

**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 A C Williams
Camplas Holdings Ltd
C/o Agent

Name and address of the agent

Mr Gerald Blain
Gerald Blain Associates Ltd
15 St John Street
Whitland
SA34 0AN

DATE REGISTERED: 17 May 2023

APPLICATION NO: P2023/0333

LOCATION: Land At Briton Ferry Wharf

PROPOSAL: Construction of an advanced composite manufacturing facility, associated parking, storage and loading facilities at the dockside.

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:

Rev A Location Plan

Briton Ferry R&D 5-04 Rev C R&D Centre plans and elevations
Briton Ferry R&D 6-05 Rev D Site Sections
Briton Ferry R&D 7-03 Rev H Proposed Block Plan
Briton Ferry R&D 7-07 Vision Splays
1712-ACS-XX-ZZ-DR-T-001-B - Access and Parking 1 of 3
1712-ACS-XX-ZZ-DR-T-002-B - Access and Parking 2 of 3
1712-ACS-XX-ZZ-DR-T-003-B - Access and Parking 3 of 3
Preliminary Ecological Appraisal for a proposed development on land at Briton Ferry Wharf (Windrush Wild, September 2023)
Briton Ferry Archaeological Desk Based Assessment (Heneb 18.09.2024)
Briton Ferry Wharf Transport Statement (ExCal 06/2024)
Briton Ferry Wharf Reptile Method Statement (Amber, August 2023)

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 Before beginning any development at the site, you must do the following: -
- a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and
 - b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.
- Reason:
- To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.
- 4 No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall reflect the content of the approved Construction Method Statement and include the following:
- i 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 and details, waste and contaminated land.
 - ii General Site Management: details of the construction programme including timetable; details of site clearance; construction drainage, site setup plan detailing sensitive receptors, buffer zones and relevant protection measure maintenance of

security hoarding including decorative displays and facilities for public viewing; details of complaint investigation procedures.

iii Control of Nuisances: Identification of the significant construction and demolition noise & vibration sources; details of physical and operational management controls necessary to mitigate noise & vibration emissions; details of dust & odour control measures and measures to control light spill.

iv Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.

v Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.

vi 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; The erection and maintenance of security hoarding; A scheme for recycling/disposing of waste resulting from demolition and construction works and a scoping route for all deliveries to and from the development.

vii 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.

viii Biodiversity Management: invasive species management (to include wall cotoneaster horizontal).

ix Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

x Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved throughout the site preparation and construction phases of the development.

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.

- 5 No development shall commence until an Energy Assessment which shall include, but not be limited to proposed methods of energy production and generation, including renewable energy, together with passive methods to be implemented to achieve energy reduction shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the scheme as approved prior to the first beneficial use of the development.

Reason:

In the interest of sustainability and to comply with the requirements of Policy RE2 of the Neath Port Talbot Local Development Plan (2011-2026).

- 6 No development shall commence on site until an assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages. potentially unacceptable risks arising from contamination at the site:

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study:

(iii) an assessment of the potential risks to:

- human health,
- groundwater and surface waters
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, ecological systems,
- archaeological sites and ancient monuments; and
- any other receptors identified at (i)

(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 7 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 approved 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. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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.

- 8 Prior to the commencement of development, a noise impact assessment shall be submitted to and approved in writing by the Local Planning Authority. Measurements and assessments shall be made in accordance with the methodology of "BS 4142:2014 Method for rating and assessing industrial and commercial sound". The assessment should consider noise from any fixed plant to be situated within or on the exterior of the site structures. The noise levels shall be determined at the nearest noise-sensitive premises or at another location that is deemed suitable by the Local Planning Authority.

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with policies EN8 and BE1 of the Neath Port Talbot Local Development Plan.

- 9 Prior to the commencement of development, a scheme detailing how the specified sound rating levels within the noise impact assessment will be achieved, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include specific details of any sound attenuation to equipment that may be necessary to achieve the stipulated sound rating levels within the report. The scheme shall reflect section 7.0 Noise Management (including operating hours, provision of noise barrier and mitigation techniques).

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with policies EN8 and BE1 of the Neath Port Talbot Local Development Plan.

- 10 Prior to the commencement of development, a noise management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall detail how noise emissions from all activities on site will be controlled. The noise management plan should consider all potential noise sources on site, including noise from deliveries etc. The noise management plan shall be complied with for the duration of the development's operation.

