

**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**

Mr D Lewis  
Woodlands  
Dynevor Road  
Skewen  
SA10 6TW

**Name and address of the agent**

Mr Robert Bowen  
Robert Bowen Planning & Development Ltd  
7 Llys Sant Teilo  
Llangyfelach  
Swansea  
SA5 7HQ

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**DATE REGISTERED:** 30 June 2020

**APPLICATION NO:** P2020/0555

**LOCATION:** Woodlands , Dynevor Road, Skewen, SA10 6TW

**PROPOSAL:** Demolition of existing dwelling and construction of a detached dwelling and garage (outline)

**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:-**

**Time Limit Conditions**

- 1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason:

The application was made for outline planning permission.

- 2 Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 3 The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

#### List of Approved Plans

- 4 The development shall be carried out in accordance with the following approved plans and documents:

- Existing site plan - drawing number 2008-02
- Proposed site sections - drawing number 2008-04
- Proposed site plan - drawing number 2008-03
- Location plan - drawing number 2008-01

Reason:

In the interests of clarity.

#### Pre-Commencement Conditions

- 5 Prior to any works commencing on the approved dwelling and garage, the existing dwelling present on the application site and as indicated on drawing 2008-02 (Existing Site Plan) shall be demolished in its entirety in accordance with the construction environmental management plan required by condition 6.

Reason

In the interests of clarity and as only a single dwelling on the application is acceptable given highway and pedestrian safety constraints and to ensure compliance with Policies TR2 and BE1 of the Neath Port Talbot Local Development Plan.

- 6 No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP), which shall include details of all demolition works, has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be made with reference to the requirements of British Standard BS5228-1:2009 - Code of practice for noise and vibration control on construction and open sites. The CEMP should include the following information: -

- \*A drainage scheme for the construction and demolition phase of the development

- \* Construction methods: details of the extent and phasing of development; details of construction materials or techniques to be used; details for the storage and management of plant and materials used in constructing the development

- \* General Site Management: details of the construction programme including timetable; details of site clearance; details for erection and maintenance of security hoarding including decorative displays and facilities for public viewing; details of complaint investigation procedures

- \* Control of Nuisances: Identification of the significant construction and demolition noise & vibration sources; details of physical and operational management controls

necessary to mitigate noise & vibration emissions; details of dust & odour control measures and measures to control light spill

\* Traffic Management: details of site deliveries; details for the loading and unloading of plant and materials; details of wheel wash facilities; details for the parking of vehicles of site operatives and visitors

\* Hours of working on site, including specified hours for deliveries; details of restrictions to be applied during construction and demolition works (including timing, duration and frequency of works) to prevent noise or nuisance amenity issues to surrounding properties

\* Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details

The CEMP shall be implemented as approved throughout the site preparation and construction phases of the development.

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.

- 7 Prior to commencement of development on site or the felling of any trees (whichever is the sooner) a tree re-planting scheme shall be submitted to and agreed in writing with the local planning authority. The scheme shall provide for a minimum of 2 replacement trees for every tree felled, species, location, full specification and planting methods and post planting maintenance. The replacement trees should be of the standard type with a minimum of an 8 to 10cm stem circumference at 1 metre above ground level and large native species such as Oak, Alder and Field Maple. The supply, ground preparation, planting and post planting maintenance must be completed in accordance with BS8545:2014 Trees: from nursery to independence in the landscape. The approved 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 the same size and the same species, unless the local planning authority gives written consent to any variation.

Reason:

In the interest of visual amenity and biodiversity and in order to mitigate to the loss of trees and habitat resulting from the development as two sycamore trees on this site which are protected with individual tree preservation orders will need to be felled to accommodate the proposed development and given the structural weaknesses in the trees and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

### Action Conditions

- 8 As part of the first reserved matters application, an arboricultural method statement and tree protection plan (appropriate and specific to the approved scheme) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details.

