

**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

Archi-Intellegence obo Mr B Jones
Wenallt Farm
43 Dan Y Bryn
Tonna
SA11 3QH

Name and address of the agent

Mr Jason Lowes
Rapleys LLP
66 St James's Street
London
SW1A 1NE

DATE REGISTERED: 22 August 2022

APPLICATION NO: P2022/0625

LOCATION: Wenallt Farm , Wenallt Road, Tonna, Neath, SA11 3QH

PROPOSAL: Full planning permission for the change of use to provide a 12 pitch campsite, including the erection of four existing shower buildings and four existing WCs, together with the use of two existing shepherd huts and a porta-cabin in association with the campsite.

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 use shall be discontinued and any associated paraphernalia / shepherd huts associated with the use shall be removed from the land in its entirety and the land shall be restored to its former condition on or before 5 years from the date of this consent.

Reason:

To allow the Local Planning Authority to assess the potential impacts of the development over time, having regard to the need to protect amenity as required by Policy BE1 of the Neath Port Talbot Local Development Plan.

List of Approved Plans

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

Site management and water management details - Email received 4th September 2020

Planning Policy note - October 2021

Topography plan Rev A

Existing and proposed plans and elevations Rev 3

Proposed plans Rev 8

Site location plan and existing plans Rev6

Site sections

Wild Camp information

Arbtech TSR01 - Tree survey

PEA Ecology survey - February 2022

Planning and design and access statement 21-01860 - July 2022

Business Plan - August 2022

Drainage statement - August 2022

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 Prior to the first beneficial use of the camp site hereby approved, a Biodiversity enhancement plan shall be submitted to and agreed with the Local Planning Authority, based on section 5 conclusions and Recommendations for Further Survey of the Ecological Appraisal Report. This is in line with the general principles set out in SPG: Biodiversity and Geodiversity (May 2018) and the Environment (Wales) Act 2016.

Reason:

In the interest of protected species and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

Details in respect of the above condition were approved under application P2023/0154 on 22/03/2023

- 4 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, including full details of bin and recycling locations and collection details. 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.

**Details in respect of the above condition were approved under application
P2023/0154 on 22/03/2023**

Regulatory Conditions

- 5 The application site shall be limited to a maximum of 12 campsite pitches and two shepherd huts only.

Reason:

In the interest of clarity.

- 6 There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site, without prior consultation and agreement with the Authority.

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.

- 7 The development hereby approved shall be occupied as holiday accommodation only, and shall not be occupied as a person's sole or main place of residence or by any persons exceeding a period of 12 weeks in any twelve month period. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Reason:

In order to ensure that the accommodation is utilised for tourist holiday accommodation only and in order to ensure compliance with Policy SC1 of the Neath Port Talbot Local Development Plan.

- 8 Operation of the hereby approved campsite shall be in accordance with the Site Management and Water Management details received by email on the 4th September by the agent for the application.

Reason:

In the interest of clarity and to ensure the implementation of adequate water management details in accordance with policy BE1 of the Neath Port Talbot Local Development Plan.

- 9 Unless constructed on a suitable cellular confinement system using specialised engineering techniques no hard or compacted surfaces or excavations must be undertaken within the root protection areas. During all phases of construction and development work must be completed in accordance with the recommendations in BS5837:2012 Trees in relation to design, demolition and construction.

Reason;

To ensure all existing trees are protected throughout the use of the development, in the interest of visual amenity, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 10 Prior to the installation of a drinking water facility to serve the campsite, a Hydraulic Modelling Report shall be submitted to and approved by the Local Planning Authority, to demonstrate and identify the reinforcement works to the local water supply network, at which the development shall connect.

Reason: To ensure the site is served by a suitable potable water supply.

