

# Superseded

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**

CJ Construction (Wales) Ltd  
C/o Agent

**Name and address of the agent**

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

**DATE REGISTERED:** 8 February 2021

**APPLICATION NO:** P2021/0108

**LOCATION:** Land West Of Pant Celydd, Margam, Port Talbot, SA13 2DJ

**PROPOSAL:** Residential development consisting of 25 affordable units, associated car parking, landscaping, drainage and other associated works.

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

**This Decision Notice is REVISION NUMBER 5, issued on 15/12/2023**

**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:

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- LT2013.00.01 - Site Location Plan
- LT2013.04.00 - Site Constraints - Rev.A
- ~~LT2013.04.01 - Site Layout - Rev.C~~
- ~~LT2013.04.02 - Materials Layout - Rev.B~~
- LT2013.90.02 - Materials Layout - Rev C
  
- ~~LT2013.04.03 - Boundary Identification + Refuse - Rev.B~~
- LT2013.90.03 - Boundary Identification Plan - Rev C
  
- ~~LT2013.04.04 - Street Scene - Rev.B~~
- LT2013.90.04 - Street Elevation - Rev C

- LT2013.04.05 - Boundary Details
- LT2013.04.06 - Bin Store Details
- LT2013.04.101 - Plots 1 - 3 - Rev.B
- LT2013.04.102 - Plots 4 - 15 - Rev.C
- LT2013.04.103 - Plots 4 - 15 - Elevations- Rev.B
- LT2013.04.104 - Plots 16 - 25 - Plans- Rev.C
- LT2013.04.105 - Plots 16 - 25 - Elevations - Rev.C

Reason:  
In the interests of clarity.

**Dwg. Nos. 'LT2013.90.02 - Materials Layout - Rev C', 'LT2013.90.03 - Boundary Identification Plan - Rev C' and 'LT2013.90.04 - Street Elevation - Rev C' were approved as a non-material amendment by Planning Permission P2023/0647 on 27/11/2023.**

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 Notwithstanding the submitted information, No development shall commence (including any site clearance), until a Construction Environmental Management Plan

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has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Environmental Management Plan shall be in accordance with the requirements of British Standard BS5228-1:2009 - "Code of practice for noise and vibration control on construction and open sites". The approved Statement shall be adhered to throughout the demolition and construction phases. The Statement shall provide for:

- a) 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; a scheme for recycling/disposing of waste resulting from demolition and construction works;
- b) 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.
- c) 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 odour control measures; a dust management plan (This plan should include mitigation in accordance with the relevant IAQM guidance); and measures to control light spill.
- d) 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.
- e) 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.
- f) Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details

Reason:

In the interest of highway and pedestrian safety, the environment, and the amenity of residents, and to ensure accordance with Policies BE1, EN8 and TR2 of the adopted Neath Port Talbot Local Development Plan.

**Details in respect of the above Condition were approved under Planning Permission P2021/1068, issued on 09/03/2022.**

- 5 No development shall commence on site until a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historic environment shall be prepared and submitted to and agreed in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan

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**Details in respect of the above Condition were approved under Planning Permission P2021/1068, issued on 09/03/2022.**

- 6 Notwithstanding the submitted plans, no development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) A statement setting out the design objectives and how these will be delivered;
  - b) Details of delivery and timing and implementation;
  - c) earthworks showing existing and proposed finished levels or contours;
  - d) means of enclosure and retaining structures;
  - e) other vehicle and pedestrian access and circulation areas;
  - f) hard surfacing materials;
  - g) minor artefacts and structures (e.g. furniture, play equipment, signs, etc.), and
  - h) water features.

Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work where relevant). The landscaping works shall be carried out in accordance with the approved details in accordance with the agreed implementation program.

Reason:

In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

**Details in respect of the above Condition were approved under Planning Permission P2021/1068, issued on 09/03/2022.**

- 7 Notwithstanding the submitted plans, prior to any construction of the dwelling units a scheme shall be submitted to and approved in writing by the Local planning Authority, which provided details of the integrated artificial nesting sites for birds and bat tube/bricks. The scheme shall include detail and locations of the integrated bird nesting sites and bat bricks at appropriate locations around the site. All approved artificial nesting sites/ and bat brick/tubes shall be implemented in accordance with the approved details prior to the first occupation of each building to which it relates.

