

**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

Mr Wayne Hopkins
NPTCBC
The Quays
Brunel Way
Baglan Energy Park
Neath
Neath Port Talbot
SA11 2GG

DATE REGISTERED: 30 June 2023

APPLICATION NO: P2023/0491

LOCATION: Coedffranc Primary School, Stanley Road, Skewen, Neath,
Neath Port Talbot, SA10 6LP

PROPOSAL: Detached single storey kitchen and dining block together with
associated works including new internal pedestrian access
ramps, and footpath together with internal vehicular access
road and turning area (Amended plans and information
received 28/07/2023)

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 is decision notice revision 3 issued on 15/07/2024

Conditions:-

Time Limit Conditions

- 1 The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

List of Approved Plans

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

A1188 - 100 rev D Location Plan (amended)ui-button
A1188 - 101 rev A Site Plan (amended)
A1188 - 107 rev A-site sections 1 (amended)
A1188 - 108 rev B-site sections 2 (amended)
A1188 - 109 Rev A proposed site_Location plan 1_500 (amended)
A1188 - 102 rev B Proposed Elevations - Kitchen Block
Elevation (Rear) - Proposed_included_in_Elevation (Front) - Proposed
Elevation (Side) - Proposed_included_in_Elevation (Front) - Proposed
A1188 - 103 Proposed Floor Plan
A1188 - 105 New Ramp 1
A1188 - 106 New Ramp 2
A1188 - 104 Existing site plan

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 No development shall commence (including any site clearance), until a Construction Environmental Management Plan 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 for the storage and management of plant and materials used in constructing the development
 - b. Drainage: Details of drainage measures during construction phases to ensure that the drainage of any adjoining land, and land downstream is not interrupted or otherwise adversely affected by the development.
 - c. 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.
 - d. Control of Nuisances: Wheel washing facilities and measures to control light spill.
 - e. Traffic Management: details of site deliveries including routes of vehicles, plus delivery and construction times, taking into account the proximity of residential dwellings and school opposite, no deliveries in excess of 3.5 tonnes shall access or leave the site via any route during the hours of 8am to 9.30am and 2.30pm to 4pm during school term times; details for the loading and unloading of plant and materials;

details for the parking of vehicles of site operatives and visitors; scheme for the erection of temporary/semi-temporary signage warning drivers of the presence of children and speed restrictions; Measures to prevent stacking of vehicles onto the public highway; The frequency and size of vehicles used to transport the waste material arising from the demolition works;

f. 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.

g. Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details, the CEMP must also be signed by the responsible person.

Reason

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

The above condition was agreed by discharge of condition application P2024/0293 on 21.05.24

- ~~4 Prior to work commencing on the development, a servicing and delivery management plan shall be submitted to and approved in writing by the Local Planning Authority. The Delivery Management Plan shall include (but not be limited to) details of the number of deliveries, times of deliveries, type of vehicle, arrangement and management of opening of access gates, refuse collection provision and details of how deliveries will be managed without causing conflict with school pick and drop off times together without having an unacceptable impact upon local amenity.~~

~~Reason~~

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

The above condition was amended by NMA application approved 21.05.24 as follows:

- 4 Prior to first use of the development hereby approved, a servicing and delivery management plan shall be submitted to and approved in writing by the Local Planning Authority. The Delivery Management Plan shall include (but not be limited to) details of the number of deliveries, times of deliveries, type of vehicle, arrangement and management of opening of access gates, refuse collection provision and details of how deliveries will be managed without causing conflict with school pick and drop off times together without having an unacceptable impact upon local amenity. The development shall be operated in accordance with the agreed details thereafter.

Reason

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

- 5 The improvements to the access arrangements on to Stanley Road (including the works to provide increased vision splay) as shown on approved drawing number A1188 - 100 Revision D shall be completed prior to any other part of the development hereby approved commences and shall be retained for as long as the development remains in existence.

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.

- 6 Prior to any work commencing, construction details for the internal access routes through the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in its entirety prior to the use of the kitchen and dining block building and retained as such thereafter.

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.