Reason:

In the interest of clarity and good tree husbandry and as there are trees on / adjacent to the application site that need to be considered in the final development design

- 9 As part of the first reserved matters application, a car parking scheme shall be submitted to and approved in writing by the Local Planning Authority. The car parking scheme shall allow vehicles to enter and exit the site in a forward gear. The approved parking scheme shall be implemented on site prior to occupation of the dwelling and retained for such use thereafter.

Reason:

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

- 10 Notwithstanding the submitted information, as part of the first reserved matters application details of all retaining works and final slope design shall be submitted to and approved in writing by the local planning authority. These details shall include (but not be limited to):

i) A construction methodology outlining how the proposed works can be undertaken within the application site and not detrimentally impacting upon land adjacent to the site;

ii) earthworks / slopes showing existing and proposed finished levels or contours;

iii) retaining wall details including calculations;

iv) temporary support works;

v) hard surfacing materials;

The development shall be carried out in accordance with the approved details

Reason

In the interests of public safety, to protect the stability of the site and adjacent land and in order to ensure adequate design of retaining features and slopes

- 11 Prior to the first beneficial occupation of the dwelling(s) hereby permitted, an artificial nesting site for birds shall be erected on the dwelling to one of the following specifications, and retained as such thereafter;

Nest Box Specifications for 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

or

Swift Nest Box Specification:

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

Reason:

In the interest of biodiversity, and to mitigate to loss of bird nesting/foraging habitats under the Habitats Regulations (amended 2012) and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

- 12 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.

- 13 As part of the first reserved matters application, a lighting scheme for the site which shall incorporate best practice guidance to ensure the retention of dark corridors for the movement of wildlife with no direct lighting of vegetation shall be submitted to and approved in writing by the local planning authority. The light mitigation strategy shall be implemented and retained in accordance with the approved details.

Reason:

To ensure that animal and plant species and habitats listed under the Conservation of Habitats and Species Regulations 2010 are adequately protected; and to ensure compliance with Policies SP15 and EN6 of the Neath Port Talbot Local Development Plan.

- 14 As part of the first reserved matters application, a working method statement for protecting reptiles and amphibians shall be submitted to and agreed in writing with the Local Planning Authority. The strategy shall be implemented as agreed throughout the lifetime of the development and prior to any works commencing on site.

Reason:

To accord with Policy SP15 and EN6 of the adopted Neath Port Talbot Local Development Plan.

- 15 If an invasive non-native species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) is identified on site, prior to commencement of development on site, a methodology for the control and eradication of the species shall be submitted to the Planning Authority for approval and implemented as agreed as part of the approved development.

Reason:

In the interests of amenity, and to ensure that the treatment is carried out in accordance with recognised good practice and to accord with Policies SP15 and EN6 of the adopted Neath Port Talbot Local Development Plan.

- 16 As part of the first reserved matters application, a scheme to provide roosting opportunities for bats shall be submitted to and agreed with the Local Planning Authority. The agreed scheme shall then be implemented as part of the approved development and completed prior to first occupation of the dwelling hereby approved and maintained as such thereafter.

Reason

As the submitted Survey for Bats (May/June 2020, Bat & Barn Owl Surveying Services) recommends bat mitigation measures to ensure the site continues to provide roosting opportunities for bats.

- 17 Notwithstanding the submitted plans, prior to first use of the dwelling the driveway and parking and turning areas shall be hard surfaced in porous asphalt or permeable block paving or a provision must be made to direct run-off water from the hard standing to a permeable or porous area within the curtilage of the dwelling house to a maximum gradient of no greater than 1 in 9 and no less than 1 in 150. The driveway shall be drained so that no surface water (including roof and yard) flows out onto the public highway or vice versa and surface water shall not drain directly into the highway drainage network. The development shall be maintained to ensure it complies with the above requirements in perpetuity.

Reason

In the interests of highway and pedestrian safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.

- 18 As part of the first reserved matters application, a scheme for the storage of refuse and recycling or the management thereof shall be submitted to and agreed in writing by the local planning authority. Any such facilities shall thereafter be retained as approved in perpetuity.