Reason

No specification of the bird and bat brick have been provided and the LPA recommend that the applicant do not use swift boxes on this site as they are not appropriate for this location/building and provide a suitable alternative, and in the interest of Biodiversity and mitigation for the loss of habitat within the site 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 Planning Permission P2022/0547, issued on 14/11/2022.**

- 8 No development shall commence until details of a method statement and risk assessment for the protection of the structural condition of the strategic sewer and

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water main crossing the site has been submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall be implemented in full before any other development hereby permitted has commenced, and shall be retained at all times for the duration of the approved operations including the restoration works. Reason:

To ensure that the proposed development does not affect the integrity of the public sewerage and water supply systems in the interests of public health and safety

**Details in respect of the above Condition were approved under Planning Permission P2021/1068, issued on 09/03/2022.**

- 9 Prior to any work commencing on site a schematic street lighting scheme showing the relocation, removal or renewal of street lighting columns shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be retained.

Reason:

In the interest of residential amenity and to prevent any unacceptable light spillage, and to ensure compliance with Policies SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan.

**Details in respect of the above Condition were approved under Planning Permission P2021/1068, issued on 09/03/2022.**

- 10 Prior to the commencement of works on site commencing, the Fallopia Japonica (Japanese Knotweed) that is located on the site shall be treated and controlled in accordance with the Environment Agency Knotweed Code of Practice.

Reason:

In the interests of amenity, and to ensure that the treatment is carried out in accordance with recognised good practice and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

## Action Conditions

- 11 Prior to the first beneficial use of the development a scheme shall be submitted to and approved in writing detailing the feasibility and provision of Electric Vehicle Charging Points to serve the development. The scheme as agreed shall be fully implemented prior to the first beneficial use of the development and shall be retained for such use thereafter.

Reason

In the interest of highway and pedestrian safety and to ensure compliance with Planning Policy Wales 11, and policies BE1 and TR1 of the Neath Port Talbot Local Development Plan

**Details in respect of the above Condition were approved under Planning Permission P2022/0417, issued on 22/07/2022.**

- 12 Notwithstanding the submitted plans, prior to their use in the construction of the development hereby permitted, details and 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.

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**Details in respect of the above Condition were approved under Planning Permission P2022/0417, issued on 22/07/2022.**

- 13 Notwithstanding the submitted plan and prior to the first beneficial use of the development, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the siting, design, finish and internal layouts of the 4 bin storage buildings located along side pant Celydd. The bin stores as agreed shall be provided in accordance with the approved scheme prior to the first beneficial use of the development and retained as such thereafter.

Reason:

In the interest of visual amenity, residential amenity and to ensure adequate bin storage is provided for future residents and to ensure compliance with Policy BE1 and EN8 of the Neath Port Talbot Local Development Plan

**Details in respect of the above Condition were approved under Planning Permission P2022/0547, issued on 14/11/2022.**

- 14 The boundary treatment as detailed on LT2013.04.01 - Site Layout - Rev.C and LT2013.04.05 - Boundary Details shall be completed, as approved, prior the first beneficial use is of the 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.

- 15 Prior to the first occupation of any dwelling unit hereby approved, a landscape management plan, including the long term design objectives, management responsibilities and maintenance schedules, for all landscaped areas, shall have been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be implemented and adhered to in accordance with the approved details thereafter.

Reason:

In the interest of visual amenity, and to ensure the long term management and maintenance of all landscaped areas within the site and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan

**Details in respect of the above Condition were approved under Planning Permission P2022/0547, issued on 14/11/2022.**

- 16 Notwithstanding the submitted plan and prior to the first beneficial use of the development, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing secure mobility scooter storage areas. The scooter storage areas as agreed shall be provided in accordance with the approved scheme prior to the first beneficial use of the development and retained as such thereafter.