The above condition was agreed by discharge of condition application P2024/0293 on 21.05.24

Action Conditions

- 7 Notwithstanding the details submitted, prior to the first beneficial use of the building hereby approved, any part of the windows on the north elevation serving the dining room that are less than 1.7m above the floor shall be fitted with obscured glazing and be non-opening. The windows shall be permanently retained as such thereafter,

Reason:

In the interest of the amenities of the adjoining property/ies, and to ensure accordance with Policy BE1 of the adopted Neath Port Talbot Local Development Plan.

- 8 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.

The above condition was agreed by application P2024/0440 on 15/07/2024

- 9 Prior to first beneficial use of the building, the carriageway, footways and associated ramp accesses shall be constructed on site in accordance with approved drawing number A1188 - 101 Rev. A (dated 09/2022) and retained as such thereafter.

Reason

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

- 10 Prior to the first beneficial use of the development hereby permitted, details of the equipment to control the emission of fumes and odour from the approved building shall be submitted to and agreed in writing by the local planning authority. The approved equipment shall be installed prior to first use of the building and shall thereafter be operated and maintained in accordance with the approved details for as long as the use continues.

Reason:

In the interests of public health and local amenity, and to ensure accordance with Policies BE1 and EN8 of the Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 11 The improved access on to Stanley Road hereby approved shall only be used by vehicles servicing the kitchen and dining block and shall not be used as a general vehicular access for the school site.

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.

- 12 Any gates provided across the access drive(s) shall be of a type which open inward only and can be seen through, and shall be retained as such thereafter.

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.

Informatives:

1 It is noted that a SAB pre application has been submitted for this development and discussions are currently ongoing Ref SP SP2023/0032.

1. Prior to commencement of works a Full SAB Application will be required to be submitted to and approved in writing by the SUDs Approving Body.

2. Should any springs or ground water seepage be encountered the on site 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 Authority. No ground water shall ever be discharged into the proposed drainage scheme.

3. Adequate provision shall be made for the drainage of the site, to ensure that the drainage of any adjoining land is not interrupted or otherwise adversely effected by the development during the life time of construction.

4. No surface water or Land drainage run-off shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Authority.

5. No surface water from within the curtilage of the completed property shall flow out onto the public highway or be connected into the highway drainage system.

NOTES TO APPLICANT Please note that from 7th January 2019, all new developments of more than 1 house, or where a construction area is of 100m² or more, plus if the SAB authority believe that any redevelopment of land has significant surface water drainage implications. 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. The required SAB permission is separate from any planning permission that might be granted and any works commenced without SAB approval will be deemed 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, which could mean removing any work that has commenced. As such under this legislation you are not permitted to start work on site until SAB approval has been granted for your proposed development. You can search the Authority's web site for further information using the link <https://www.npt.gov.uk/sab> or contact the Highway Development Control Section using hdc@npt.gov.uk or 01639 686850.

2 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. 01639-686344 or 686407). 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.

3 Natural Resources Wales note to developer: The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

4 Welsh Water 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 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 on 0800 085 3968 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. Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation. If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

5 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

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 would integrate well within the existing school site and would be in keeping with the scale, form and design of the existing school buildings and adjacent properties. The building would be of an appropriate scale and would not be dominant when viewed from the street scene. The proposal would not adversely impact upon neighbouring amenity given the location and scale of the building. The development would not result in an adverse impact on highway safety, subject to the recommended conditions. Accordingly, the proposed development is in accordance with Policies SP21, 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 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: 12 October 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: .

(6) Welsh Water Dwr Cymru advise that 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 Industry Act 1991.

Please note, in accordance with Construction and Design Management (CDM) Regulations, it is the applicant's responsibility to ensure that any proposed works within their curtilage do not conflict with any underground services and is recommended they review their land registry title deeds for any legal covenants. For Sewers or Watermains that may be present and affected by your proposals, you are advised to contact Dwr Cymru Welsh Water who will be able to explain whether your proposed works will be acceptable as well as any consent required. Prior to commencing works, it is also recommend the applicant review the information and guidance on Building Over Sewers

available on Welsh Water's website at

The applicant is also advised that some public sewers and lateral drains may not be recorded on Welsh Water 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.

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 & Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ – Tel 0300 060 4400, or online at <https://planningcasework.service.gov.wales/>.
- (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.