Mining Summary Note

Project name	McDonalds, Pontardawe.		
Design note title	Mining Summary Note.		
Document reference	HYD-15297-XX-XX-RP-GE-1003		
Author	Emily Wareing BSc (Hons) MSc FGS		
Revision	First Issue.		
Date	6 December 2024	Check/Approved Matthew Holbourn BSc MSc FGS	✓

1. Introduction

In November 2024, Hydrock Consultants Ltd (Hydrock) were appointed by McDonald's Restaurants Limited (the Client) to produce a mining risk overview note to aid with dismissal of planning conditions. The site is located at Tesco's Superstore, adjacent to A4067, Alltwen, Pontardawe, Neath Port Talbot, SA8 3AZ. The proposed development is for a new McDonald's Restaurant, drive through and 28 parking spaces that will be reallocated from the existing Tesco car park for McDonald's customers.

The site is roughly rectangular in shape, and covers and area of approximately 0.31 hectares. A site location plan (15279-HYD-XX-XX-DR-GE-1000) is included in Appendix A. The site lies to the north of the A4067, and to the south of the River Tawe.

Hydrock has previously undertaken a Phase 1 Ground Conditions Desk Study (Ref: 15297-HYD-XX-XX-RP-GE-1001-S2-P1, dated 22 May 2020), a Phase 2 Ground Investigation Report (GIR) (Ref: 15297-HYD-XX-XX-RP-GE-1002-S2-P1, dated 28 October 2021) and a Construction Environmental Management Plan (CEMP) (Ref: 15297-HYD-XX-XX-RP-GE-1003-S2-P01, dated 1 August 2022). Note that these reports have not been appended to this note, as it is assumed the reader has read these previous reports.

2. Planning Conditions

The purpose of this note is to support the discharge of planning condition 17 as outlined by Neath Port Talbot County Borough Council as a requirement of the planning permission for the site that was granted in February 2023. The planning conditions for the development are included in Appendix A.

Planning Condition 17 - Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration required by a suitably competent person confirming that the site is, or has been made, safe and stable from past coal mining activity for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of any intrusive site investigations that may have been required and the completion of any remedial works/and or mitigation necessary to address the risks posed by past coal mining activity.

3. Mining Risk Overview

3.1 Preliminary findings

Hydrock's Phase 1 Desk Study (15297-HYD-XX-XX-RP-GE-1001-S2-P1, dated 22 May 2020),) identified 3 mining adits associated with coal mining adjacent to the north-east site boundary. These adits are referenced 2773303-007, 272203-008 and 272203-014; the first two adits are recorded as being on the site boundary, and the third respectively is situated beneath the Tesco Petrol Filling Station (off-site). Hydrock considered it likely that these 3 adits may instead be one adit, worked in different phases.

Despite the site being in an area of the South Wales Coalfield, the 'Consultants Coal Mining Report' obtained for the site indicated there were no records pf past underground mining, no probable shallow unrecorded

workings, and no coal outcrops within the site boundary. The desk study concluded that the main risks to the site associated with coal mining were the presence of the recorded adits, as it was unknown if these were treated during the construction of the A4067 c. 1988, that lies approximately 30m south-east of the site, and if these affected the site's drainage.

3.2 Ground investigation and other findings

Hydrock was later recommissioned by the Client in October 2021 to obtain information about adit treatment plans, and therefore contacted the following bodies:

- Neath Port Talbot County Borough Council (Environmental Health Officer (EHO)) Planning and Public Protection;
- Swansea Council Planning Department;
- Traffic Wales;
- West Glamorgan Archive Service; and
- Neath Port Talbot County Borough Council Planning Department.

The planning officer within Neath Port Talbot's planning department responded to Hydrock in October 2021, after finding drawings that related to the drainage plans for construction of the A4067, which were uploaded to the public planning portal.

The following drawings were downloaded by Hydrock from Neath Port Talbot's planning portal, which were appended to 'SKM: 13 June 2008, Tesco Store, Gwyn's Drift Pontardawe Extension, Geotechnical Report Adoptable Works; Project No. SE1418S; Issue A';

- 26.1349/S.I.12 'Abandoned Coal Workings' February 1985;
- 26.1349/D3A Drainage layout and schedules, November 1985;
- 26.1349/SU3 Statutory Undertakers Apparatus, May 1986;
- 26:1349/SU/NI Treatment of NCB Adit, November 1986; and
- 26/1349/D7A Drainage details sheet 3 of 3, November 1986.

The above drawings show that the adits previously identified in the desk study (Adit 007 and Adit 008) were discharging onto the proposed McDonalds site. These two adits were investigated by West Glamorgan County Council as part of the A4067 Swansea Valley Trunk Road Scheme, and therefore treated circa 1986. Treatment of the adits comprised sinking two manholes (MH4 and MH5), into the adit and lining it with a 900mm diameter concrete pipe. A headwall was also created for the outfall of this pipe into the River Tawe (situated to the north of the site), during the period of construction of the A4067. This supports the assumption made in the Phase 2 Ground Investigation Report that the adit in the west of the site has been culverted, and acts as drainage for the A4067 towards the River Tawe.

Section 5.5, 'Mineworkings' of Hydrock's GIR (Ref: 15297-HYD-XX-XX-RP-GE-1002-S2-P1, dated 28 October 2021), summarises that manhole covers identified during the site reconnaissance, shown in the Figure 3.1 below, are associated with the culverted mine adit. Recommendations were made by Hydrock for discussions to be held with the Local Authority and Tesco's Superstore stakeholders to determine who holds responsibility for the maintenance of the culverted adit. The condition of the adit was unknown, and as such a CCTV survey was recommended for the adit to determine the extent and orientation of the treated/lined adit spatially, to understand if it interacted with the proposed McDonald's drive through.

A CCTV survey was undertaken by 3DMSI in June/July 2023 of the adit, which confirmed that is had been lined, as shown on drawing 3DMSI Ltd, Pontardwe Proposed McDonalds Site, Pontardawe, Swansea, job no 000270 (1:100 @A1) (in Appendix C). Note that this survey was limited to confirming the presence of the treated adits, not the integrity or condition of the lining.

