

**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

Glass Systems Limited
C/O Agent

Name and address of the agent

Mr Steffan Harries
LRM Planning Ltd.
22 Cathedral Road
Cardiff
CF11 9LJ

DATE REGISTERED: 15 June 2022

APPLICATION NO: P2022/0470

LOCATION: Land At Baglan Way , Port Talbot

PROPOSAL: Erection of an industrial unit (use class B2) (GIA 25,545sqm)
with associated works including sustainable drainage, car
parking, cycle storage and landscaping.

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:-

This decision notice is REVISION NUMBER 7, issued on 24/11/2023.

Time Limit Conditions

- 1 The development hereby permitted shall be begun before the expiration of Five years from the date of this permission.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

List of Approved Plans

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

Site Location and Block Plan 2149-A01-Rev.A
Topographical Survey 2149-A02-Rev.A
~~Proposed site plan 2149-A03-Rev.J~~
~~General Arrangement Plan—Ground Floor—2149-A04-Rev.D~~
~~General Arrangement Plan—First Floor 2149-A05-Rev.D~~
~~General Arrangement Plan—Ground and First Floor Administration and Staff 2149-A07-Rev.D~~
~~General Arrangement Sections—Sheet 01 2149-A08~~
~~General Arrangement Sections—Sheet 02 2149-A09~~
~~Elevations 2149-A10-Rev.D~~
~~3D Captures Drawings~~
General Arrangements Site Access Layout - Baglan Way C21049-ATP-DR-TP-004
Planning Statement dated Mat 2022
Design and Access Statement dated May 2022
Pre-Application report dated May 2022
Outline drainage strategy dated April 2022
Ecological Appraisal Report edp7017_r006C
Ecological Method Statement edp7017_r007
Phase 1 Habitat Plan edp7017_d009
Biodiversity Management Plan edp7017_r008a
Flood Consequence Assessment dated March 2022
Geotechnical and Geoenvironmental Report 16750 March 2022
Ground Gas Monitoring Results and Assessment dated November 2021
Landscape Strategy edp7017_d022c
Detailed Soft Landscape Design edp7017_d023a (sheets 1 to 7)
Landscape and Visual Baseline edp7017_r001d
Ecology response letter dated 3 August 2022 L/edp7017/ED/cl
Noise Assessment 21-055 v4
Transport Assessment C21949/TA01.Iss4
Travel Plan C21949/TP01.Iss3
Transport Note C21949/TN01.Iss1
Tree Constraints Plan edp7017_d001
Arboricultural Method Statement edp7017_r005c
Archaeology and Heritage Assessment edp7017_r003e
Air Quality Assessment J10/12526/10/1/F3

Reason:

To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

The following plans have been approved as a non-material amendment to the application under application P2023/0311 on the 18/05/23

Proposed Site Plan GSB-LAW-EX-XX-DR-A-069001-S4-P8
Proposed Ground Floor Plan GSB-LAW-01-DR-A-061001-S4-P10
Proposed First Floor Plan GSB-LAW-01-FF-DR-A-061002-S4-P7
Proposed Roof Plan GSB-LAW-01-RF-DR-A-069001-S4-P7
Proposed Elevations GSB-LAW-01-XX-DR-A-062001-S4-P9
Proposed Building Envelope Finishes GSB-LAW-01-XX-DR-A-062101-P0

Planning Approved Elevation Comparison GSB-LAW-EX-XX-DR-A-062901-P0

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, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be made with reference to the requirements of British Standard BS5228-1:2009 - "Code of practice for noise and vibration control on construction and open sites". The CEMP should include the following information: -

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.

General Site Management: details of the construction programme including timetable; details of site clearance; details for erection and maintenance of security hoarding including decorative displays and facilities for public viewing; details of complaint investigation procedures.

Protection of retained habitats: Details of any permanent and temporary fencing, signage and protection of retained habitats to ensure no encroachment or damage during the construction phase.

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 of dust & odour control measures and measures to control light spill.

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.

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.

Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
The CEMP shall be implemented as approved throughout the site preparation and construction phases of the development.

Reason:

In order to ensure necessary management measures are agreed and implemented to protect local amenity, especially for people living and/or working nearby, and highway safety during construction and to accord with Policies TR2 and EN8 of the Local Development Plan.

Details in Respect of the above condition were approved by application P2023/0081 granted on 21/08/2023.

Revised details in respect of the above condition were approved by application P2023/0780 granted on 24/11/23.

- 5 No development shall take place until a scheme for reptile translocation has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be undertaken in accordance with the timescales and methodologies as approved.

Reason

In the interests of biodiversity and to accord with Policies EN6 and EN7 of the Local Development Plan.

Details in Respect of the above condition were approved by application P2023/0082 granted on 02/03/2023.

- 6 No development shall take place until a foul water drainage scheme for the site has been 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.

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 and to accord with Policy I1, EN8 and BE1 of the Local Development Plan

Details in Respect of the above condition were approved by application P2023/0083 granted on 03/04/2023.

- 7 No development shall take place until a potable water scheme to serve the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the existing water supply network can suitably accommodate the proposed development site. If necessary, a scheme to reinforce the existing public water supply network in order to accommodate the site shall be delivered prior to the occupation of any building. Thereafter, the agreed scheme shall be constructed in full and remain in perpetuity.

Reason:

To ensure the site is served by a suitable potable water supply and to accord with Policy I1 of the Local Development Plan.

Details in Respect of the above condition were approved by application P2023/0083 granted on 03/04/2023.

- 8 Prior to the commencement of development, and notwithstanding the details submitted, a scheme for pedestrian crossing and cycle priority junction arrangements and routes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details and retained as such thereafter.

Reason:

To promote and ensure that the development complies with active travel initiatives and highway safety and Policies TR2 and BE1 of the Local Development Plan.

Details in Respect of the above condition were approved by application P2023/0122 granted on 14/11/2023.

- 9 Details of the specification, biodiverse planting, design and materials for the green roof, including the area to which the green roof will be positioned will be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development. These details as approved shall be fully implemented prior to the first use of the development and maintained as such thereafter.

Reason:

To preserve and enhance the habitat quality of the SINC in accordance with Policies EN6 and EN7 of the Local Development Plan.

Details in Respect of the above condition were approved by application P2023/0081 granted on 21/08/2023.

Action Conditions

- 10 Prior to their use in the construction of the development hereby permitted, details and/or 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.

- 11 Prior to the first use of the development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be fully implemented in accordance with the details as approved within the first planting season following approval, and maintained as such thereafter. Any species or specimen that die or are damaged within 5 years shall be replaced on a like for like basis, unless otherwise agreed as part of a revised landscaping scheme, to be submitted and approved by the Local Planning Authority.

Reason:

To aid preservation and enhancement of habitat qualities and natural impact within the SINC in accordance with Policies EN6 and EN7 of the Local Development Plan.

- 12 Prior to commencement of the superstructure of the development hereby approved, the applicant shall submit a scheme detailing how the specified sound rating levels within the noise impact assessment will be achieved. The scheme shall include specific details of any sound attenuation equipment that may be necessary to achieve the stipulated sound rating levels set within the report. The development shall be constructed in accordance with the details hereby approved, and retained as such thereafter.

Reason:

In order to protect the amenity of future workers and neighbouring residents and to accord with Policy EN8 of the Local Development Plan

Details in Respect of the above condition were approved by application P2023/0084 granted on 27/07/2023.

- 13 Prior to the first use of the development hereby approved a Noise Management Plan shall be submitted to and approved by the Local Authority. The Noise Management Plan shall detail how noise emissions from all activities on site will be controlled, and mitigated. The Noise Management Plan should consider all potential noise sources on site, including noise from deliveries etc. The Noise Management Plan as approved shall be strictly adhered to during the operation of the development hereby approved.

Reason:

In order to protect the amenity of future workers and neighbouring residents and Policy EN8 of the Local Development Plan.