Reason:

In the interest of visual amenity, residential amenity and to ensure adequate scooter storage is provided for future residents especially for those living in first floor accommodation and to ensure compliance with Policy BE1 of the Neath Port Talbot Local Development Plan

**Details in respect of the above Condition were approved under Planning Permission P2022/0417, issued on 22/07/2022.**

- 17 Prior to first beneficial use of the proposed development, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in

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accordance with condition 5 shall have been submitted to and agreed in writing by the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

**Details in respect of the above Condition were approved under Planning Permission P2023/0935, issued on 15/12/2023.**

- 18 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

## Regulatory Conditions

- 19 Each vehicular access point shall be provided with a pedestrian vision splay measured at 2.4 metres x 2.4 metres behind back of footway and shall be retained thereafter so that nothing over 600 mm in height above back of footway level is erected or allowed to grow within these areas.
- Reason:  
In the in interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan
- 20 If the entire scheme is not Social Housing Grant Funded a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 25 %of housing units;
  - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

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- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason:

In order to secure an appropriate level of affordable housing in accordance with Policies AH1 and I1 of the Neath Port Talbot Local Development Plan

- 21 There shall be no outside storage of bins and recycling equipment except within the designated bin storage areas.

Reason:

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

- 22 Notwithstanding the submitted plan, construction operations shall be limited to 08:00-18:00 Mon-Fri, 08:00-13:00 Saturdays, 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, and to ensure accordance with Policies BE1 and EN8 of the adopted Neath Port Talbot Local Development Plan.

- 23 ~~The car parking spaces hereby approved shall be constructed in accordance with drawing number LT2013.04.01 REV C proposed site layout, prior to the first beneficial use of the development and retained for access and parking of residents' vehicles only thereafter.~~

~~Reason:~~

~~In the interest of highway and pedestrian safety, to ensure that the development is served by sufficient parking and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.~~

**Condition 23 is amended as follows by Non-material application P2023/0647 approved on 27/11/2023.**

The car parking spaces hereby approved shall be constructed in accordance with drawing number LT2013.04.02 - Materials Layout - Rev.B proposed site layout, prior to the first beneficial use of the development and retained for access and parking of residents' vehicles only thereafter.

Reason:

In the interest of highway and pedestrian safety, to ensure that the development is served by sufficient parking and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan.

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- 24 The development hereby approved shall be connected to the mains sewerage system prior to the first beneficial use of development and retained as such thereafter.

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

- 25 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), there shall be no extension or external alteration to any building forming part of the development hereby permitted without the prior grant of planning permission in that behalf.

Reason:

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for extensions, having regard to the particular layout and design of the development, the need to protect the amenity of nearby properties, the impact upon Sewers and Water mains, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 26 Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no buildings shall be erected other than those expressly authorised by this permission and identified on the approved drawings.

Reason:

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout, the impact upon Sewers and Water mains, the design of the development, residential amenity, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan

Informatives:

## **1 DRAINAGE NOTE TO APPLICANT**

Neath Port Talbot County Borough Council offer a SAB pre application service, which given the drainage constraints of the site, it is highly recommended that this route is explored prior to the submission of a full SAB application. Any existing on site infrastructure should be considered in SuDS design to find the most effective solution. It is important to understand the location and capacity of existing drainage to determine what infrastructure should be reused in the SuDS scheme. Other buried infrastructure, such as utilities, will need to be located and considered in the SuDS design. Using SuDS such as permeable paving and bio retention should be avoided in major service strips, as access will require disturbance and rebuilding of the SuDS system, but compatibility can be achieved by constructing dedicated and well-marked service strips that are designed with access in mind.

## **2 HIGHWAYS NOTES TO APPLICANT**

Prior to commencing any works on site the applicant will be required to enter into an agreement with the Authority under Section 278 of the Highway Act 1980 to carry out the