Figure 3.1: Site reconnaissance photograph of manhole covers in the east of the site, photograph dated 21 April 2020, (See Appendix B, photograph 4, Hydrock's Phase 1 Desk Study 15297-HYD-XX-XX-RP-GE-1001-S2-P1, dated 22 May 2020).

A wayleave/no build zone also was recommended to allow for future unobstructed maintenance of this feature; the Hydrock GIR recommended a wayleave of a minimum of 3m from the centre of the feature, however made note that this was very close to the McDonald's site application boundary. However, no communication with the asset owner has been provided so unclear if this standoff is accurate.

4. Summary

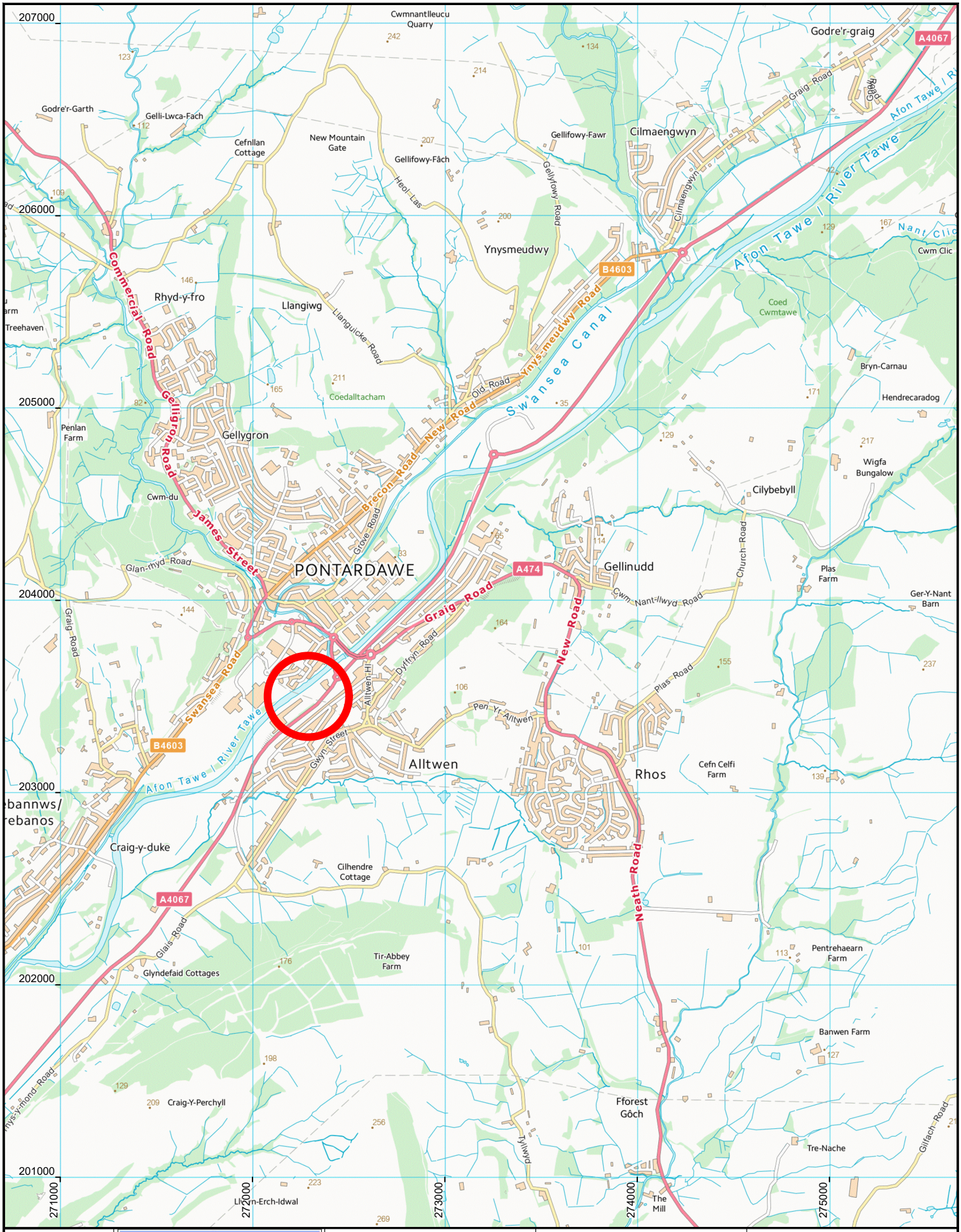
In summary, the two mine adits, 2773303-007, 272203-008 which are on the eastern site boundary are thought to have been one adit, dug in two phases. This adit has been lined and treated following in circa 1986 for the development by West Glamorgan County Council as part of the the A4067 Swansea Valley Trunk Road Scheme. The A4067 and mine adit drain into this lined culvert that runs along the north-eastern site boundary (below ground), towards the River Tawe in the north.

Provided that the culvert is in good condition and is appropriately maintained by the responsible party, Hydrock consider the overall risk to the development as very low. There are no other mining risks associated with the site and the overall mining risk is considered low.

Appendix A: Drawings

Appendix B: Planning Permission

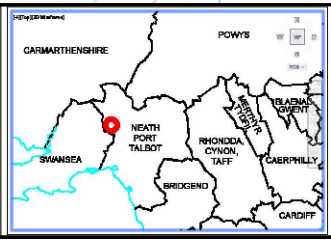
Appendix C: Third Party Drawings.



