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**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

Tai Tarian
Ty Gwyn
Brunel Way
Baglan Energy Park
Neath Port Talbot
SA11 2FP

Name and address of the agent

Mr Richard Bowen
Asbri Planning Ltd
Suite D
1st Floor
220 High St
Swansea
SA1 1NW

DATE REGISTERED: 25 November 2020

APPLICATION NO: P2020/0992

LOCATION: Land North Of , Bevin Avenue , Sandfields, Port Talbot, SA12 6JU

PROPOSAL: Refurbishment of the existing 69 no. 2 bed flats, conversion of 3 no. 2 bed flats to 3 no. new 1 bed flats and the construction of an additional 1 no. 2 bed and 54 no. 1 bed flats, with associated car parking, landscaping and infrastructure 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:

THIS DECISION NOTICE IS REV 1. ISSUED 29/07/2021

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.

Superseded

List of Approved Plans

- 2 The development shall be carried out in accordance with the following approved plans:

175-DHA-XX-RF-A-DR-0001-02 Location Plan
175-DHA-ZZ-00-A-DR-0002-13. Site Masterplan
175-DHA-ZZ-00-A-DR-0003-08. Masterplan Ground Floor
175-DHA-ZZ-01-A-DR-0004-07 Masterplan - First Floor
175-DHA-ZZ-02-A-DR-0005-08 Masterplan - Second Floor
175-DHA-ZZ-03-A-DR-0006-08 Masterplan - Third Floor
175-DHA-ZZ-04-A-DR-0007-08 Masterplan - Fourth Floor
175-DHA-ZZ-05-A-DR-0008-09 Masterplan - Roof Plan
175-DHA-ZZ-00-A-DR-0125-06 Blocks 01 02 - Proposed Ground Floor
175-DHA-ZZ-01-A-DR-0126-06 Blocks 01 02 - Proposed First Floor
175-DHA-ZZ-02-A-DR-0127-07 Blocks 01 02 - Proposed Second Floor
175-DHA-ZZ-03-A-DR-0128-07 Blocks 01 02 - Proposed Roof Plan
175-DHA-ZZ-00-A-DR-0129-06 Blocks 03 04 - Proposed Ground Floor
175-DHA-ZZ-01-A-DR-0130-06 Blocks 03 04 - Proposed First Floor
175-DHA-ZZ-02-A-DR-0131-07 Blocks 03 04 - Proposed Second Floor
175-DHA-ZZ-03-A-DR-0132-07 Blocks 03 04 - Proposed Third Floor
175-DHA-ZZ-04-A-DR-0133-07 Blocks 03 04 - Proposed Roof Plan
175-DHA-ZZ-00-A-DR-0134-07 Blocks 05 06 07 - Proposed Ground Floor
175-DHA-ZZ-01-A-DR-0135-07 Blocks 05 06 07 - Proposed First Floor
175-DHA-ZZ-02-A-DR-0136-07 Blocks 05 06 07 - Proposed Second Floor
175-DHA-ZZ-03-A-DR-0137-08 Blocks 05 06 07 - Proposed Third Floor
175-DHA-ZZ-04-A-DR-0138-08 Blocks 05 06 07 - Proposed Fourth Floor
175-DHA-ZZ-05-A-DR-0139-08 Blocks 05 06 07 - Proposed Roof Plan
175-DHA-ZZ-XX-A-DR-0225-09 Proposed Elevations
175-DHA-ZZ-XX-A-DR-0226-08 Blocks 01 02 - Elevations 12
175-DHA-ZZ-XX-A-DR-0227-08 Blocks 01 02 - Elevations 22
175-DHA-ZZ-XX-A-DR-0228-08 Blocks 03 04 - Elevations 12
175-DHA-ZZ-XX-A-DR-0229-08 Blocks 03 04 - Elevations 22
175-DHA-ZZ-XX-A-DR-0230-08 Blocks 05 06 07 - Elevations 12
175-DHA-ZZ-XX-A-DR-0231-08 Blocks 05 06 07 - Elevations 22
edp5837_d001-F-Concept Landscape Plan
edp5837_d002-E-Concept Site Layout
1141 Flat Type A02
1142 Flat Type A03
1143 Flat Type A04
1144 Flat Type A05
1146 Flat Type A07
1145 Flat Type A06
1147 Flat Type A08
1148 Flat Type A09
1149 Flat Type A10
1150 Flat Type A11
1151 Flat Type A12
1152 Flat Type B01
1153 Flat Type B02
1154 Flat Type C01
1155 Flat Type C02

Superseded

1156 Flat Type D01
1157 Flat Type D02
1158 Flat Type E01
1159 Flat Type E02
1160 Flat Type F01
1161 Flat Type G01
1162 Flat Type G02
1163 Flat Type H01
1164 Flat Type H02
1165 Flat Type J01
1166 Flat Type J02
Travel Plan

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 Demolition & Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Environmental Management Plan 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 demolition and construction phases. The Statement shall provide for:
 - a) 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; a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - b) General Site Management: details of the construction programme including timetable; details of site clearance; details for erection and maintenance of security

Superseded

hoarding including decorative displays and facilities for public viewing; details of complaint investigation procedures.

c) 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 odour control measures; a dust management plan (This plan should include mitigation in accordance with the relevant IAQM guidance); and measures to control light spill.

d) 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.

e) 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.

