

**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

I & S Gorvett with Castell Group
C/o Castell Group Ltd
10 Gloster Road
Newport
NP19 7EG

Name and address of the agent

Mr Griffiths
Kennedy James Griffiths
10 Victoria Park Court
516 Cowbridge Road East
Cardiff
CF5 1DB

DATE REGISTERED: 19 August 2021

APPLICATION NO: P2021/0856

LOCATION: Eagle House, 2 Talbot Road, Port Talbot, SA13 1DH

PROPOSAL: The demolition of the existing 2 storey office building and the construction of 18 affordable housing apartments on upper floors with office/commercial units at ground floor and associated external works and parking area. (Further Information - Heritage Impact Assessment and Statement and Market Demand Information.)

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

Conditions:-

This decision notice is REVISION NUMBER 4, issued 07/03/2025.

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:

Proposed Floor Plans - 1487-PL1-05G
Proposed Elevations - 1487-PL1-06D
Proposed Site Plan - 1487-PL-04C
Proposed Floor Plans - 1487-PL1-08B
Justification Under Policy BE2 - Buildings of Local Importance dated 5 October 2021 by Kennedy James Griffiths.
Location Plan - 1487-PL1-01A
Site Analysis Plan - 1487-PL1-02
Existing Site Plan/Demolition - 1487-PL1-03
Context Elevations - 1487-PL1-07A
Car Park Raising - 1487-PL- 13
Additional Flood Risk Information by JBA Consulting dated 9 Nov 2021.
Eagle House Flood Consequence Assessment Version 1 September 2021 by JBA Consulting.
Revised Design and Access Statement - 1487-PL:DAS Nov 1
Pre-application Consultation Report - 1487-PL1 PAC
Site Management Plan 1487: PL1-12
Eagle House - Phase 1 Report 21035/R1 dated April 2021 by Spectrum Geo Services.
Eagle House - Dwr Cymru Welsh Water Plan.
Noise Impact Assessment by Acoustic Consultants Ltd dated 28/05/21.
Travel Plan (Draft) 1487:PL:TP by Kennedy Jones Griffiths.
Bat and Nesting Birds Survey Report - August 2021 by Acer Ecology.
Construction Environmental Management Plan 1487:PL1:CEMP by Kennedy James Griffith.
Topographic Survey P3404.
Heritage Impact Statement by Richard Hayman for Castell Group August 2022.

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.

NOTE: Templates of the required Notice and Site Notice are available to download at www.npt.gov.uk/planning

- 4 No works to which this consent relates shall commence until an appropriate programme of historic building recording (Level 2) and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

Reason:

As the building is of architectural and cultural significance the specified records are required to mitigate impact and in accordance with policy SP21 of the Neath Port Talbot Local Development Plan.

Details in respect of the above condition were approved by application P2023/0009 on the 26/03/2023.

- 5 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;

(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 sampling
- 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.

Details in respect of the above condition were approved by application P2023/0135 on the 26/03/2024.

- 6 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.

Reason:

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

Details in respect of the above condition were approved by application P2023/0135 on the 26/03/2024.

- 7 Prior to their use in the construction of the development hereby permitted, details and/or samples of the materials to be used in the construction of the external surfaces of the development shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

Details in respect of the above condition were approved by application P2023/0135 on the 26/03/2024.

- 8 Prior to work commencing on site, full details of the refuse/recycling proposals for the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include whether the service will be provided by a private contractor or Neath Port Talbot County Borough Council's Kerbside Refuse and Recycling Scheme, together with details of the proposed collection arrangements including bin storage areas, collection arrangements and details of swept path analysis of the contractors' vehicle accessing the site. The approved details shall be fully implemented on site prior to the first beneficial use of the hereby approved development.

Reason

In the interests of highway and pedestrian safety while also ensuring the provision of adequate waste collection services and in accordance with policy TR2 of the Neath Port Talbot Local Development Plan.

Details in respect of the above condition were approved by application P2023/0135 on the 26/03/2024.