OS NORTH

Site Ref: SN70

0 500 Metres



REV.	FIRST ISSUE					
P1	EP	30/04/20	MH	30/04/20	AE	30/04/20
	REVISION NOTES/COMMENTS					
	DRAWN BY	DATE	CHECKED BY	DATE	APPROVED BY	DATE

Hydrock

5-19 Cowbridge Road East
Cardiff
CF11 9AB

t: +44(0) 2920 023 665
e: cardiff@hydrock.com

CLIENT
McDonald's Restaurants Limited

PROJECT
McDonald's Pontardawe

TITLE
SITE LOCATION PLAN

HYDROCK PROJECT NO.	SCALE @ A4
C-15297-C	1:25,000

PURPOSE OF ISSUE	STATUS
SUITABLE FOR INFORMATION	S2
DRAWING NO. (PROJECT CODE-ORGINATOR-ZONE-LEVEL-TYPE-ROLE-NUMBER)	REVISION
15297-HYD-XX-XX-DR-GE-1001	P1

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
McDonald's Restaurants Ltd
11-59 High Road
East Finchley
London
N2 8AW

Name and address of the agent
Mr Benjamin Fox
Planware Ltd
St Andrews Castle
33 St Andrews Street South
Bury St Edmunds
IP33 3PH

DATE REGISTERED:	10 February 2023
APPLICATION NO:	P2023/0101
LOCATION:	Tesco Car Park, Gwyn's Pl, Alltwen, Pontardawe, SA8 3AZ
PROPOSAL:	Erection of a freestanding drive-thru/restaurant, car parking, landscaping and associated works, including Customer Order Displays (COD) and play frame

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

Conditions:

Time Limit Conditions

1 The 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:

6682-SA-1744-AL01C Site Location Plan
PNT-HYD-XX-XX-DR-C-1200 - Existing Site Plan P01
6682-SA-1744-AL03B Site Layout Plan - As Existing
6682-SA-1744-P002N Block Plan (NG100)
6682-SA-1744-P004N Site Layout Plan - As Proposed (NG100)
18634-VL-MCD- L01G - Landscape Plan
18634-VL-MCD- L02G - Landscape Plan
18634-VL-MCD- L03G - Landscape Plan
6682-SA-1744-P005B Building Elevations and Section (NG100)
6682-SA-1744-P006B GA and Roof Plan (NG100)
Delivery and Servicing Management Plan:15297-HYD-XX-XX-RP-TP-0001-P04-S4
Technical Design Transport Note:15297-HYD-XX-XX-RP-TP-1004_P01
6682-SA-1744-SK30 Site Layout Plan showing Comparable Pedestrian Travel Distances as Proposed
15297-HYD-XX-XX-M2-TP-0303 Large Refuse Vehicle Entry
15297-HYD-XX-XX-M2-TP-0304 Large Refuse Vehicle Exit
15297-HYD-XX-XX-M2-TP-0307 Car Park Tracking
Transport Note 15297-HYD-XX-XX-RP-TP-1002 (25 September 2023)
Model Development & Forecasting Report 15297-HYD-XX-XX-RP-TP-8002_P01 (25 September 2023)
15297-HYD-XX-XX-RP-TP-3002-P01 Model Scoping Report
15297-HYD-XX-XX-DR-TP-0003-P02 Pedestrian Visibility Splays
Supporting Statement v3 - Sept 2023
D-534355 - Lighting Design & Schedule
Biodiversity Enhancement Plan
Flood Consequences Assessment
Construction Environmental Management Plan
Phase 1 Ground Conditions Desk Study
Phase 2 Ground Investigation Report
Odour Control Assessment
Noise Assessment
Travel Plan
PNT-HYD-XX-XX-DR-C-2100 - Proposed Engineering Strategy
PNT-HYD-XX-XX-DR-C-2200 - Proposed Drainage Strategy
Drainage Strategy Report
Goal Post and McDigit COD Canopy
Standard Patio Area Supporting Specifications
E11-003 Play Frame

Reason:
In the interests of clarity.

<u>Pre-Commencement Conditions</u>

3 Notwithstanding the submitted CEMP document, no development shall commence (including any site clearance), until an amended Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction phases. The CEMP 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:
i. details of the construction programme including timetable
ii. details of site clearance
iii. 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 onto the public highway:
e. Traffic Management:
i. details of site deliveries including routes of vehicles, plus delivery and construction times, taking into account the proximity of the safe routes to school; 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
ii. details for the loading and unloading of plant and materials; details for the parking of vehicles of site operatives and visitors
iii. scheme for the erection of temporary/semi-temporary signage
iv. the frequency and size of vehicles used to transport the waste material arising from the construction 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; and
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.

4 Prior to the commencement of any works on site, a temporary traffic management plan shall be submitted to and approved in writing by the Local Planning Authority detailing the temporary traffic arrangements within the site during the construction phase of the development. This shall include details and measures on how traffic trips for both pedestrian and vehicles will be managed through the site during the course of construction. The approved temporary traffic management plan shall be adhered to during the course of construction.

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.

5 Prior to commencement of any works, a traffic speed survey shall be undertaken to establish the visibility requirements in accordance with drawing no. 15297-HYD-XX-XX-DR-TP-0003-P02 Pedestrian Visibility Splays hereby approved and the vegetation obstructing the existing pedestrian crossing point at the site entrance from the

footbridge at Tan Yr Allt shall be cut back to ensure full compliance with the approved plan and Table 9.2 of the Active Travel Act Guidance and thereafter maintained as such.

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.

Action Conditions

6 Prior to the first beneficial use of the new commercial unit, the highway improvement works as annotated on the approved drawings titled 'Site Layout Plan As Proposed' drawing No: 6682-SA-1744-P0004 Rev N and 'Site Feasibility Layout' drawing no: 6682-SA-1744-SK32 Rev E, and which includes the widening of the footways shall be completed in its entirety 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.

7 Prior to the first beneficial use of the new commercial unit, all highway directional signage, lining and markings and alterations to the existing retail store car parking layout shall be implemented in its entirety in accordance with the drawing titled 'Tesco Site Plan' Drawing No: 6682-SA-1744-P002 Rev N hereby approved and retained as such thereafter.

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

8 Unless a variation is otherwise first agreed in writing by the Local Planning Authority, the development shall be carried out strictly in full compliance with the Delivery & Servicing Management Plan 15197-HYD-XX-XX-RP-TP-0001 dated 5th April 2024 hereby approved in perpetuity.

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

9 Prior to first beneficial use of the new commercial unit, the internal car parking scheme shall be completed in accordance with the layout shown on drawing titled 'Site Layout Plan As Proposed' drawing No: 6682-SA-1744-P0004 Rev N and retained free and open for such use thereafter.