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with policies EN8 and BE1 of the Neath Port Talbot Local Development Plan.

- 11 Prior to the commencement of development an air quality impact assessment shall be submitted to and approved in writing by the Local Planning Authority. This assessment shall consider all pollutants released throughout the operational phase of the development based on the specific processes taking place on site. The impact

assessment shall detail any required mitigation to protect air quality. The development shall be operated in accordance with the approved mitigation.

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with policies EN8 and BE1 of the Neath Port Talbot Local Development Plan.

- 12 No development shall take place until a scheme of mitigation and compensation for the loss of SINC habitat has been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.

Reason

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 (2011-2026).

- 13 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason:

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource. In accordance with policy SP21 of the Neath Port Talbot Local Development Plan.

- 14 Notwithstanding the submitted plans, no development shall take place (including vegetation clearance) until details of soft landscape works have been submitted to and approved in writing by the Local Planning Authority. 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 (this will also include habitat enrichment for Section 7 bumblebee species and the Small Blue butterfly), 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.

- 15 No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings/buildings hereby permitted has been submitted to and agreed in writing by the local planning authority. 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.

Action Conditions

- 16 Prior to beneficial use of the proposed development commencing, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in accordance with condition 7 shall have been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

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.

- 17 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.

- 18 Prior to the operation of the development, a long term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long term monitoring plan should include:
- i Details of the methods and triggers for action to be undertaken
 - ii Timescales for the long term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required.

- iii Timescales for submission of monitoring reports to the LPA e.g. annually
 - iv Details of any necessary contingency and remedial actions and timescales for actions
 - v Details confirming that the contingency and remedial actions have been carried out
- The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason:

A land contamination long term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on land contamination and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 19 No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Reason

Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development. In accordance with policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 20 Prior to the first occupation of any unit hereby approved, a landscape management plan, including the long term design objectives, management responsibilities, monitoring and maintenance schedules, for all landscaped areas including the green roof, 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(2011-2026).

- 21 Prior to the installation of any permanent external lighting on the site, a detailed lighting scheme for the site shall be submitted to and approved in writing by the Local Planning Authority detailing the location of all proposed lights, the specification, intensity of illumination, predicted lighting contours (lux plots), together with proposed hours of operation and any mitigation measures required (including measures to reduce as far as practicable light spillage onto the adjoining properties and incorporate best practice guidance to ensure the retention of dark corridors for the movement of wildlife with no direct lighting of vegetation). The approved lighting shall be implemented on site in accordance with the approved scheme only, and retained as such thereafter.

Reason:

In the interest of residential amenity and to prevent any unacceptable light spillage, and to ensure compliance with Policies SP15, SP16, EN8 and BE1 of the Neath Port Talbot Local Development Plan.

- 22 Prior to the first beneficial use of the development a scheme detailing a staff outdoor amenity space shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide an area for future staff to be able to sit outdoors, the size of this area will be based upon the requirements set out within Policy OS1 and the open Space and greenspace SPG (July 2017). The scheme as agreed shall be impended prior to the first beneficial use of the development and retained as such thereafter.

Reason

In the interests of health and well-being of future staff and to ensure the development complies with Policy OS1 of the Neath Port Talbot Local Development Plan.

- 23 Notwithstanding the submitted plans, prior to their use in the construction of the development hereby permitted, details and where requested 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 (2011-2026).

- 24 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 management of any bin / refuse storage facilities located at the site. The bin / refuse 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.

- 25 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 and internal layouts of secure cycle storage. The cycle storage 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 Active travel and providing safe secure cycle storage, visual amenity and to ensure compliance with Policy BE1 and TR2 of the Neath Port Talbot Local Development Plan

- 26 Prior to the first beneficial use of the development hereby approved, a Flood Warning Scheme shall have been submitted to and approved in writing by the Local Planning

Authority and reflect the protocols and mitigation outlined in the submitted flood consequences assessment. The scheme shall provide the following:

- a) Details of Flood emergency plan/procedure during an extreme flood event
- b) Details of escape/evacuation routes
- c) Details of flood warning signs and their locations
- d) Confirmation that the building is registered with NRW flood warning service.

The approved scheme shall be fully implemented on site prior to the first beneficial use of the building and retained thereafter.

