

**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 OUTLINE PLANNING PERMISSION

Name and address of the applicant

Mr Hooper
10 Cefn Parc
Skewen
SA10 6YR

Name and address of the agent

Mr Owen Lloyd
Ferndale Architectural Solutions Ltd
98 Neath Road
Resolven
SA11 4AN

DATE REGISTERED: 12 October 2022

APPLICATION NO: P2022/0863

LOCATION: 10 Cefn Parc, Skewen, Neath, Neath Port Talbot, SA10 6YR

PROPOSAL: Outline application with all matters reserved for one detached dwelling

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL as the Local Planning Authority in pursuance of its power under the above mentioned Act and Order hereby **PERMITS** 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 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason:

The application was made for outline planning permission.

- 2 Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 3 The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

List of Approved Plans

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

-Existing OS Extract, drawing no. 22.20.01, dated October 2022.
-Proposed OS Extract, drawing no. 22.20.02, dated October 2022.
-Proposed Site Plan, drawing no. 22.20.03, dated October 2022.

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 5 As part of the first reserved matters application a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the provision of one off-street parking space per bedroom, up to a maximum of three. The car parking area shall be hard surfaced in either porous asphalt or permeable block paving or a provision must be made to direct run-off water from the hard standing to a permeable or porous area within the curtilage of the dwelling house to a maximum gradient of no greater than 1 in 9 and no less than 1 in 150. The driveway shall be drained so that no surface water (including roof and yard) flows out onto the public highway or vice versa and must be maintained to ensure it complies with the above requirements. The surface water shall not drain directly or indirectly into the highway drainage network. The scheme, as approved, shall be provided on site prior to the first beneficial occupation of the dwelling, and retained for such parking use thereafter.

Reason:

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

- 6 As part of the first reserved matters application a scheme showing visibility splays at a set-back of 2.4m from the centreline and a splay of 43 metres provided either side of the access, shall be submitted to and agreed in writing by the local planning authority. The visibility splays shall be provided prior to first occupation of the approved development and retained as such thereafter and notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any order revoking or re-enacting that order, no obstruction exceeding 600mm high shall be erected, placed or allowed to grow within the visibility splays for the lifetime of the development.

Reason:

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

- 7 As part of the first reserved matters application, a scheme detailing an ecological enhancement measure shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the first occupation of the development and retained and maintained in perpetuity.

Reason:

In the interests of Biodiversity and to provide Ecological Enhancement Measures on site in accordance with Policy 9 of Future Wales and so as to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

- 8 As part of the first reserved matters application details of the proposed siting, design and finish of all proposed means of enclosure to all property boundaries shall be submitted to and approved in writing with the Local Planning Authority. The means of enclosure shall be erected in accordance with the approved details prior to the occupation of the proposed development and retained as such thereafter.

Reason:

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

- 9 As part of the first reserved matters application details of proposed ground levels and finished floor levels shall be submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason:

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

- 10 As part of the first reserved matters application, details of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing with the Local Planning Authority. The 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.

- 11 As part of the first reserved matters application, a foul water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul water flows and thereafter implemented in accordance with the approved details prior to the occupation of the development, and retained as such thereafter.

Reason:

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

environment, and ensure the development complies with Policy SP16 and EN8 of the Neath Port Talbot Local Development Plan.

Action Conditions

- 12 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 Local Authority.

Reason:

In order to comply with Policy EN8 of the Neath Port Talbot Local Development Plan.

- 13 No surface water or land drainage run-off shall be allowed to connect, either directly or indirectly, to the Highway Drainage system unless otherwise approved in writing by the Local Planning Authority.

Reason:

In order to comply with Policy EN8 of the Neath Port Talbot Local Development Plan.

- 14 Should any springs or ground water seepage be encountered, the onsite works in that area shall cease until a scheme for collection and disposal of the water has been submitted to and approved in writing by the Local Planning Authority. No ground water shall ever be discharged into the proposed drainage scheme.

Reason:

In order to comply with Policy EN8 of the Neath Port Talbot Local Development Plan.

- 15 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, to ensure no pollution of or detriment to the environment, and to ensure the development complies with Policy EN8 of the Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 16 Any gates fronting onto the highway shall be of a type which open inward only and can be seen through, and shall be maintained 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.

- 17 Prior to occupation of the dwelling a vehicular footway crossing shall be provided to Highway Authority specification.