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

10 All works to be constructed on the public highway shall be subject to Road safety Audits, stages 1 to 4 in accordance with GG 119 of the Design Manual for Roads and Bridges. Each stage of the Road safety Audit shall be submitted for approval in writing by the Local Planning Authority. All issues highlighted at each stage, being addressed

to the written approval of the Local Planning Authority within 3 months of that stage of that Road safety Audit has been approved.

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

11 The development shall not be brought into beneficial use until the facilities for the secure parking and storage of cycles have been provided in accordance with the approved plans, such facilities shall thereafter be retained as approved at all times.

Reason:
To encourage active travel, in the interests of highway safety and to ensure the development complies with Policies BE1 and TR2 of the Neath Port Talbot Local Development Plan

12 The development shall not be brought into beneficial use until litter/recycling bins have been provided around the application site in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority, and which shall include arrangements for emptying and disposal. The litter/recycling bins and emptying/disposal arrangements shall thereafter be retained as approved in perpetuity.

Reason:
In the interests of amenity and to ensure the development complies with Policies BE1 and TR2 of the Neath Port Talbot Local Development Plan.

13 The development shall not be brought into beneficial use until the proposed ecological enhancements have been provided on the site in accordance with the 'Biodiversity Enhancement Plan' and plans hereby approved. These shall be retained as part of the development in perpetuity.

Reason:
In the interest of biodiversity and to accord with Policy 9 of Future Wales: The National Development Plan 2040 and Policy SP15 of the Adopted Neath Port Talbot Local Development Plan.

14 Prior to the first beneficial use of the commercial unit hereby approved, a landscaping management plan, including 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 in perpetuity.

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

15 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees

or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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.

16 No part of the development shall be brought into beneficial use until gigabit capable broadband infrastructure from the site boundary to the new commercial unit hereby permitted has been provided on site in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority prior to installation. Development shall be carried out in accordance with the approved details.

Reason:
To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

17 Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable from past coal mining activity for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of any intrusive site investigations that may have been required and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason:
To ensure that the assessment of the risk from past coal mining activity to the future users of the land, neighbouring land, controlled waters, property and ecological systems is satisfactory, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

18 If, during the course of the development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise first agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason:
To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

19 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

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

Regulatory Conditions

20 The drive-thru/restaurant hereby permitted shall not be open, and customers are not permitted on the premises, outside the business trading hours of 07:00-23:00 Monday to Sunday.

Reason:
In the interest of residential amenity and to ensure the development complies with Policy BE1 and EN8 of the Neath Port Talbot Local Development Plan

Informatives:

1 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 only certain contractors 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. Therefore to ensure the road works you are required to undertake are carried out to the satisfaction of the Local Planning Authority you are advised prior to commencing any work on these works to contact the Head of Engineering and Transport at The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG (FAO Mr T Davies Telephone No. 01639 686392 or e-mail t.davies2@npt .gov.uk) to agree the specification, enter the necessary agreement and arrange onsite inspection of your works.

2 Please note that SAB approval will be required prior to any work commencing. It is a breach of approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018.

3 Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

4 Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

5 The applicant may need to apply to Dwr Cymru/Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication 'Sewers for Adoption'- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water and sewerage connections. The applicant is also advised that some public sewers and lateral drains may not be recorded on maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. Under the Water Industry Act 1991 Dwr Cymru/Welsh Water has rights of access to its apparatus at all times.

6 Natural Resources Wales advise that during the construction phase, the developer should take every precaution to prevent contamination of surface water drains and local

watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to 'Guidance for Pollution Prevention 5: Works and maintenance in or near water', and Pollution Prevention Guidelines 6: Working at construction and demolition sites', which are both available on the NetRegs website.

7 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 Land Drainage Authority. No ground water shall ever be discharged into the proposed drainage scheme. Furthermore, there must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site, without prior consultation and agreement with the Land Drainage Authority.

8 The developer's attention is drawn to the following 'secured by design' advice: CCTV and lighting Signs must be prominently sited advertising the fact that CCTV cameras are operating if CCTV is installed. All parking bays should be protected by CCTV. All parking bays should be lit during the hours of darkness, by effective lighting that meets the British Standard 5489. Lighting should be situated in elevated positions to prevent vandalism, and it should be protected in vandal proof housings. Trees and other landscaping features must not be positioned where they could create hiding/entrapment spaces, obscure signage, lighting, or CCTV, or provide a potential climbing aid onto the building.
Building security.
The building should be constructed of materials that are resistant to attack. The first two metres of the external walls should be brickwork or materials of a similar strength. The design of the building must take into account the need to prevent features that aid scaling or climbing, and hidden areas must be designed out.
All external doors and internal doors protecting rooms where valuable property or information is stored, should as a minimum level of security, where possible, meet Secured by Design (SBD) standards e.g., PAS 24 2022, LPS 1175 SR2 or equivalent, or be manufactured to meet these standards. Ideally, they would be third party certificated. Consideration should be given to providing additional security to external doors by installing shutters or grilles that again meet SBD standards, if the premises are not open 24 hours per day, 365 days of the year. Glass in door panels or adjacent to door panels should be laminated the glass.
Fire doors must not have external door furniture fitted and meet SBD standards. They must also be alarmed. Doors that are described as fire doors, or where fire performance is declared or implied, are required to have third-party certification for both security and fire performance. Doors must be protected against ram raiding. All external windows and roof lights should where possible meet SBD standards, e.g., LPS 1175 SR2, PAS 24 2022 or equivalent, or be manufactured to meet these standards. Ideally, they would be third party tested and certificated. Consideration should be given to providing additional window security to vulnerable windows by installing shutters or grilles that again meet SBD standards, if the premises are not open 24 hours per day, 365 days of the year. All glass in external windows should be laminated - at least 6.8 millimetres thick.
Consideration should be given to providing an alarm system linked to a central monitoring station. All rooms where there is valuable equipment or information stored should be alarmed and any alarm wires should be protected. Panic buttons linked to the alarm system should be installed at appropriate locations for use when staff are under attack or are threatened by members of the public. Further detailed information can be found on the Secured by Design website: www.securedbydesign.com

9 The development is located in an area at risk of flooding. Guidance on development and flood risk can be found on NRW's website. NRW recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels.

