

**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

P & C James Properties
Swansea Valley Business Park
Glan Yr Afon Roundabout
Ystalyfera
Swansea
Neath Port Talbot
SA9 2EB

Name and address of the agent

Mr Christopher Griffiths
W Griffiths
Falcon Chambers
Thomas Street
Llanelli
SA15 3JB

DATE REGISTERED: 17 November 2020

APPLICATION NO: P2020/0904

LOCATION: Swansea Valley Business Park, Glan Yr Afon, Ystalyfera,
Swansea, Neath Port Talbot, SA9 2EB

PROPOSAL: Commercial development consisting of 7No. light industrial
units (use class B1). The units will be incorporated into 2, two
storey blocks with associated car parking, access, boundary
treatments, landscaping and associated works.

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 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:

1690_ 4-1D - Location Plan
1690_ 3-1C - Whole Site Sections
1690_ 3-2B - Sections
1690_ 4-4G - SITE LAYOUT
1690_ 4-3B - Proposed Block Plan
1690_ 4-5B - Boundary Works
1690_ 4-6A - Paramesh Fence and Gate
1690_ 1-1C - Ground Floor Plan Block A
1690_ 1-2D - First Floor Plan Block A
1690_ 1-3C - Floor Plans Block B
1690_ 1-5B - Roof Plan
1690_ 2-1C - Proposed Elevations Block A
1690_ 2-2C - Proposed Elevations Block B
1690_ Ecology Enhancements -landscape

Reason:

In the interests of clarity

Pre-Commencement Conditions

- 3 Before beginning any development at the site, you must do the following: -

a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and

b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason:

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

- 4 No development shall commence (including any site clearance), until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction method statement shall be in accordance with the requirements of British Standard BS5228-1:2009 - "Code of practice for noise and vibration control on construction and open sites". The approved Statement shall be adhered to throughout the construction phases. The Statement shall provide for:
- a) The parking of vehicles of site operatives and visitors;
 - b) Loading and unloading of plant and materials;
 - c) Routes of vehicles, plus delivery and construction times, taking into account the proximity of residential dwellings;

- d) Storage of plant and materials used in constructing the development;
- e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f) Wheel washing facilities to prevent deposition of material onto any hard surface road;
- g) Measures to control the emission of dust and dirt during construction;
- h) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- i) Scheme for the erection of temporary/semi-temporary signage warning drivers of speed restrictions;
- j) The frequency and size of vehicles used to transport the waste material arising from the demolition works;
- k) Measures to prevent stacking of vehicles onto the public highway;
- l) Identification of the significant construction noise sources, detailing the physical and operational management controls necessary to mitigate emissions from these noise sources, as well as noise complaint investigation procedures;
- m) Measures to control light spill.
- n) Hours of working on site, and specified hours for deliveries and any elements of the construction that could lead to amenity issues from noise and disturbance to adjoining properties.

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.

- 5 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the developer / applicant and approved in writing by the Local Planning Authority. Thereafter, the programme of work must be fully carried out in accordance with the requirements and standards of the written scheme.

Reason:

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource as required by Planning Policy Wales and Policy SP21 of the Neath Port Talbot Local Development Plan.

- 6 No development shall commence until a scheme for the diversion of the Water main, that crosses the site, is submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the pipe can be diverted to the satisfaction of welsh water and the easements they require for such apparatus. The scheme shall be implemented in accordance with time scales to be submitted as part of this scheme and retained as such thereafter.

Reason

The proposed development would be situated directly above the public water main, the diversion is required to allow welsh water to perform their Statutory Duty and safeguard rights of access to apparatus in order to carry out maintenance and repairs, and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan

- 7 Notwithstanding the submitted plans, 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,
 - 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.

- 8 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 agreed 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.

- 9 Prior to commencement of work on site, a Delivery and Traffic Management Plan for the development unit shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall identify all relevant delivery vehicles, timings, vehicles and pedestrian routes and manoeuvrings in and around the development and risk assessments for each unit, and the provision of any

signing and lining required to facilitate this management plan. The development shall be carried out in accordance with the agreed scheme 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.

- 10 Prior to commencement of work on site a long section of the road showing road gradients of not more than 1 in 12 or less than 1 in 150 and cross sections showing construction details shall be submitted to and approved in writing by the local planning authority. The work shall be undertaken in accordance with the approved scheme prior to the occupation of the first unit.

Reason:

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

- 11 No development shall commence until, a Waste Management Plan for the control, management, storage and disposal of any waste material generated during the demolition and construction of the development shall be submitted to and approved in writing by the Local Planning Authority. All waste shall be treated in accordance with the agreed waste plan. The plan shall be implemented as approved.