- 14 The Biodiversity Management Plan dated August 2022 shall be fully implemented for a period of no less than 50 years. This plan is to include adaptive management based on 5 year reviews, with an initial review being undertaken 12 months after first operational use of the development hereby approved, and thereafter every 5 years from the date of that approval. The review of the management plan and proposals for the next management period shall be submitted to and approved by the Local Planning Authority at the end of each 5 year period.

Reason:

In order to preserve, enhance and manage the habitat quality of the SINC and to accord with Policies EN6 and EN7 of the Local Development Plan.

- 15 The car park accessed from Moor Road providing 129 vehicle parking spaces, each space measuring 2.6m x 4.8m as shown in drawing number 21.49-A03-Rev I shall be constructed and clearly marked out on site prior to the first use of the development hereby approved and shall be retained as such thereafter.

The car park accessed from Baglan Road shall be provided with 51 vehicle parking bays, each space measuring a minimum of 2.6m x 4.8m with a 5% provision of the total spaces being used as disabled bays measuring 3.6m x 4.8m as per the NPT Parking Standards 2016 as shown in drawing number 21.49-A03-Rev I, shall be constructed and clearly marked out on site prior to the first use of the development hereby approved and shall be retained as such thereafter.

A minimum of 10% of the total number of spaces for the development shall be provided with EV charging points as detailed in The Planning Policy Wales guidance and shown in drawing number 21.49-A03-Rev I, available for use prior to the first use of the development hereby approved, and retained as such thereafter.

Reason:

To ensure sufficient parking is provided within the application site and that on-road parking of vehicles in the adjoining roads does not occur, in the interests of highway and pedestrian safety, and to accord with Policy TR2 of the Local Development Plan.

- 16 Details of any signage (directional or otherwise) required for within or on the external public highway shall be submitted to and approved in writing by the Local Planning Authority along with lumen levels should they be illuminated. The signage and any lighting as approved shall be provided prior to the first use of the development hereby approved and retained as such thereafter.

Reason:

In the interest of highway and pedestrian safety, visual amenity and to ensure minimal nuisance or disturbance is caused to the detriment of the amenities of local residents, of ecology and of the area generally. To accord with Policies EN6, EN7, TR2 and BE1 of the Local Development Plan.

- 17 The new vehicular access points to the development hereby approved, as shown on drawing number 21.49-A03-Rev I, off Baglan Way and Moor Road shall tie into and be constructed to the adoptable standard and specification of the Highway Authority.

Reason:

To ensure that all vehicles can enter and leave the highway in a controlled manner in the interest of highway and pedestrian safety and Policy I1 and TR2 of the Local Development Plan.

- 18 A Flood Emergency Plan shall be prepared and available for employees and visitors to adhere to in the event of a flood, a copy of which shall be submitted to and approved in writing by the Local Authority prior to the first use of the development hereby approved.

Reason:

To ensure the tests of TAN 15 have been met and compiled with.

- 19 Prior to the beneficial use of the development a Waste Management Plan (WMP) shall be submitted to and approved in writing by the LPA. The WMP as approved shall be fully implemented.

Reason:

To ensure the safe management of all waste products in compliance with Policies EN8, and W3 of the Local Development Plan

- 20 The validation of all imported materials should be undertaken in line with WLGA guidance document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems'. Prior to the importation of any material including hardcore, subsoils or topsoils, validation of those materials shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To prevent the introduction of contaminated products to the site and to accord with Policy EN8 of the Local Development Plan

- 21 Details of all means of enclosure within the development area shall be submitted to and approved in writing by the Local Planning Authority prior to their installation on site. The details approved shall be fully implemented on site and retained on site prior to the first use of the development hereby approved.

Reason:

To provide viable enclosure for the development area, in a manner with acceptable impact on safety and natural uses in accordance with Policy EN7 of the Local Development Plan.

- 22 Details of any external lighting required within the development area shall be submitted to the Local Planning Authority, alongside lumen levels in areas of activity. Materials and light types utilised shall be provided prior to the first use of the development hereby approved and retained as such thereafter.