10 The developer is advised that this decision does not include consent for the displaying of any advertisements, and separate Advertisement Consent is required for the proposed 'Totem' that is indicated on the site layout plan as well as any directional signage or other signage that is not on the building.

11 When considering a scheme pursuant to condition 12 above (provision of litter/recycling bins) consideration should be given to extending provision along the existing Safe Route to School, subject to discussion with and agreement of the Local Authority waste/recycling and highway teams.

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 amenity of the area, highway and pedestrian safety and biodiversity considerations. Accordingly, the proposed development is in accordance with Policies SC1, EN8, TR2, BE1 and WL1 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040, specifically Policies 2, 6, 8, 9, 12 and 13 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: 16 August 2024

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.

(6) Welsh Water Dwr Cymru advise that the planning permission herby 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 recommended the applicant review the information and guidance on Building Over Sewers available on Welsh Water's website at https://developers.dwrcymru.com/en/applications/planning/build-over-or-near-to-sewers

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

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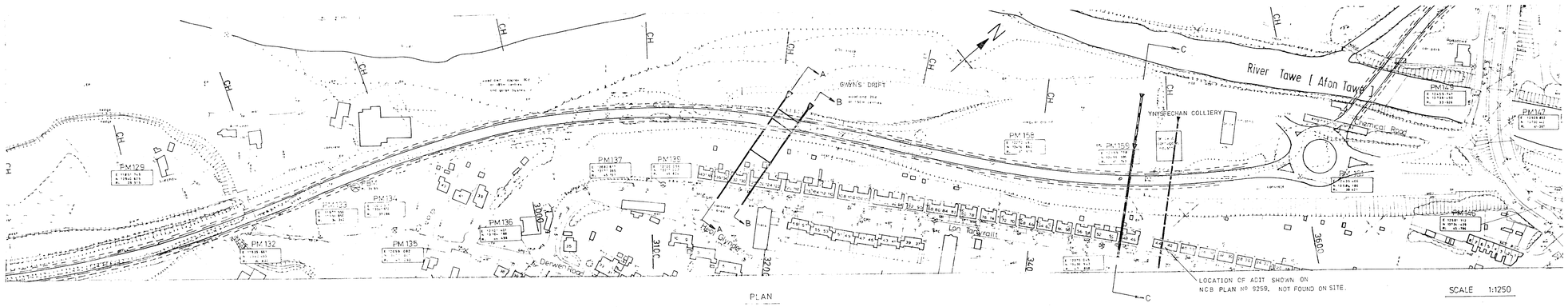
[i] Please see the Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017 for appeal procedures and for full definitions of:

- *"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.



PLAN

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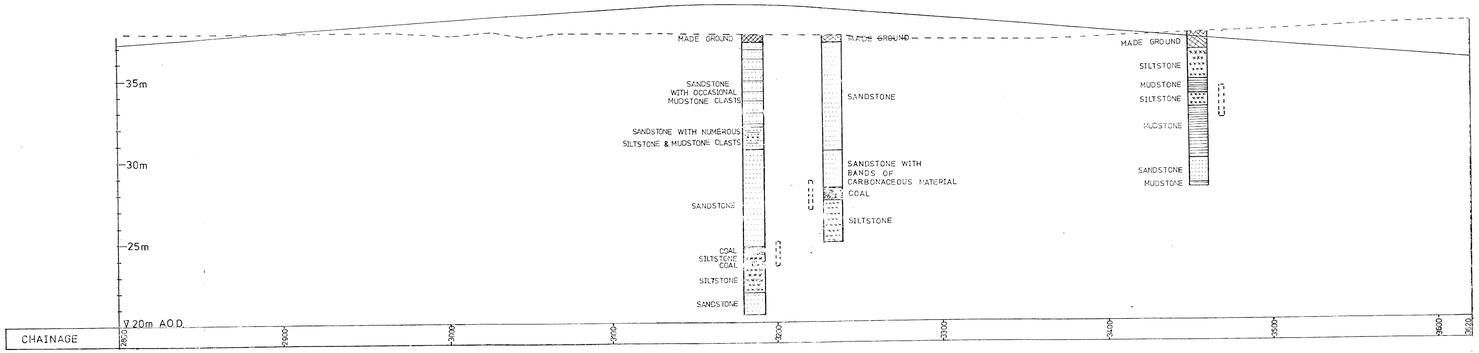

LONG SECTION

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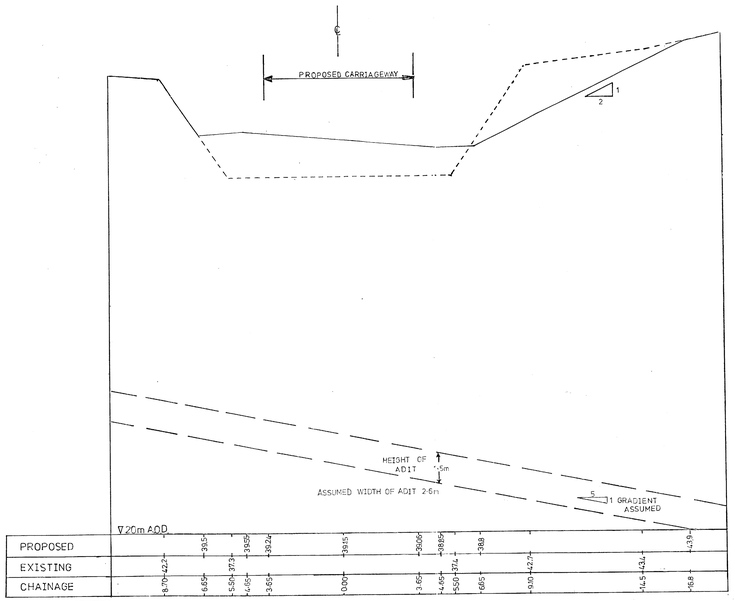
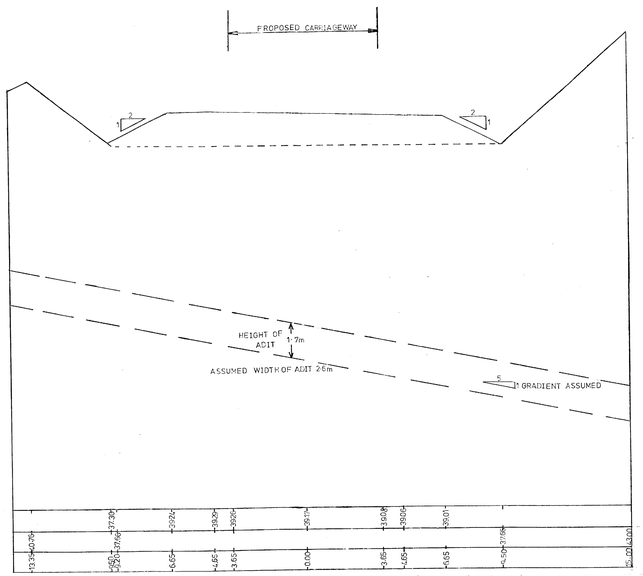