Reason:

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

- 19 Prior to their use in the construction of the development hereby permitted, details of the materials to be used in the construction of the external surfaces of the development 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 the visual amenity of the area and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 20 As part of the first reserved matters application a scheme indicating the positions, height, design, materials and type of boundary treatment to be erected to all boundaries, which as recommended in the Ecology Statement (Robert Bowen Planning & Development LTD) shall contain fauna access gaps at their base, 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 use is of the respective 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.

- 21 As part of the first reserved matters application details of proposed ridge levels, ground levels and finished floor levels shall be submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details 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

- 22 Any gates fronting onto the highway shall be of a type which open inwards only, can be seen through and shall be retained and maintained as such thereafter.

Reason:

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

- 23 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, change in levels on site, and position of trees and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 24 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 dwelling house which fronts onto a highway, carriageway, shared driveway or footpath.

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 such enclosures having regard to the particular layout and design of the development, change in levels on site, and position of trees and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 25 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, need to protect the amenity of nearby properties, change in levels on site and position of trees and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 26 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 doors, windows or dormer windows (other than those expressly authorised by this permission) shall be constructed 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 such additional doors / windows, 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.

- 27 The use of the garage hereby approved shall be restricted to the garaging of private motor vehicles and domestic storage associated with the approved dwellinghouse only and not for living accommodation or industrial, commercial or business uses.

Reason:

To ensure that adequate car parking provision is maintained within the curtilage of the dwelling in the interest of highway safety, and to ensure compliance with Policies TR2 and BE1 of the Neath Port Talbot Local Development Plan.

- 28 The sole means of vehicular access to the site (both during and post construction) shall be via the existing access off Dynevor Road only and no vehicular access is permitted from Dynevor Close.

Reason

As the access track from Dynevor Close is unsuitable to serve the development, in the interests of highways and pedestrian safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.

- 29 No surface water, including from any increase in the roof area of the building /or impermeable surfaces within its curtilage and/or land drainage shall be allowed to drain / connect directly or indirectly to / with the public sewerage system / network.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

Informatives:

- 1 Neath Port Talbot Council Drainage Notes to developer:
1. SAB approval will be required prior to any work commencing. To commence work is a breach of SAB approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby legal action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018. Guidance and applications can be found on <https://www.npt.gov.uk/sab>

2. Should any springs or ground water seepage be encountered the on site works in that area shall cease until a scheme for collection and disposal of the water has been submitted to and approved in writing by the Local Planning Authority. No ground water shall ever be discharged into the proposed drainage scheme.
3. There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site, without prior consultation and agreement with the Authority.
4. Unless otherwise agreed in writing by the Local Planning Authority, foul water and surface water discharges shall be drained separately from the site.
5. No surface water or Land drainage run-off shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.
6. Adequate provision shall be made for the drainage of the site, to ensure that the drainage of any adjoining land is not interrupted or otherwise adversely effected by the development during the life time of construction.