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

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 a Construction Noise and Vibration Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Noise Management Plan shall identify all significant noise sources; detail the physical and operational management controls necessary to mitigate emissions from these noise sources; hours of working on site, and specified hours for deliveries; and any elements of operation that could lead to amenity issues from noise and disturbance to surrounding properties. The Construction Noise and Vibration Management Plan shall also detail any noise complaint investigation procedures. The approved Construction Noise and Vibration Management Plan shall be adhered to throughout the operation of the approved use.

Reason:

In the interest of 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.

- 6 Notwithstanding the submitted information, 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;

Superseded

(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.

Details in respect of the above condition have been partially approved by planning permission ref. P2021/0562 on the 29/07/2021 (Details have been provided in relation to phase 1)

- 7 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

Details in respect of the above condition have been partially approved by planning permission ref. P2021/0562 on the 29/07/2021 (Details have been provided in relation to phase 1)

- 8 Notwithstanding the submitted plans, no development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) A statement setting out the design objectives and how these will be delivered;
- b) Details of delivery and timing and implementation;
- c) earthworks showing existing and proposed finished levels or contours;
- d) means of enclosure and retaining structures;
- e) other vehicle and pedestrian access and circulation areas;
- f) hard surfacing materials;

Superseded

- g) minor artefacts and structures (e.g. furniture, play equipment, signs, etc.),
- and
- h) water features.

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.

- 9 No development shall take place until a scheme to provide artificial nesting sites for birds and bat tube/bricks has been submitted to and approved in writing by the local planning authority. The scheme shall include detail and locations of bird nesting boxes and bat bricks to new build elements or at other appropriate locations around the site. All approved artificial nesting sites/ and bat brick/tubes shall be implemented in accordance with the approved details prior to the first occupation of each building to which it relates.

Reason

In the interest of Biodiversity and mitigation for the loss of habitat within the site and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

- 10 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.

Action Conditions

- 11 Prior to the first occupation of any dwelling 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:

Superseded

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

- 12 If piling is to be undertaken on site, no piling activities for the construction of the authorised development may commence until a piling method statement has been submitted to and approved by the local planning authority. Piling shall be carried out in accordance with the approved method statement.
Reason:
In the interest of, 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.
- 13 Prior to the first beneficial use of any new dwelling unit within blocks 5, 6 and 7 blocks, the combined footway/cycle route through the site linking Moorland Road and Bevin Avenue shown on 175-DHA-ZZ-00-DR-A-0002 Site Masterplan shall be constructed and lit in accordance with a scheme which shall first have been submitted to and approved in writing by the Local Planning Authority, with such route thereafter retained open and maintained and free for public use.
Reason
To promote Active Travel Routes and in the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan
- 14 Prior to the construction of any dwelling unit details of the passive and active low energy design measures and the roof mounted solar PV system outlined within the Renewable and Low carbon Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide full details of any external materials/ apparatus required including elevations, floor plan and site plan where required, and details of how the system will operate. The development shall be constructed in accordance with the agreed details prior to the first beneficial use of the development and retained as such thereafter
Reason
In the interest of providing low carbon energy generation within the development to accord with the requirements of Policy RE2 of the Local development Plan.
- 15 Prior to the first beneficial use of the development a scheme shall be submitted to and approved in writing detailing the feasibility and provision of Electric Vehicle Charging Points to serve the development. The scheme shall include a minimum of 5 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 10, and policies BE1 and TR1 of the Neath Port Talbot Local Development Plan
- 16 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

Superseded

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.

- 17 Prior to first beneficial use of the development, a scheme detailing a refuse and recycling strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme, as approved, shall be implemented prior to the first beneficial use of the development, and retained as such thereafter.

Reason :

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

- 18 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.

- 19 Prior to first beneficial use of the proposed development, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in accordance with condition 7 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.

- 20 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

Superseded

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.

