

**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

LW Community Services Ltd
Croeserw Community Centre
Bryn Siriol
Croeserw
Cymmer
Port Talbot
Neath Port Talbot
SA13 3PL

Name and address of the agent

Mr Martyn Sparnon
MJS Desings (Cymru) Ltd
30 Rhiwlas
Wauanceirch
Neath
Neath Port Talbot
SA10 7RB

DATE REGISTERED: 28 November 2022

APPLICATION NO: P2022/0985

LOCATION: Tudor Park Recreation Ground, Croeserw, Cymmer, Port Talbot, Neath Port Talbot, SA13 3SD

PROPOSAL: Full planning to construct two storey detached community sports pavilion / hub (D2) incorporating changing rooms, ground floor cafe and kitchen (A3) and first floor office accommodation (A2/B1).

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 and documents:

222303.01 - Ground Floor Plan
222303.02 - First Floor Plan
222303.03 - Elevations sheet 1
222303.04 - Elevations sheet 1
222303.05 - Site Sections
222303.06 - Location / Block Plans
222303.07 - Bin and Bicycle Compounds
DK Ecology - Ecological Enhancement Measures

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 Prior to the commencement of the development, hereby approved, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide details of:

- i. the parking of vehicles of site operatives
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

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.

- 4 Prior to the commencement of the development, hereby approved, a Construction Traffic Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall be provided for:

- i. Entrances and exits - provide separate entry and exit gateways for pedestrians and vehicles;
- ii. Crossings - where walkways cross roadways, provide a clearly signed and lit crossing point where drivers and pedestrians can see each other clearly;
- iii. Visibility - make sure drivers driving out onto public roads can see both ways along the footway before they move on to it
- iv. Obstructions - do not block walkways so that pedestrians have to step onto the vehicle route; and

- v. Barriers - installing a barrier between the roadway and walkway.

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.

Action Conditions

- 5 Prior to the first beneficial use of the kitchen hereby approved, a scheme for the extraction, control of noise and cooking odours from the kitchen, shown on plan 222303.01, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed in accordance with the DEFRA document "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems". Following approval of the scheme, the kitchen extraction shall be constructed and commissioned to the satisfaction of the Local Planning Authority prior to the first operation of the approved Class A3 use.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Local Planning Policy

- 6 Prior to the first beneficial use of the building hereby approved, the following biodiversity enhancement measures shall be implemented on site, in accordance with the DK Ecology Ecological Enhancement document;
- 1 x woodcrete crevice roost bat box
 - 2 x woodcrete sparrow terrace nesting boxes
 - 2 x bee bricks
- Dwarf wall planted up with pollinator friendly plants an artificial nesting site for birds

Reason:

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

- 7 In accordance with the DK Ecology Enhancement document, the planting of native shrub/ tree hedge to the south west boundary and the planting of the wildflower zone to the north-east and south-east of the site, shall be completed within the first planting season following the first beneficial use of the building hereby approved.

Reason:

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

- 8 Prior to the erection of the four metre fence to the north east of the site, details including the height, design, materials and type of fencing to be erected shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interest of visual amenity and to ensure compliance with Policy BE1 of the Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 9 Prior to first beneficial use of the sports pavilion and associated uses, the car park shall be marked out on site in accordance with the submitted plan drawing number 222303.06 for the access and parking of vehicles only and shall be retained as such thereafter.

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 The uses of the building hereby approved, shall not be carried out outside the hours of 07.00 to 22.00 Monday to Sunday, including Bank Holidays.

Reason:

In the interest of residential amenity and to ensure the development complies with Policy BE1 and EN8 of the Neath Port Talbot Local Development Plan.

- 11 Construction operations shall be limited to 08:00-18:00 Mon-Fri, 08:00-13:00 Saturday, 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, in accordance with Local Planning Policy

- 12 Notwithstanding the submitted plans, the materials to be used in the construction of the ground floor external surfaces of the development hereby approved shall be 'Z stone natural stone cladding multi slate Nordic'.

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.

- 13 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason:

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

- 14 All roller shutters for doors and windows included within the design of the building, hereby approved, shall be installed so that the box housing is internal within the building and is not visible internally.

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.

Informatives:

- 1 Please note that SAB approval will be required prior to any work commencing. It is a breach of approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water

Management Act 2010 whereby action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018.

2 Development proposals must seek to maximise walking and cycling accessibility by prioritising the provision of appropriate on-site infrastructure and where necessary off-site infrastructure. Walking and cycling infrastructure and services should be prioritised and put in place from the outset, before people have moved in and travel patterns have been established, as per Planning Policy Wales, Edition 11 and Future Wales - the National Plan 2040. All new walking and cycling infrastructure should be built to standards set out in Welsh Government's Active Travel Guidance and off-site infrastructure should link to (where possible) routes on Neath Port Talbot Council's Active Travel Network Map. This shows where walking and cycling routes already exist (Existing Routes) and where upgrades or brand new routes are anticipated for the next 15 years (Future Routes) in built up areas. Further information on the Active Travel Guidance and Neath Port Talbot's Active Travel Network Map can be found here: www.npt.gov.uk/activetravel

3 Planning permission may be required for the installation of a flue on the building, it is advised that the applicant contact the planning department should they wish to erect a flue on the building.

Reason for granting planning permission

It is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on visual amenity, neighbour amenity, parking and highway safety, drainage and biodiversity. Accordingly, the proposed development is in accordance with Policies SP3, SP4, SP10, SP15, SC1, OS2, EN6, EN7, TR2 and BE1 of the Neath Port Talbot Local Development Plan.

Signed:



Ceri Morris – Head of Planning & Public Protection

Date: 20 January 2023

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 686820 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.