Reason:

In the interest of the staff and users of the site as it is partly located within a Flood Zone 3 and to comply with the requirements of Policy BE1 of the Neath Port Talbot Local Development Plan

Regulatory Conditions

- 27 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason:

To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

- 28 Demolition & construction operations shall be limited to 08:00-18:00 Mon-Fri, 08:00-13:00 Saturday, and no demolition & 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, in accordance with Local Planning Policy BE1 and EN8.

- 29 No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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 in accordance with Policy EN8 of the Neath Port Talbot Local Development Plan.

- 30 Development shall take place as detailed in 'Technical Note: Reptile Method Statement and Enhancement Plan' by 'Amber Environmental Consultancy' dated 18th August 2023.

Reason

In the interest of Biodiversity and to ensure species protection and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan (2011-2026).

- 31 Notwithstanding the submitted junction layout plans, 43m x 4.5m vehicular vision splays shall be implemented at the access point in both directions in accordance with the drawing titled 'Vision Splays'. Nothing over 600mm shall be erected or allowed to grow within these vision splays.

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.

- 32 Prior to the first use of the building, the parking spaces shall be constructed and laid out in accordance with drawing 1712-ACS-XX-ZZ-DR-T-001-B. This shall include the provision of EV charging as shown.

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.

- 33 Any proposed gates adjacent to the public highway shall be of a type that open inwards only and are setback within the site a minimum of 20 metres to allow vehicles to be removed from the public highway whilst the gates are opened/closed.

Reason:

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

- 34 HGV movements to and from the site shall not exceed 42 movements per day as stated within the submitted Transport Statement (Briton Ferry Wharf Transport Statement) unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

- 35 There shall be no outside storage of bins, equipment, waste, materials etc. except within the designated refuse / 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

- 36 Notwithstanding the provisions of Part 8 of Schedule 2 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 development specified within classes A to E shall be installed on the site without the prior grant of planning permission in that behalf.

Reason:

In the interests biodiversity and in the interest of local amenity, and to ensure compliance with Policies SP15, and BE1 of the Neath Port Talbot Local Development Plan.

- 37 The premises shall be used for use Class B2 General Industrial use as an advanced manufacturing place, as defined by the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in materials any statutory instrument revoking and re-enacting that order with or without modification).

Reason:

In the interest of clarity and to ensure other changes of use can be assessed in the interests of amenity and to accord with Policies SC1 SP15, EC2, BE1 and TR2 of the Neath Port Talbot Local Development Plan (2011-2026).

Informatives:

1 The archaeological work must be undertaken to the appropriate Standard and Guidance set by the Chartered Institute of Archaeologists (CIFA), and it is recommended that it is carried out either by CIFA Organisation or an accredited Member.

2 NRW - In relation to the proposed development, in so far as it relates to land contamination, we only considered issues relating to controlled waters and relevance of regulatory regimes where Natural Resources Wales is the enforcing authority, such as Environmental Permitting Regulations (EPR, 2016). We recommend that developers should: 1. Follow the risk management framework provided in Land contamination risk management (LCRM) 2. Refer to 'Land Contamination: a guide for developers (WLGA, 2017) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health. 3. Refer to the Environment Agency's (2017) 'Approach to Groundwater Protection'

3 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

4 The proposed development site is crossed by a public sewer. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line. For details of the safety zone please contact Welsh Water Developer Services on 0800 917 2652. The developer must contact Welsh Water if a sewer connection is required under section 106 of the Water Industry Act 1991 or any alteration to the apparatus is proposed prior to any development being undertaken. If you have any queries please contact Welsh Water Developer Services on 0800 917 2652 or via email at developer.services@dwrcymru.com

5 The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended) section 1, it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

6 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 Mining Remediation Authority on 0800 288 4242. Further information is also available on the Mining Remediation Authority website at: <https://www.gov.uk/government/organisations/mining-remediation-authority>

The decision to recommend planning permission be issued has been taken in accordance with Section 38(6) 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 locality in terms of its character and appearance, residential amenity and highways. Accordingly, the proposed development is in accordance with Policies SP1, SP2, SP3, SP4, SP5, SP11, SP15, SP16, SP18, SP19, SP20, SP21, SC1, I1, OS1, EC2, EC3, TO4/1, EN6, EN7, EN8, RE2, W3, 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: 20 January 2025

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 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 <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

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.