- 21 Notwithstanding the details submitted, prior to the first beneficial use of each flat to which the windows hereby approved relate, the front facing windows on the elevations fronting Bevin Avenue and Moorlands Road serving the open plan living and Kitchen area shall be fitted with obscured glazing, and any part of the windows 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 as such 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.
- 22 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 and internal layouts of bin storage areas, cycle storage and mobility scooter storage. Neath Port Talbot Council operate a kerbside collection refuse and recycling scheme. Therefore, the bin store areas should be located adjacent to the adopted public highway, shall not cause obstruction to either vehicular or pedestrian visibility with no doors allowed to open out over the public highway. The bin stores, cycle storage and mobility scooter storage 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, cycle storage and mobility storage is provided for future residents and to ensure compliance with Policy BE1 and EN8 of the Neath Port Talbot Local Development Plan.
- 23 No additional dwelling unit hereby approved shall be brought into beneficial use until such time as a scheme detailing the amendment of the existing orders on Bevin Avenue to facilitate the new vehicular access to the parking area adjacent to Coronation House has been submitted to and approved in writing by the Local Planning Authority, and such scheme has been implemented in full. The approved scheme shall thereafter be retained.
Reason:
In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.
- 24 Prior to the first beneficial use of the development a scheme shall have been submitted to and approved in writing detailing the provision of clothes drying areas to serve the existing and proposed units (which should consider the provision of both external drying areas as well as internal drying facilities). External drying areas shall be screened and suitably positioned as not to detract from the character of the proposed development. 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 residential and visual amenity and to ensure compliance with Policy BE1 of the Neath Port Talbot Local Development Plan

Superseded

Regulatory Conditions

- 25 Each vehicular access point shall be provided with a pedestrian vision splay measured at 2.4 metres x 2.4 metres behind back of footway and shall be retained thereafter so that nothing over 600 mm in height above back of footway level is erected or allowed to grow within these areas.
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
- 26 If the entire scheme is not Social Housing Grant Funded a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 25 %of housing units;
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- Reason:
In order to secure an appropriate level of affordable housing in accordance with Policies AH1 and I1 of the Neath Port Talbot Local Development Plan
- 27 There shall be no outside storage of bins and recycling equipment 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.
- 28 Construction operations shall be limited to 08:00-18:00 Mon-Fri, 08:00-13:00 Saturdays, and no construction operations shall take place on Sunday and Public Holidays without the prior approval of the Local Planning Authority.
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.
- 29 The car parking courts hereby approved shall be constructed in accordance with drawing number 175-DHA-ZZ-00-DR-A-0002 Site Masterplan, prior to the first beneficial use of the development and retained for access and parking of residents' vehicles only thereafter.

Superseded

Reason:

In the interest of highway and pedestrian safety, to ensure that the development is served by sufficient parking and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.

- 30 The development hereby approved shall be connected to the mains sewerage system prior to the first beneficial use of the flats and retained as such thereafter.

Reason:

In the interest of satisfactory drainage of the site, and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

- 31 All measures identified within the Travel Plan hereby approved shall be implemented in accordance with the approved details, with full monitoring reports submitted to the Local Planning Authority following each monitoring period, with a final report and updated Travel Plan submitted after year 5, for the approval of the Local Planning Authority, which shall seek to address any issues that have failed to reduce the use of the car and meet the agreed targets set in the travel plan.

Reason:

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

- 32 All highway works are to be completed in accordance with the details shown on the approved plans prior to the first beneficial use of the development and retained as such thereafter

Reason:

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

Informatives:

1 Biodiversity/protected species: No site/vegetation clearance/demolition should take place between 1st March to 31st July inclusive to minimise the potential for nesting birds to be disturbed as they are protected by law. Bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building in which bats are roosting, Natural Resources Wales must be contacted. If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work shall cease and NRW should be contacted immediately. Where bats or their roosts are present, no works of site clearance, demolition or construction shall take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. NRW can be contacted at:- Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000 Bat Conservation Trust can be contacted at:- 5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0345 1300228

2 NRW Informative: The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Superseded

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays. NRW advise the applicant that, in addition to planning permission, it is the applicant's responsibility to ensure they secure all other permits/consents/licences relevant to their development.

3 Welsh Water Notes: As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Neath Port Talbot County Borough 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 proposed development site is crossed by combined public sewers with the approximate position being marked on the attached Statutory Public Sewer Record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Therefore, we recommend the developer contact Dwr Cymru Welsh Water to discuss and consider possible solutions to protect the integrity of these assets and avoid damage thereto. 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. 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. Please quote our reference number in all communications and correspondence

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

Superseded

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 site, and significant enhancement to the quality of existing accommodation, will contribute towards the delivery of affordable housing within the County Borough in a sustainable location, and that subject to the imposition of conditions and the signing of a Legal Agreement to secure a financial contribution of outdoor pitch and non-pitch sports and allotments the proposed development would have no unacceptable impacts upon the character and appearance of the surrounding area, on residential amenity or on highway and pedestrian safety. Accordingly, the proposed development is considered to accord Policies SP1, SP2, SP3, SP4, SP5, SP7, SP8, SP10, SP15, SP16, SP18, SP19 SP20, SC1, I1, AH1, OS1, T04, EN8, RE2, W3, TR2, and BE1 of the Neath Port Talbot Local Development Plan

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: 3 March 2021

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IMPORTANT:

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

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

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

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

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

Superseded

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

Superseded

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

Making an Appeal

- (9) Please note that for all applications received by the LPA after 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.