- 9 No development shall take place on site, including any demolition, until a scheme detailing the construction of a replacement footway on Oakwood Lane to replace the existing former public convenience building has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall show the footway tie into the existing footway and shall include details of the amendment of any existing Traffic Regulation Orders within this area. The approved scheme shall be fully implemented on site prior to the first beneficial use of any part of the hereby approved commercial and residential development and shall be retained as such and available for public use thereafter.

Reason:

In the interests of Highway and Pedestrian Safety and in accordance with policy TR2 of the Neath Port Talbot Local Development Plan.

Details in respect of the above condition were approved by application P2023/0009 on the 26/03/2023.

Action Conditions

- 10 Notwithstanding the details submitted, prior to the first beneficial use of the hereby approved development the bathroom window serving flat 16 on the third floor and the lounge window closest to units 7 and 8 Eagle Mews in flats 6 and 12 on the first and second floors shall be fitted with obscured glazing, and any part of the window/s that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained as such thereafter,

Reason :

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

- 11 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.

- 12 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 6 shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

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

- 13 Prior to the start of any piling operations on site, full details of a piling method statement shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include demonstrate that there is no unacceptable risk to groundwater, as well as details of the predicted noise and vibration levels associated with the proposed method of piling. Any piling works carried out on site shall be in full accordance with the Approved Piling Method Statement.

Reason

In the interest of groundwaters and the residential amenity of occupiers of the adjacent properties and in accordance with policy BE1 of the Neath Port Talbot Local Development Plan.

Details in respect of the above condition were approved by application P2024/0252 on the 25/04/2024.

- 14 Prior to the first beneficial use of the hereby approved development a stone wall built from reclaimed stone from the existing building shall be constructed along the back edge of the existing and new footway along Oakwood Lane with a maximum height of 1m and shall be retained as such thereafter.

Reason:

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

- 15 Prior to the first beneficial use of the hereby approved development details of both hard and soft landscape works for the car parking area and the front and rear landscape/ecology areas shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- Details of the proposed materials to be used in the construction of the car parking surface.

- Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work where relevant).

The landscaping works shall be carried out in accordance with the approved details during the first planting season immediately following completion and occupation of the development. The completed scheme shall thereafter be retained in accordance with an approved scheme and the Landscape Management Plan.

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 Prior to the first occupation of any dwelling hereby approved, a Landscape Management Plan, including management responsibilities and maintenance, for all landscaped areas other than privately owned domestic gardens, 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 that lie outside of the curtilage of individual properties, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 17 Prior to first beneficial use of the commercial element of the development, a delivery management plan shall be submitted to and approved in writing by the Local Planning Authority. The commercial development shall be operated in accordance with the approved details thereafter.

Reason.

In the interests of Highway and Pedestrian Safety and in accordance with policy TR2 of the Neath Port Talbot Local Development Plan.

Details in respect of the above condition were approved by application P2025/0040 on the 07/03/2025.

- 18 Prior to the first beneficial use of the hereby approved development 2 Schwegler 1FF bat boxes and 2 Schwegler bird nesting boxes shall be erected on the north facing elevation of the building as shown on drawing: Proposed Elevations 1487 PL1 06D and shall be retained on site thereafter.

Reason.

To ensure that the proposed development provides appropriate biodiversity enhancement features in accordance with policy BE1 and EN7 and Part 1 Section 6 of the Environment (Wales) Act 2016, and Policy contained within Planning Policy Wales and TAN 5 Nature Conservation and Planning.

Regulatory Conditions

- 19 The development hereby approved shall be constructed to have a finished floor level within the building of 7.8mAOD and the car parking area shall have a finished surface area of 7.79m AOD.

Reason

In the interest of the amenities of the area and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 20 The use of the ground floor commercial units shall not be carried out outside the hours of 08:00 to 22:00 Monday to Saturdays to 10:00 to 16:00 on Sundays and bank holidays.

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.

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

Reason:

In the interest of satisfactory drainage of the site, and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

- 22 Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays, 08:00 to 13:30 on Saturdays and not at all on Sundays or Bank Holidays.