SECTION 'A-A'



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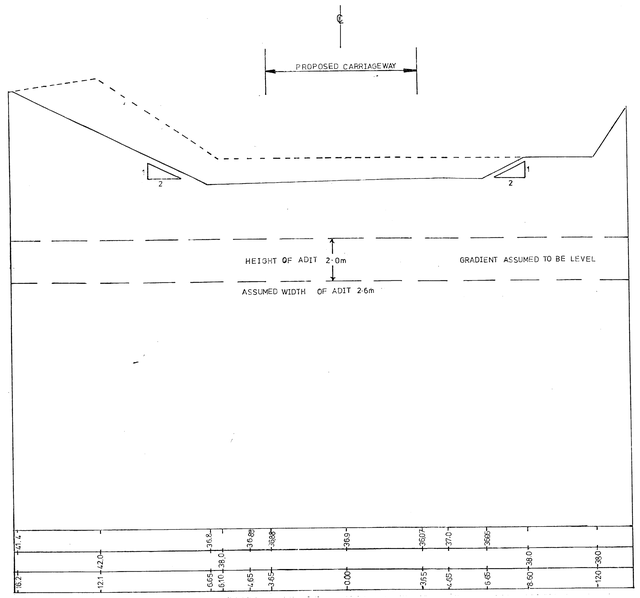

SECTION 'C-C'

NOTES

1. All dimensions are in millimetres unless otherwise stated.

Suf'x	Amendments	Date	Init'l

WEST GLAMORGAN COUNTY COUNCIL

W.J. WARD, F.I.C.E.,F.I.STRUCT.E.,F.I.H.T.,F.R.T.P.I.
COUNTY ENGINEER AND SURVEYOR
COUNTY HALL
SWANSEA SA1 3SN

Job Title

A4067 SWANSEA VALLEY ROUTE
GLAIS TO PONTARDAWE
ABANDONED COAL WORKINGS

File No. 26,349		Cost Code No.			
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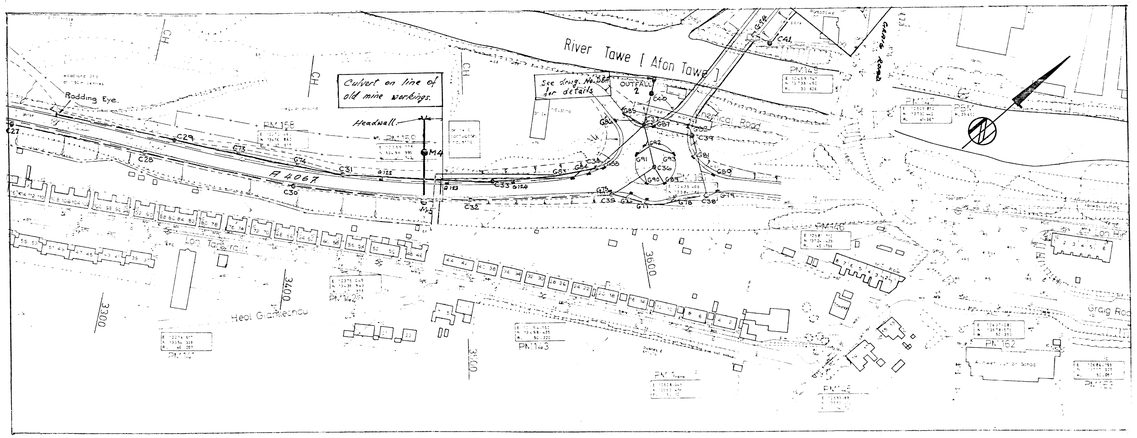
Scales	AS SHOWN				
Drawing No.	26,349 / SI,12				

DS17



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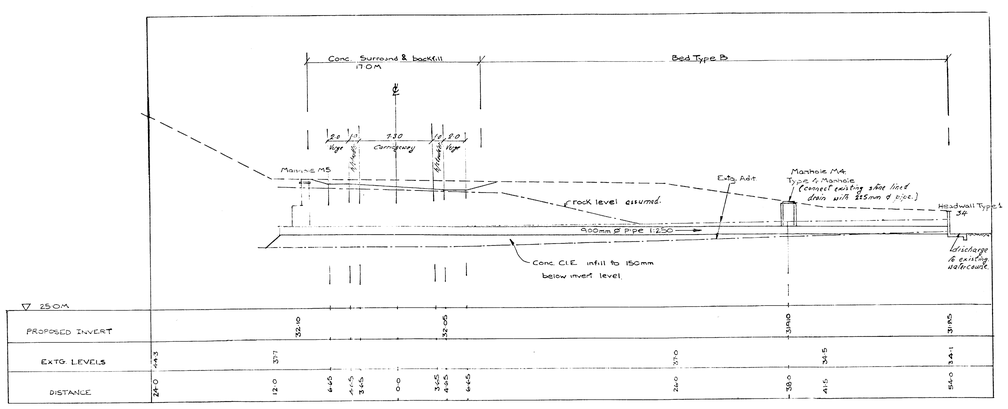

