

**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

Andrew Scott Ltd - On Behalf Of Director
Of Education
The Quays
Brunel Way
Baglan Energy Park
Neath
SA11 2GG

Name and address of the agent

Mr Phil Baxter
Asbri Planning Ltd.
Unit 9
Oak Tree Court
Cardiff Gate Business Park
Cardiff
CF23 8RS

DATE REGISTERED: 4 September 2020

APPLICATION NO: P2020/0752

LOCATION: Land At, Ysgol Gymraeg Ystalyfera , SA9 2JJ

PROPOSAL: Construction of 2G sports pitch with associated floodlighting
(8no. 15m high mounted columns), and pitch enclosures and
associated works (Additional Parking info)

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL as the Local Planning Authority
in pursuance of its power under the above mentioned Act and Order hereby **GRANTS
PLANNING PERMISSION** for the development as described above to be carried out in
accordance with the application and the plans submitted therewith, subject to compliance
with the following conditions:

This decision notice is REVISION NUMBER 1 issued on 8th June 2022.

Conditions:-

Time Limit Conditions

- 1 The development shall begin no later than five years from the date of this decision.

Reason:

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

List of Approved Plans

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

YGY-LAW-X-X-DR-A-039102_Location Plan
YGY-LAW-X-X-DR-A-069100_Proposed Site Plan
YGY-LAW-X-X-DR-A-900100_Proposed 2G Sports Pitch
1920-012 SKE02 Proposed External Lighting Plan
YYG Pitch Lighting Calculations 30/03/2020
6685-BHP-00-XX-DR-C-(50)050 Drainage plan

Reason:

In the interests of clarity.

Action Conditions

- 3 The facility hereby approved shall only be used in connection with education and sports associated with Ysgol Gymraeg Ystalyfera, and shall not be used by any other external body or organisation until such time as a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The required Parking Management Plan shall as a minimum include, but not be limited to:
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1. Confirmation of management arrangements to ensure that the car parking facilities at the school shall remain open and free for use by all persons using the sports facility at all times when the approved 2G sports pitch is in use (including outside of school hours, times outside of term time, evenings and weekends).
2. Details for how any community organisation or external group that may be granted access to the facility will be managed, including copies of draft rental agreements, which shall include stipulations on access and parking in connection with any rental use agreement, and measures for non-compliance.
3. A plan for monitoring and means of addressing each individual organisation outside the school who are permitted to use the facility should any indiscriminate parking along the local highway network result from the use of the facility, and measures for how breaches of these procedures will be dealt with, and recorded.
4. A complaints procedure, to include contact details and procedures for the public to make complaints to the school, and a requirement for copies of all complaints received, and what measures were implemented, to be retained and available for inspection by the Local Planning Authority at any time.

The scheme shall be fully implemented in accordance the approved details, and the facility shall not be used except when the car parking identified within the Parking Management Plan is available for use.

Reason

In the interests of Highway and Pedestrian safety and Policy TR2 of the Local Development Plan.

Details in respect of the above condition were approved by planning permission ref.P2022/0412 on 8th June 2022.

- 4 In the event of sustained and justified complaints being received in relation to indiscriminate parking and/or non-compliance with the Parking Management Plan as approved under condition 3 of this permission, the Local Authority will formally require the applicant to undertake a suitable and appropriate assessment of parking and produce the findings and recommendations in a written report. The assessment and subsequent report shall be submitted to the Local Authority within 6 weeks of the Authority making the request (or other such agreed timescale should the Local Planning Authority agree in writing an extension of time within 2 weeks of the initial request).

The assessment shall be undertaken by a suitably qualified and competent person, and should be based on the evidence obtained via complaints logged under the Parking Management Plan procedures. The methodology shall be agreed with the Local Authority prior to the assessment.

Recommendations contained within the report shall be implemented within 4 weeks of submitting the report to the Authority.

If the applicant fails to submit the required details or implement the mitigation in accordance with the approved recommendations, use of the facility for any outside bodies shall cease, and the use shall revert to those associated with the education and sporting activities for Ysgol Gymraeg Ystalyfera only.

Reason:

To ensure that the highway and pedestrian safety in the vicinity of the site are protected, and to ensure compliance with Policy TR2 and BE1 of the Local Development Plan.

- 5 The floodlighting hereby approved shall be installed in full accordance with the lighting plan, specifications and pitch calculations hereby approved, and shall not be used (other than for purposes of testing) until such time as the lighting levels have been checked on site, and a report provided to the Local Planning Authority demonstrating compliance with the approved specifications. The floodlighting shall thereafter only be operated in accordance with the approved details.

Reason

In the interests of amenity, and biodiversity, and to accord with Policy BE1 and EN6 and EN7 of the Local Development Plan.

Regulatory Conditions

- 6 The pitch and lighting hereby approved shall be used between the following hours only;
8.30am to 9pm Monday to Saturday
9.00am to 5pm on a Sunday.

Notwithstanding the above hours of operation, the lighting shall only be used when the pitch is in use, and shall be switched off no later than 10 minutes after the approved hours of use.

Reason

In the interests of amenity, the environment and sustainability, and policy BE1 of the Neath Port Talbot Local Development Plan.

Reason for granting planning permission

The proposal represents an appropriate form of development that, subject to conditions, would have no unacceptable impacts on biodiversity, residential or visual amenity or highway and pedestrian safety. Accordingly, the proposed development is in accordance with Policies SC1, SP3, SP4, SP6, SP15, SP16, SP20, I1, EN6, EN7, EN8, TR2 and BE1 of the Neath Port Talbot Local Development Plan.

Signed: 

Ceri Morris – Head of Planning & Public Protection

Date: 13 November 2020

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.