Reason:

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

- 18 Any hard standing areas within the root protection areas of T1 (Lime) & T2 (Sycamore) must be installed on a cellular confinement system in accordance with the guidance in the Arboricultural Association Guidance Note 12 -The use of cellular confinement systems near trees, and retained as such thereafter.

Reason:

To ensure the existing tree is protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

Informatives:

- 1 For the construction of a vehicular crossing over the footway, you should contact the Highways and Engineering Manager of Neath Port Talbot County Borough Council at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG (Tel. No. 01639-686760 or 686756). If you propose to do the work yourself you should contact the above prior to commencing any works within the highway in order to arrange the necessary indemnity and specification for the works.
- 2 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. This will require sustainable drainage - built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers - to manage on-site surface water. More information is available in Schedule 3 of the Flood & Water Management Act 2010. These systems must be approved by the Council's Highway Development Control service acting in its SuDS Approving Body (SAB) role before construction work begins. In this respect it is essential that a developer of any such project gain SAB approval of its surface water drainage alongside any relevant planning permission. You will not be allowed to start construction until both permissions have been approved. If you have not done so already, and your development would not fall into any of the relevant exceptions, you are therefore strongly encouraged to request further advice from the SAB. Involving the SAB Officers in pre-application discussions will allow for SuDS drainage matters (to ensure suitability of proposed SuDS design in line with national standards and adequate site layout) to be considered alongside the assessment of planning merits. There is an additional charge of £250 for this service. This can be as part of any agreed further pre-application submissions with the Planning Authority (recommended) or independently/ direct with the SAB. You are advised, however, that failing to engage in joint pre-application discussions has the potential to lead to delays and, most notably, the potential need to obtain further planning permission should any agreed SuDS design not be compliant with any relevant planning permission. Further details are available at www.npt.gov.uk/sab.
- 3 In accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements. 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 planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water and sewerage connections. 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. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

- 4 Foul drainage (Natural Resources Wales) No information has been provided regarding the disposal of foul waters from the proposed development. We refer you to Welsh Government Circular 008/2018 on the use of private sewerage in new developments, and specifically paragraphs 2.3-2.5, which stress the first presumption must be to provide a system of foul drainage discharging into a public sewer. We advise you that the proposed development is in a publicly sewered area. Please consult us again if foul sewage from the proposed development is to be disposed of by a private sewerage system.
- 5 Other matters (Natural Resources Wales). Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests. We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.
- 6 In line with the general principles set out in SPG: Biodiversity and Geodiversity (May 2018) and the Environment (Wales) Act 2016 the application should demonstrate how biodiversity net benefit is to be achieved. On a site such as this one, this can be achieved by the incorporation of integrated bird/bat boxes in the fabric of the new building and native species in any landscaping. Please note the elevation on which these should be placed is different for bats and birds, details will be available from the manufacturer.
- 7 As part of the reserved matters application consideration should be given to the siting of private amenity space for the proposed dwelling in relation to the first floor bedroom window situated within eastern side elevation of the donor property, 10 Cefn

Parc. In addition any turning or parking areas within the root protection areas of T1 and T2 should if possible be avoided.

- 8 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
- 9 Details of landscaping are required to be submitted as part of the reserved matters application. The developer is advised that this must have regard for retaining (where possible) the existing tree and vegetation along all boundaries of the site, but particularly the rear (southern) boundary of the application site and additional / and replacement planting.
- 10 All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a trees 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. 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 Where bats or their roosts are present, no works shall take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. It is recommended that vegetation clearance and tree work should avoid the bird breeding season 1st March to 31st July inclusive in accordance with the Wildlife and Countryside Act 1981 (as amended).
- 11 Any single garages shall have a minimum internal dimension of 3 metres width by 6 metres length or 6 metre width by 6 metre length for a double garage.

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Neath Port Talbot Local Development Plan (2011-2026) adopted January 2016.

The proposal represents an appropriate form of development that would have no unacceptable impact on; the visual amenity of the area, the amenities of neighbouring residents, highway safety, biodiversity/ecology or drainage. Provided the conditions attached to this decision are adhered to, the proposal would be in accordance with Policies SP3, SP15, SP16, SP20, SP21, SC1, EN6, EN7, EN8, TR2 and BE1 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040, specifically Policies 2 (Shaping Urban Growth and Regeneration - Strategic Placemaking) & 9 (Resilient Ecological Networks and Green Infrastructure), and 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: 5 April 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.