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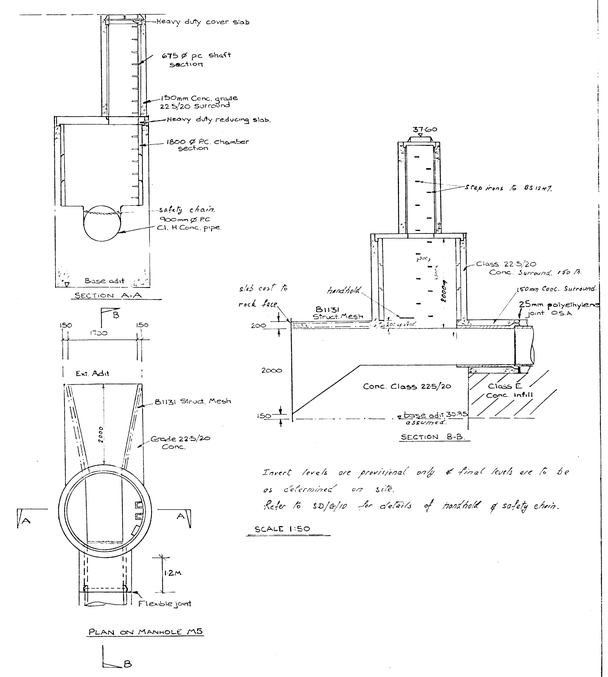

— DETAILS OF MANHOLE M5 —

NOTES

1. All dimensions are in millimetres unless otherwise stated.

Suf'x	Amendments	Date	Init'l

WEST GLAMORGAN COUNTY COUNCIL

W.J. WARD, F.I.C.E.,F.I.STRUCT.E.,F.I.H.T.,F.R.T.P.I.
COUNTY ENGINEER AND SURVEYOR
COUNTY HALL
SWANSEA SA1 3SN

Job Title

A4067 SWANSEA VALLEY ROUTE : GLAIS TO PONTARDAWE.

[Treatment of N.C.B. Adit]

File No. 13/605		Cost Code No.			
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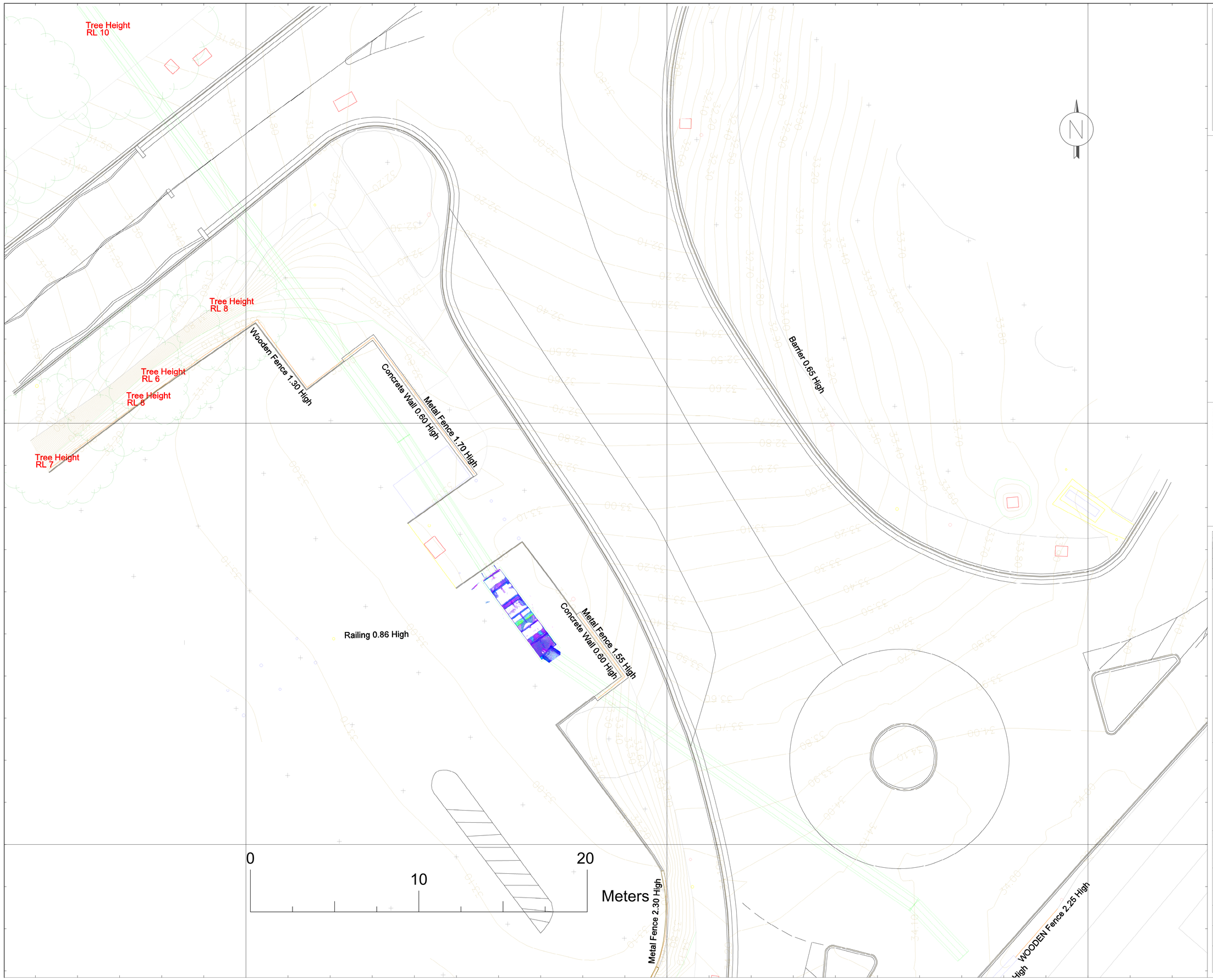
Scales	As Shown.				
Drawing No.	26:1349 / SU/N1				

D517



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MEASURED BUILDING SURVEY LEGEND