Reason:

To ensure the appropriate disposal of any waste arising from the development in terms of protection of the environment and to ensure the sustainability principles are adopted during development and complies with Policy W3 of the Neath Port Talbot Local Development Plan

- 12 No development shall commence until an Energy Assessment which shall include, but not be limited to proposed methods of energy production and generation, including renewable energy, together with passive methods to be implemented to achieve energy reduction shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the scheme as approved prior to the first beneficial use of the development.

Reason:

In the interest of sustainability and to comply with the requirements of Policy RE2 of the Neath Port Talbot Local Development Plan.

- 13 No development shall commence until a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the feasibility and provision of Electric Vehicle Charging Points to serve the development. The scheme shall include a minimum of 10% of the overall spaces and shall also include details how future electric charging points can be delivered. The scheme as agreed shall be fully implemented prior to the first beneficial use of the development and shall be retained for such use thereafter.

Reason

In the interest of highway and pedestrian safety and to ensure compliance with Planning Policy Wales 11, and policies BE1 and TR1 of the Neath Port Talbot Local Development Plan

- 14 Notwithstanding the submitted plans, no development shall take place until details soft landscape works have been submitted to and approved in writing by the Local

Planning Authority. Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work where relevant). The landscaping works shall be carried out in accordance with the approved details in accordance with the agreed implementation program.

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

- 15 Notwithstanding the submitted plans, No development shall commence until such time as a culvert protection scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the following:
- i. the exact location of the culvert plotted on a plan to recognised metric also showing the location of any building;
 - ii. CCTV survey of the existing culvert;
 - iii. details of the structural integrity of the culvert as a result of the CCTV survey where by any identified defects will need to be remediated;
 - iv. details of building foundation design in relation to the culvert including sections where required;
 - v. details of any means of access to the culvert;
 - vi. details of any mitigation measures to ensure the culvert is not adversely affected;
 - vii. A management and maintenance schedule for the riparian responsibilities of the culvert;

The development shall be undertaken in accordance with the agreed scheme and retained as such thereafter

Reason

To protect the integrity of the surface water culvert and to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and to ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

- 16 No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Reason

Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development, and to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and to ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan

Action Conditions

- 17 Within 3 months from the date of this permission, the unauthorised section of palisade fencing that runs along the side of 11 Office row, shall be removed in its entirety. Prior to the first beneficial use of the development, all unauthorised palisade fencing shall remove from site.

Reason

The palisade fencing has been erected without the benefit of planning permission, is unsightly and not suitable for this location. The development hereby approved has provided an alternative paramesh fencing system that is more appropriate for this mixed commercial and residential area, in the interest of visual amenity, clarity and to ensure the development complies with policy BE1 of the Neath Port Talbot Local Development Plan

- 18 Prior to first beneficial occupation of the development hereby approved, a revised Welsh Language Action Plan (WLAP) setting out the mitigation measures to be undertaken to protect, promote and enhance the Welsh language shall be submitted to and agreed in writing with the Local Planning Authority. The WLAP shall include details of the following:
- a) Details of who (ensuring they are an approved welsh speaking trainer) will be providing the Welsh language service delivery and welsh language awareness training; what the training will entail; how the training programme will be implemented and when these training days will take place over the first 3 years of the each unit becoming occupied. An up to date register shall be kept at the premises hereby permitted and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the dates each training day provided; the organisation/person who performed the training, who the training was for (i.e. what unit/businesses); what training was undertaken; and a list of employees who attended the training.
 - b) Details of a Welcome pack to be provided to leaseholders, providing information of local Welsh language learning resources and Welsh language business support such as Menter Iaith Castell Nedd Port Talbot and Helo blod.
 - c) Details of what signage will be bilingual.
 - d) Details of how future employers will consider the Language skills of future employees will be assessed in order to provide a Welsh language service, especially in relation to future front line staff.
 - e) Details of what structures will be in place and how these can be implemented to offer support to prepare signs, announcements etc. to future employers.

The plan shall be implemented as agreed and complied with throughout the first 3 years of each unit becoming occupied.

Reason:

In order to mitigate any negative effects from new development on the Welsh Language and promote the use of the Welsh Language in accordance with Policy SP22 and Development and the Welsh Language SPG of the Neath Port Talbot Local Development Plan 2011-2026.

- 19 Prior to the first beneficial use of the development the boundary treatment as detailed on 1690 4/5 Boundary works and 1690 4/6 Paramesh fencing and gates shall be completed, as approved, 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

- 20 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 8 shall have been submitted to and agreed 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.

- 21 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.

- 22 On receipt of a justified complaint, following a written request from the LPA the applicant shall undertake an assessment of the noise arising from the operations on the site and submit to the Local Planning Authority a written report detailing the findings of the assessment within two weeks of such a request being made (or other such date that may be agreed in writing by the Local Planning Authority). The noise assessment shall be undertaken by a competent and suitably qualified acoustic consultant; The acoustic consultant shall be a member of the Association of Noise Consultants (ANC) and a member of the Institute of Acoustics. Prior to undertaking the noise assessment for the purpose of preparation of the report, the consultant shall contact the Local Planning Authority and shall agree a methodology and most appropriate standards. The noise assessment report shall include evidence that the control measures recommended within the assessment have been implemented, or include a timetable for their implementation, and all such mitigation measures shall be retained and maintained thereafter.