## 2 NEATH PORT TALBOT COUNCIL DRAINAGE NOTE TO APPLICANT

Please note that from 7th January 2019, all new developments of more than 1 house, or where a construction area is of 100m<sup>2</sup> or more, plus if the SAB authority believe that any redevelopment of land has significant surface water drainage implications. This will require sustainable drainage - built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers - to manage on-site surface water. More information is available in Schedule 3 of the Flood & Water Management Act 2010. These systems must be approved by the Council's Highway Development Control service acting in its SuDS Approving Body (SAB) role before construction work begins. In this respect it is essential that a developer of any such project gain SAB approval of its surface water drainage alongside any relevant planning permission. You will not be allowed to start construction until both permissions have been approved. If you have not done so already, and your development would not fall into any of the relevant exceptions, you are therefore strongly encouraged to request further advice from the SAB. Involving the SAB Officers in pre-application discussions will allow for SuDS drainage matters (to ensure suitability of proposed SuDS design in line with national standards and adequate site layout) to be considered alongside the assessment of planning merits. There is an additional charge of £250 for this service. This can be as part of any agreed further pre-application submissions with the Planning Authority (recommended) or independently/ direct with the SAB. You are advised, however, that failing to engage in joint pre-application discussions has the potential to lead to delays and, most notably, the potential need to obtain further planning permission should any agreed SuDS design not be compliant with any relevant planning permission. Further details are available at [www.npt.gov.uk/sab](http://www.npt.gov.uk/sab). Prior to commencement of any works within a watercourse, hereby approved permanent and temporary under Section 23 of the Land Drainage Act 1991 must be obtained from the Authority. You are therefore advised to contact the Development Management Engineer, Mr Justin Griffiths at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG (Tel.No.01639 686397 e-mail [j.griffiths4@npt.gov.uk](mailto:j.griffiths4@npt.gov.uk)). Please note such consents can take up to 8 weeks to be processed after registration and early application is advised. Notwithstanding the necessary consent required under section 23 of the Land Drainage Act 1991. The applicant must note that any culverts/ditches/open watercourses that conveys water through their land are to remain free from obstruction at all times. All tributary watercourses (culverted or not) located within the applicants land would be riparian responsibilities whereby the responsibility to sustain the flow of watercourse would remain with the land owner and subsequently passed on to the respective landowners thereafter should the land be sold. For further information on riparian responsibilities

please contact Mr Justin W. Griffiths Senior Engineer - Team Leader (Tel: 01639 686397 or email [j.griffiths4@npt.gov.uk](mailto:j.griffiths4@npt.gov.uk)), alternatively you could access the riparian booklet online using the following web-link <https://www.npt.gov.uk/2867>

3 Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

- i. the development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- ii. There is no satisfactory alternative and
- iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

4 Warning: A European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/protected-specieslicensing/european-protected-species-licensing/information-on-european-protectedspecies-licensing/?lang=en>. Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorizing the specified activity/development to go ahead, [or Natural Resources Wales has informed the applicant in writing that such a licence is not required]<sup>1</sup>. Please note that any changes to plans between planning consent and the licence application may affect the outcome of a licence application. We advise recipients of planning consent who are unsure about the need for a licence to submit a licence application to us.

5 Natural Resources Wales notes to developer:  
We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details

6 Welsh Water Advisory Notes to developer:  
As of 7th January 2019, this proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. In the event this proposed development amounts to a total impermeable area of 100sqm or more, approval of Sustainable Drainage Systems (SuDS) features will be required in accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'. It would therefore be recommended that the developer engage in consultation with the City & County of Swansea Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation. The applicant

may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com). The applicant is also advised that 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 the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. 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 the undersigned on 0800 917 2652 or via email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)

7 No site/vegetation clearance/demolition should take place between March to August inclusive to minimise the potential for nesting birds to be disturbed as they are protected by law.

8 Neath Port Talbot Council Biodiversity Section note to developer:  
Warning: A European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales.

9 To be read in conjunction with boundary treatment condition: As recommended in the Ecology Statement (Robert Bowen Planning & Development LTD) any fencing that is installed on the site should contain fauna access gaps at the base which are sufficient to allow passage by small mammals such as hedgehogs (i.e. 130mm wide by 130mm long square) or a continuous gap at the base of the fence of 130mm tall. At least one access gap is required in every run of fence.

10 The landscaping scheme required as part of the first reserved matters shall contain a majority of native and/or wildlife friendly species

11 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

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 Future Wales - the National Plan 2040 and the Neath Port Talbot Local Development Plan (2011-2026) adopted January 2016.

It is considered that the proposed development would not have a detrimental impact upon residential amenity or upon the character and appearance of the surrounding area, and there would be no adverse impact upon highway and pedestrian safety. Hence, the proposed development would be in accordance with Policies SP20, SP21, SP15, SP16, SP3, SC1, TR2, BE1, EN6, EN7 and EN8 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040 and 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: 

**Ceri Morris – Head of Planning & Public Protection**

**Date: 25 March 2021**

### **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).

## 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 <small>see endnote i</small>                                                       | Within 12 weeks |
| (3) Minor Commercial Appeal <small>see endnote i</small>                                                  | 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

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.