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 Unless temporary approval has been given for diversion or closure, the Public Rights of Way shall remain open at all times, any damage caused to the Rights of Way shall be rectified to the satisfaction of this authority immediately.
- 3 Composting toilets may be a useful method of foul effluent disposal at remote sites. They use natural processes to convert waste matter into compost. They require maintenance and the addition of materials such as sawdust to aid the composting process. The liquid part of the effluent should drain to an infiltration system; the solid part must be removed. Composting toilets, and collection-only systems, must be regularly emptied to remove excess sludge that builds up (desludging) before the system is full. No effluent from composting toilets should be discharged to a watercourse. Waste from composting toilets should not be used directly on land being used for growing crops (of vegetables or some types of fruit) for human consumption, or where people or animals have access to, such as residential gardens. Composting toilets are a means of managing human excrement when there is difficulty with connecting to the foul sewer. They are small-scale, complete sewage processing systems that use biological processes to turn sewage into a compost like material which can be used to fertilise the soil. Both permanently sited and portable composting toilets are capable of falling into the definition

of a septic tank provided the design of the system separates the urine and sanitary waste from the solids. Where the design of the system does not separate urine and sanitary waste from the solids, they are effectively cesspools. In systems which can separate the liquid and sanitary wastes from the solids the toilets are effectively septic tanks and as with the septic tank sludge the resulting treated material can be spread on land as a fertiliser in accordance with the Sludge Use in Agriculture Regulations, the Safe Sludge Matrix and the Code of Good Agricultural Practice (COGAP) or Standard rules permit. The separated liquid fraction can be: stored in a sealed tank and collected by a waste contractor for disposal at a STW as is the case with conventional toilet systems. discharged to land as is the case with traditional septic tanks. Where a discharge to land or water is being made an exemption or environmental permit will be required. In a system that does not separate the solids/liquids the toilet is effectively a cesspool. The waste from these toilets should be collected by a waste contractor and sent for disposal at an appropriately permitted site. This waste cannot be applied to land under the Sludge Use in Agriculture Regulations or any standard rules permit.

4 Environmental Health considers the Shepherd's Huts to be moveable structures akin to static caravans, and therefore would expect the submission of a caravan site licence for the field where they are sited, and a separate campsite licence application for the camping field as soon as practicable if planning consent is granted for this development.

5 Bats in Trees Bats often roost in trees, and work on these trees 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 tree 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 felling, lopping or pruning 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 3000Bat Conservation Trust can be contacted at:-Studio 15, Cloisters House, Cloisters Business Centre, 8 Battersea Park Road, London, SA8 4BG, 03451300 228The Authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions, under the Environment (Wales) Act 2016. It is therefore essential that the above recommendations for the conservation of biodiversity be followed to ensure that the Planning Authority complies with this statutory requirement along with the adopted guidance in the Biodiversity supplementary planning guidance and TAN 5 (2009).

6 The applicant shall be aware that they may require additional consents and permits from Welsh Water, NRW, Environmental Health and/or Building Regulations. The Development Management and Building Control teams work closely to assist developers in improving the quality of their development and ensuring compliance with all appropriate conditions and Regulations. In particular, Building Control provide a competitive and highly professional service and seek to actively engage with developers at the earliest stage of their project. You are therefore encouraged to contact the Building Control team on 01639

686820 or by emailing building.control@npt.gov.uk to enter into early negotiations and understand the benefits of the Council's Development Team approach.

Reason for granting planning permission:

It is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on the countryside character and appearance of this site impact upon residential amenity of neighbouring properties, highway safety or biodiversity. Accordingly, the proposed development is in accordance with Policies SP3, SP4, SP15, SP21, EN6, EN7, TR2, BE1, TO1 and SC1 of the Neath Port Talbot Local Development Plan.

Signed:

A handwritten signature in black ink, appearing to read 'Ceri Morris', written over a horizontal line.

Ceri Morris – Head of Planning & Public Protection

Date: 15 December 2022

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

Within 6 Months

Commercial and Householder applications – see below)

(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

Within 6 months

Proposed (Section 192) Use or Development

(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.