Reason

To protect the amenity of the locality, especially for people living and/or working nearby, and to ensure accordance with Policies BE1 and EN8 of the adopted Neath Port Talbot Local Development Plan (2011-2026).

- 23 Prior to the first beneficial use of each unit, it's respective car parking spaces/bicycle storage and access around the spaces shall be marked out as per the layout on drawing no 1690 4-4 G titled 'Site Layout' and retained for such use thereafter.
Reason:
In the interest of providing satisfactory parking, highway and pedestrian safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.
- 24 Notwithstanding the submitted plan, 5% of the car parking spaces provided within the development shall be reserved for Disabled Parking. These spaces shall be appropriately positioned and shall be of an adequate sized space in accordance with Section C.6 of the Parking Standards October 2012 document. The parking bays shall be marked out prior to the first beneficial use and reserved as such thereafter
Reason:
In the interest of providing adequate disabled parking, highway and pedestrian safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.
- 25 Prior to the occupation of any unit, a street lighting scheme shall be submitted to and agreed in writing by the LPA. The approved lighting scheme shall be implemented on site prior to the first beneficial use of the development and retained as such thereafter.
Reason:
In the interest of providing adequate street lighting, highway and pedestrian safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.
- 26 Prior to the first occupation of any unit hereby approved, a landscape management plan, including the long term design objectives, management responsibilities and maintenance schedules, for all landscaped areas, shall have been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be implemented and adhered to in accordance with the approved details thereafter.
Reason:
In the interest of visual amenity, and to ensure the long term management and maintenance of all landscaped areas within the site and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan
- 27 Prior to the first beneficial use of the development a scheme detailing a staff outdoor amenity space shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide an area for future staff to be able to sit outdoors, the size of this area will be based upon the requirements set out within Policy OS1 and the open Space and greenspace SPG (July 2017). The scheme as agreed shall be impended prior to the first beneficial use of the development and retained as such thereafter
Reason
In the interests of health and well-being of future staff and to ensure the development complies with Policy OS1 of the Neath port Talbot local Development Plan

- 28 Notwithstanding the submitted plans, prior to their use in the construction of the development hereby permitted, details and samples 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.
- 29 Prior to the installation of any permanent external lighting on the site, a detailed lighting scheme for the site shall be submitted to and approved in writing by the Local Planning Authority detailing the location of all proposed lights, the specification, intensity of illumination, predicted lighting contours (lux plots), together with proposed hours of operation and any mitigation measures required (including measures to reduce as far as practicable light spillage onto the adjoining residential properties) . The approved lighting shall be implemented on site in accordance with the approved scheme only, and retained as such thereafter.
Reason:
In the interest of residential amenity and to prevent any unacceptable light spillage, and to ensure compliance with Policies SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan.
- 30 Notwithstanding the submitted plan and prior to the first beneficial use of the development, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the siting, design, finish of the bin storage building located in the south west corner of the site. The bin stores as agreed shall be provided in accordance with the approved scheme prior to the first beneficial use of the development and retained as such thereafter.
Reason:
In the interest of visual amenity, residential amenity and to ensure adequate bin storage is provided for future residents and to ensure compliance with Policy BE1 and EN8 of the Neath Port Talbot Local Development Plan
- 31 Notwithstanding the details submitted, before the development hereby permitted is brought into use, the first floor windows on the eastern side of the northern elevation shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the Local Planning Authority and any part of the window/s that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.
Reason:
In the interest of the amenities of the adjoining properties, and to ensure accordance with Policy BE1 of the adopted Neath Port Talbot Local Development Plan.
- 32 Prior to the installation of any CCTV cameras on the site, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the location of all cameras indicating their field of view. The scheme shall ensure no residential property is adversely affected by camera positions. The approved camera locations shall be implemented on site in accordance with the approved scheme, and retained as such thereafter.
Reason:

