with the public sewerage system to engage with us at the earliest opportunity. Further information on the Welsh Ministers Standards is available for viewing on the Developer Services Section of our website - [www.dwrcymru.com](http://www.dwrcymru.com) Further information on the Welsh Ministers Standards can be found on the Welsh Government website - [www.wales.gov.uk](http://www.wales.gov.uk) Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation. If you have any queries please contact on 0800 917 2652 or via email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)

4 It is recommended that tree felling and any other vegetation clearance should avoid the bird breeding season 1st March to 31st July inclusive in accordance with the Wildlife and Countryside Act 1981 (as amended).

5 It is recommended that it be conditioned that all new buildings should include artificial nesting sites for birds. Details of this provision should be submitted for approval. Suggested specifications: For developments in urban or sub-urban locations:  
House Sparrow Terrace Wooden (or woodcrete) nest box with 3 sub-divisions to support 3 nesting pairs. To be placed under the eaves of buildings. Entrance holes: 32mm diameter  
Dimensions: H310 x W370 x D185mm  
Swift Nest Wide box with small slit shaped entrance hole. Must be placed under or close to roofs, at least 5m from the ground. Dimensions: H150 x W340 x D150mm- It is

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recommended that vegetation clearance should avoid the bird breeding season 1st March to 31st July inclusive in accordance with the Wildlife and Countryside Act 1981 (as amended). A note should be added to the planning permission, if granted, to this effect.

6 It is recommended that it be conditioned that all new buildings should include artificial roosting sites for bats. Details of this provision should be submitted for approval. Suggested specifications: Bat Box Wooden or woodcrete boxes can be placed on the buildings or bat bricks made from insulated concrete and faced to fit in with the building design can be built into walls. Example dimensions: H265 x W180 x D240mm with entrance hole 55x26mm but dimensions can vary greatly depending upon design. All should be placed close to the roof and away from lighting.

7 The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No development (including the raising or lowering of ground levels) will be permitted within 3 metres either side of the centreline of the public sewer in order to protect the integrity of the public sewer and avoid damage thereto.

8 In respect of the scheme to be submitted to and approved in writing by the Local Planning Authority detailing a replacement culvert under the proposed road, this culvert shall comply with the requirements of Design Manual for Roads and Bridges HA107/04 and also for green field runoff for the catchment served by this culvert. This scheme shall be implemented as approved and retained and maintained as such thereafter. This scheme is required in the interests of highways and pedestrian safety and the adequate drainage of the site

9 The developer is advised that they must comply with the levels on the approved plans both to ensure compliance with the approved plans but also to ensure that the development takes account of the flooding issues affecting this site.

## REASON FOR GRANTING PLANNING PERMISSION

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.

For the reasons given above, it is concluded that the development of this site, which is allocated within the Neath Port Talbot Local Development Plan, will contribute towards the delivery of housing within the County Borough in a sustainable location, and that subject to the imposition of conditions and the signing of a Legal Agreement to secure the provision of open space provision, the proposed development would have no unacceptable impacts upon the character and appearance of the surrounding area, on residential amenity or on highway and pedestrian safety. Accordingly, the proposed development is considered to accord Policies SP3, SP4, SP7, SP10, SP15, SP16, SP20, SP21, SP4, SP1, SC1, H1, OS1, EN7, EN8, TR2, BE1, I1 and TR2 of the Neath Port Talbot Local

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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: 11 December 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](http://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](mailto: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](http://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 in

# Superseded

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 5<sup>th</sup> 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.

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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](mailto: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

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<sup>i</sup> 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.