Floor To Sill Dimension	CH 0.87
Floor To Head Dimension	HH 2.20
Door Head Dimension	DH 1.98
Beam Soffit Height	BH 2.05
Room Area	Area: 9.04
Structural Ceiling Height	S.C.H 2.70
False Ceiling Height	F.C.H 2.30
Finished Floor Level	x F.F.L 50.00
Ceiling Level	x 52.70CL
Beam Soffit Level	x 52.70BL
Window Sill Level	x 51.00 CH
Window Head Level	x 52.00 HH
Levels	0.00 ▼
Water Main	WM
BT Cover	BT
Electricity Pilon	EP
Lamp Post	LP

GRID AND DATUM

Survey Grid: Local Grid ☐ Nat. Grid (OSGB36) ☑ Existing Grid ☐

Survey Datum: Local Datum ☐ Nat. Grid (OSGB36) ☑ O.S.B.M. ☐

Rev	Description	Date
*	First Issue	05/07/2023

E-mail : info@3dmsi.co.uk
Office : +44 (0) 1326 618023
Website : www.3dmsi.co.uk

Mittle Berry, Mawnan Smith,
Falmouth,
Cornwall, UK,
TR11 5JF

PROJECT

Pontardawe Proposed McDonalds Site.
Pontardawe, Swansea
Wales

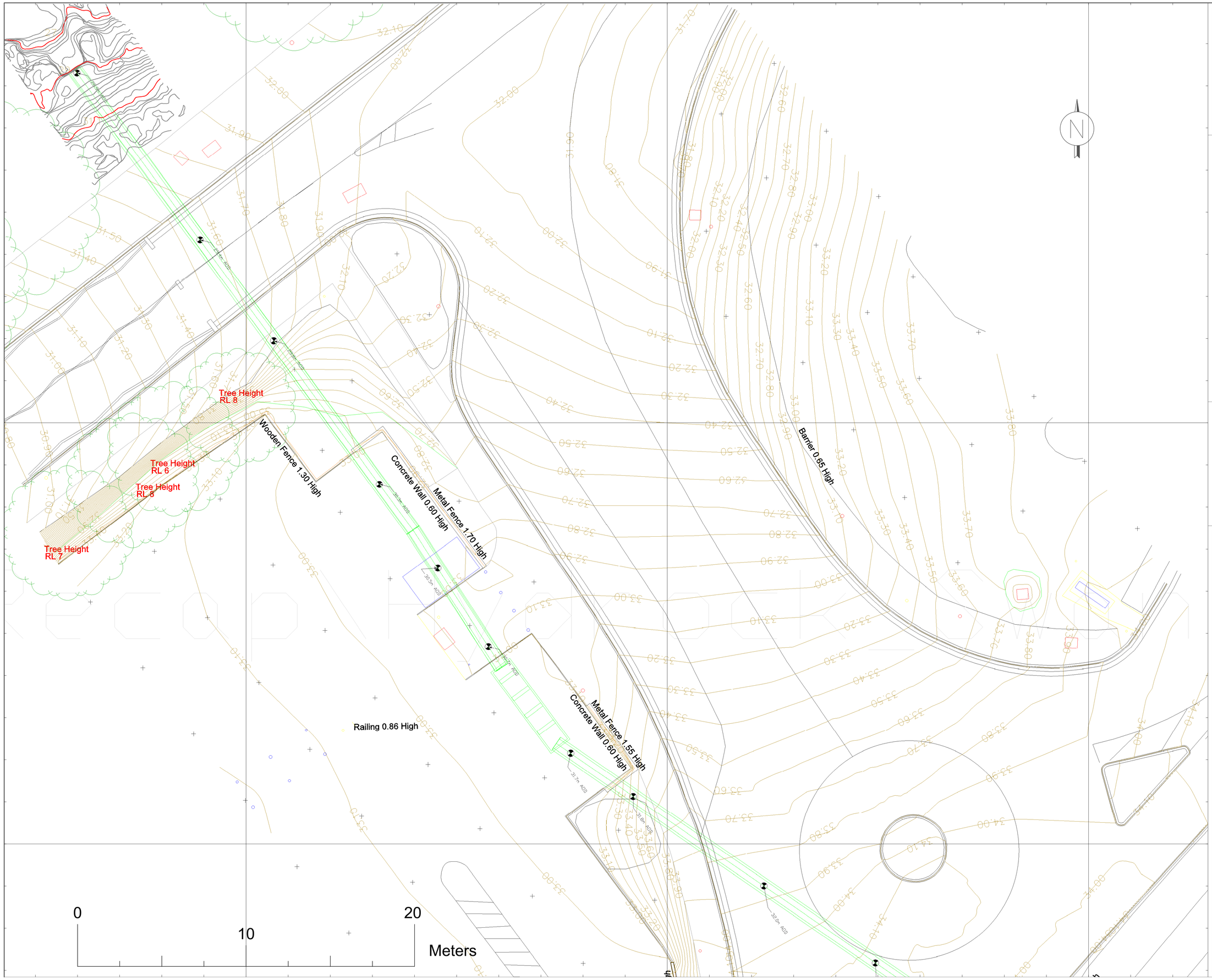
CLIENT

Hydrock for McDonalds

DRAWING

Plan

DRAWN BY	CHECKED BY	
JJP	N/A	
SCALES (@ A1) 1:100	DATE June 2023	
JOB NO. 000270	DWG NO. 0	REV *



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Floor To Sill Dimension	CH 0.87
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Survey Grid: Local Grid ☐ Nat. Grid (OSGB36) ☑ Existing Grid ☐

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Rev	Description	Date
*	First Issue	05/07/2023

E-mail : info@3dmsi.co.uk
Office : +44 (0) 1326 618023
Website : www.3dmsi.co.uk

Mittle Berry, Mawnan Smith,
Falmouth,
Cornwall, UK,
TR11 5JF

PROJECT

Pontardawe Proposed McDonalds Site.
Pontardawe, Swansea
Wales

CLIENT

McDonalds Restaurants Limited

DRAWING

Plan

DRAWN BY	CHECKED BY	
JJP	N/A	
SCALES (@ A1)	DATE	
1:100	June 2023	
JOB NO.	DWG NO.	REV
000270	0	*