In the interest of residential amenity and to prevent any unacceptable overlooking, and to ensure compliance with Policies SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 33 No infiltration of surface water drainage into the ground site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
Reason:
To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.
- 34 No industrial activity or activity of any kind, except loading and unloading, shall take place outside the proposed buildings or within the curtilage of the site.
Reason:
To protect the amenity of nearby residential properties as no external fixed plant included is included the noise prediction and to accordance with policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).
- 35 No deliveries shall be made to the approved uses outside of the hours 07:00hrs and 19:00hrs
Reason:
To protect the amenity of nearby residential properties and in accordance with policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).
- 36 No businesses occupying units within the curtilage of the site shall operate on the premises outside the following hours, 07.00hrs - 19.00hrs Mondays - Saturdays and not at all on Sundays or Public Holidays.
Reason:
To protect the amenity of nearby residential properties and in accordance with policy EN8 of the Neath Port Talbot Local Development Plan (2011-2026).
- 37 There shall be no outside storage of bins, equipment, waste, materials etc. except within the designated bin storage areas.
Reason:
In the interest of visual amenity and to ensure compliance with Policy BE1 of the Neath Port Talbot Local Development Plan.
- 38 No development shall take place within 4m either side of welsh waters foul sewer that crosses the application site, the approximate position of which is shown on plan number C1422 C-SK01 Rev A (Proposed Drainage strategy Plan)
Reason:
In order to protect welsh waters mains sewer from the effects of development, and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan

- 39 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 be discharged into the proposed drainage scheme.
Reason
In the interest of the health and safety of residents and to ensure no pollution or detriment of the environment and to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan
- 40 There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site.
Reason
To ensure there is no adverse interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site in the interest of the health and safety of residents and to ensure no pollution or detriment of the environment and to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan
- 41 foul water and surface water discharges shall be drained separately from the site, and no surface water or land drainage run-off shall be allowed to connect, either directly or indirectly, to the public sewerage system
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 to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan
- 42 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.
Reason
To protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan (2016 - 2026)
- 43 Notwithstanding the provisions of Part 8 of Schedule 2 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 development specified within classes A to E shall be installed on the site without the prior grant of planning permission in that behalf.
Reason:
In the interests underground Culverts water mains, sewers and in the interest of local amenity, and to ensure compliance with Policies SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan.
- 44 The premises shall be used for use Class B1 (a) offices, (b) research and development and (c) for any industrial process which can be carried out in any residential area without causing detriment to the amenity of the area, as defined by the Town and Country Planning (Use Classes) Order 1987 (or in any provision

equivalent to that class in materials any statutory instrument revoking and re-enacting that order with or without modification).

Reason:

In the interest of clarity and to ensure other changes of use can be assessed in the interests of amenity and to accord with Policies SC1, EN8, BE1 and TR2 of the Neath Port Talbot Local Development Plan.

- 45 The landscaping buffer zones along the frontage of the development on the A4067 and between unit B and No. 11 office Row, shown on drawing 1690 4-4G Site plan, shall be retained as landscaped areas and used for no other purpose.

Reason:

In the interest of clarity, visual amenity, and to ensure the long term management and maintenance of all landscaped areas within the site and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan

Informatives:

1 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 100m² 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 SAB & Highway Development Control Section 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

2 NRW NOTE TO APPLICANT

In future NRW would recommend that the consultant use flows calculated recently for any modelling work. Since the date of the above calculation, numerous changes to datasets and software have taken place. In addition, NRW note that Gurnos gauging station on the Twrch (60017) is available for donor use on the NRFA website. This and neighbouring stations have similar adjustment facts, and would encourage donor use without the distance modulating factor in this instance.

3 STRUCTURES NOTE TO APPLICANT

The Local Authority's Structural Engineer has advised that they have No comment however advise that the full ground investigation report, as recommended by the desk study report, and structural design is requested at Building Control stage.

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.

It is considered that the redevelopment of this brown field site, with business units will not only enhance the character and appearance of the area, it would also provide great economic benefits to the area by providing new employment opportunities within the Ystalyfera area, with measures in place to ensure the welsh language is promoted. The proposed development would also have no unacceptable impacts upon, on residential amenity, highway and pedestrian safety, biodiversity, historic heritage, pollution and flooding. Accordingly, the proposed development is considered to accord Policies SP1, SP2, SP3, SP4, SP6, SP10, SP11, SP15, SP16, SP18, SP19, SP20 SP2, SP22, SC1, I1, OS1, EC2, EC3, EC5, EN7, EN8, RE2, W3, TR2, BE1 and WL1

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: 

Ceri Morris – Head of Planning & Public Protection

Date: 24 May 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 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.

IMPORTANT INFORMATION: TOWN AND COUNTRY PLANNING ACT 1990

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

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- (2) You can also appeal to the Welsh Government against a decision to refuse permission or grant subject to conditions in respect of applications made for :- Listed Building or Conservation Area Consent; Consent under a Tree Preservation Order; Advertisement Consent.
- (3) You can also appeal If your application for a Certificate of Lawful Existing Use or Lawful Proposed Use is partly or wholly refused or is granted differently from what you asked for (under Section 195/196) of the Town and Country Planning Act 1990 (as amended).
- (4) If you are aggrieved of the LPAs decision, the following deadlines apply for appeals to be submitted to the Welsh Government (from the date of the Council's decision):-

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

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

Making an Appeal

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

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

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

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

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

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