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works upon the existing public highway. You are advised prior to commencing any work on these works to contact the Head of Engineering and Transport Services at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG (FAO Highway Development Control Section, telephone number (01639) 686850 or e-mail [hdc@npt.gov.uk](mailto:hdc@npt.gov.uk)) to agree the specification, enter the agreement and arrange on site inspection of your works. Developers' attention is drawn to the provisions of Section 278 of the Highways Act, 1980 in cases where a development would require access or other works to be carried out within the existing highway. Where highway works to benefit a development require land adjacent to an existing highway to be constructed upon together with works on the existing public maintained highway, a hybrid S38/278 shall be used. Works that are to be undertaken within the existing public maintained highway only will require a S278 agreement. No Work shall be undertaken on the existing public maintained highway until the appropriate legal agreement has been entered into. Any works undertaken on the public highway without the appropriate legal agreement with the Highway Authority, the Highway Authority has the right to request the developer to remove and/or reinstate that part of the highway back to its original condition to the satisfaction of the Highway Authority. A plan detailing the differences between the existing and proposed highway shall be submitted to form part of the legal agreement, this should be made up of two colours, green for the proposed area to be adopted and brown for the existing highway. Developers are reminded that consent under the Town and Country Planning Act, 1990/91, conveys no approval for works to be undertaken affecting any part of the public highway, including verges and footways. The Developer must:- (i) Obtain the approval of Neath Port Talbot County Borough Council as Highway Authority for the details of any works to be undertaken in the Public Highway. (ii) Indemnify the Authority against all claims arising from such works, including claims under the Land Compensation Act. (iii) Give not less than 1 calendar months' notice in writing of the date of commencement of the works. As part of this process you are advised that any principle contractors and/or subcontractors that are on the Local Authority's framework approved list are permitted to undertake the works on the public highway, a list of these contractors are available from the Highway Authority's Highway Development Control Section on request. As part of this process you are advised that any principle contractors and/or subcontractors that are on the Local Authority's framework approved list are permitted to undertake the works on the public highway, a list of these contractors are available from the Highway Authority's Highway Development Control Section upon request. The footway widening works and vehicular access points which will tie into the existing public highway at Pant Celydd will require a S278 Agreement of the Highways Act 1980 to be put in place prior to any construction work commencing on site.

### **3 WELSH WATER ADVISORY NOTE**

As of 7th January 2019, this proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. In the event this proposed development amounts to a total impermeable area of 100sqm or more, approval of Sustainable Drainage Systems (SuDS) features will be required in accordance with the Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems. It would therefore be recommended that the developer engage in consultation with the Council's drainage team, as the determining SuDS Approval Body (SAB), in relation to proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation. 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

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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](http://www.dwrcymru.com). 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. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

#### 4 AIR QUALITY NOTE

It is recommended that the following be addressed within the Construction Environmental management Plan 1. Display the name and contact details of person(s) accountable for air quality and dust issues on the site boundary. This may be the environment manager/engineer or the site manager. 2. Display the head or regional office contact information 3. Record all dust and air quality complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken. 4. Make the complaints log available to the local authority when asked. 5. Record any exceptional incidents that cause dust and/or air emissions, either on or off-site, and the action taken to resolve the situation in the log book. 6. Undertake daily on-site and off-site inspection, where receptors (including roads) are nearby, to monitor dust, record inspection results, and make the log available to the local authority when asked.

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 the Neath Port Talbot Local Development Plan (2011-2026) adopted January 2016.

It is considered that the proposed development, will contribute towards the delivery of affordable housing within the County Borough in a sustainable location, and that subject to the imposition of conditions and the signing of a Legal Agreement to secure a financial contribution of outdoor pitch and non-pitch sports and allotments the proposed development would have no unacceptable impacts upon the character and appearance of the surrounding area, on residential amenity or on highway and pedestrian safety. Accordingly, the proposed development is considered to accord Policies SP1, SP2, SP3, SP4, SP5, SP8, SP10, SP15, SP16, SP20, SP21, SC1, I1, AH1, OS1, T04, EN7, EN8 TR2, T04 and BE1 of the Neath Port Talbot Local Development Plan

It is further considered that the decision complies with 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: 16 September 2021**

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## **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](http://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](mailto:developer.services@dwrcymru.com).

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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](http://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

# Superseded

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 5<sup>th</sup> 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.

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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](mailto:buildingcontrol@npt.gov.uk) or 01639 686949 to discuss all aspects of the service that is offered by Building Control
- HIGHWAY LEGISLATION

IF PLANNING CONSENT HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

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<sup>i</sup> 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.