Reason:

To provide adequate visibility between all users of the development area, supporting safe and viable activity throughout in accordance with Policies EN6, EN7, EN8, TR2 and BE1

- 23 Notwithstanding the submitted Travel Plan, 12 months from the first beneficial use of the development hereby approved, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The amended Travel Plan shall include details of the appointment of a Travel Plan Coordinator, and in addition to addressing the means to encourage staff to use more sustainable means of transport and reduce the demand on private transport, the Plan should incorporate details of how the developments transportation could be utilised to encourage staff and visitors to site to use public transport, and utilise sustainable transport options, such as cycling, walking or car sharing. The Plan should also include a detailed monitoring scheme/schedule, which shall regular reviews covering the initial five year period, together with details covering submission and approval of subsequent updated Travel Plans every five years for the duration of the operation of the development,

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. All measures identified within any approved Travel Plan required by the scheme shall be implemented within three months following its approval.

Reason:

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

Regulatory Conditions

- 24 The sound rating level from the development shall not exceed the background sound level during the day or night at the nearest noise sensitive receptors, when assessed in accordance with the methodology and principles set out in BS4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound.

Reason:

In order to protect the amenity of future workers and neighbouring residents and to accord with Policy EN8 of the Local Development Plan

- 25 In the event of any justified noise complaints being received, the Local Authority will require the applicant to undertake a suitable and appropriate noise assessment and produce the findings and recommendations in a written report. A suitably qualified and competent person shall undertake the assessment.
- The methodology shall be agreed with the Local Authority prior to the assessment within 2 weeks of the Local Authority of this request.
 - The assessment and subsequent report shall be submitted to the local Authority within 6 weeks of the Authority making the request.
 - If an extension of time is required, then an application must be put in writing to the Authority for consideration. The request for an extension must detail the reasoning why an extension of time is required and detail how much of an extension is sought.
 - Recommendations contained within the report shall be implemented within 4 weeks of submitting to and approval of the report by the Authority.
 - If an extension of time is required, then an application must be put in writing to the Authority for consideration. The request for an extension must detail the reasoning why an extension of time is required and detail how much of an extension is sought.

Reason:

In order to protect the amenity of future workers and neighbouring residents and to accord with Policy EN8 of the Local Development Plan.

- 26 Nothing over 600 mm shall be erected or allowed to grow within the vision splay areas of the proposed new vehicular accesses off Moor Road and Baglan Way, to maintain the required visibility splays as detailed in the supporting document Transport Assessment 3 - Access Arrangements and shall be maintained as such thereafter.

Reason:

To provide adequate inter-visibility between vehicles using the site access and those in the existing public highway in the interest of highway safety and accord with Policy TR2 of the Local Development Plan.

- 27 As detailed on the submitted plan, drawing number 21.49-A03-Rev I, any proposed gates adjacent to the public highway shall be of a type that open inwards only and are setback within the site a minimum of 12 metres to allow vehicles to be removed from the public highway whilst the gates are opened/closed.

Reason:

In the interest of highway safety and to accord with Policy TR2 of the Local Development Plan

Informatives:

1 The development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

2 If any legally protected species are found on site NRW are to be contacted and further licencing may be required.

3 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.

4 The developer is made aware that SAB approval is required prior to any works commencing on site. 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.

5 The developer shall have due regard to the requirements specified in condition 24 with respect to noise levels when submitting details and schemes under conditions 12 and 13 of this permission.

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.

It is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on the Panasonic SINC and will contribute to local employment opportunities. Accordingly, the proposed development is in accordance with Policies SP1, SP2, SP3, SP4, SP5, SP10, SP11, SP15, SP16, SP17, SP18, SP19, SP20, SP21, SC1, I1, OS1, OS2, EC3, TO4, EN6, EN7, EN8, M2, RE2, W3, TR2, BE1 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040 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:

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

Ceri Morris – Head of Planning & Public Protection

Date: 12 October 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 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.