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.

- 23 The development shall not be occupied until facilities for the secure storage of bicycles have been provided in accordance with details shown on drawing 1487-PL-04 Rev c and such facilities shall thereafter be retained as approved at all times.

Reason:

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

- 24 The car parking spaces as shown on drawing 1487-PL-04C shall be provided prior to the first beneficial use of the development hereby permitted commencing and a minimum of 10% of the parking spaces shall be provided with Electric Vehicle Charging facilities, and shall thereafter be used solely for the benefit of the occupants of the dwelling units and commercial units of which it forms part and their visitors and for no other purpose and shall be 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.

- 25 The demolition and construction works associated with the proposed development shall be in full compliance with the submitted documents Construction Environmental Management Plan 1487:PL1:CEMP, The Demolition Method Statement 1487 CEMP APP C. The Site Management Plan 1487-PL1-12 with the site gates annotated at the

wheel washing facilities amended to be of a type that open inward only and do not open out over the public Highway.

Reason

In the interests of highway and pedestrian safety and in accordance with policy TR2 of the Neath Port Talbot Local Development Plan.

- 26 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 approved 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 in accordance with policy BE1 of the Neath Port Talbot Local Development Plan.

- 27 The ground floor of the hereby approved development shall be used for A2 - financial and professional services uses and for no other purpose (including any other purpose in class A1- retail of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification)).

Reason:

In order that other changes of use can be assessed in the interests of amenity and to accord with Policies SC1 and TR2 of the Neath Port Talbot Local Development Plan.

Informatives:

1 Works on the Existing Highway (S278 Agreement) will be required for this development. The 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. Works that are to undertaken within the existing public highway only will require a S278 Agreement. No work shall be undertaken on the existing publicly 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 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: 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. Indemnify the Authority against all claims arising from such works, including claims under the Land Compensation Act. 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.

2 Highway Licences The developers' attention is drawn to the provisions in the Highways Act 1980. If any works are required within the highway, the written consent of the Highway Authority is required to be sought. This includes the placement of any skips, scaffolding, hoarding or any traffic management on the highway. If any damage arises to the highway as consequences of any works adjoin the highway, the damage will be required to be made good to the satisfaction of the highway authority. Failure to do so will result in the Highway Authority making good the damage and recovering any expenses reasonably incurred by them in so doing. You should contact the Highways Maintenance Unit of Neath Port Talbot County Borough Council at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG FAO Gary Thomas (Tel No. 01639 686327) email g.thomas3@npt.gov.uk to discuss any licenses or approval required. This is required to be undertaken before any works commence on the highway.

3 Traffic Regulation Orders For the amendments to the Traffic Regulation Order you should contact the Project Manager Specials and Traffic of Neath Port Talbot County Borough Council at The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG FAO Mr Martin Brumby (email m.brumby@npt.gov.uk) who will advise you of the procedure for the amendment to the existing Traffic Regulation Orders. Please note this process can take up to 4 months - subject to the consultation process outcome.

4 Active Travel Development proposals must seek to maximise walking and cycling accessibility by prioritising the provision of appropriate on-site infrastructure and where necessary off-site infrastructure. Walking and cycling infrastructure and services should be prioritised and put in place from the outset, before people have moved in and travel patterns have been established, as per Planning policy Wales, Edition 11, and Future Wales - The National Plan 2040. All new walking and cycling infrastructure should be built to standards set out in Welsh Government's Active Travel Guidance and off-site infrastructure should link to (where possible) routes of Neath Port Talbot County Borough Council's Active Travel Network Map. This shows where walking and cycling routes already exist (existing routes) and where upgrades or brand-new routes are anticipated for the next 15 years (future routes) in built up areas. Further information on the Active Travel Guidance and Neath Port Talbot's Active Travel Network Map can be found here www.npt.gov.uk/activetravel

5 SAB (SuDS Approving Body) Permission Please note that SAB approval will be required prior to any work commencing. The required SAB permission is separate from any planning permission that might be granted and any works commenced without SAB approval will be deemed a breach of approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018 which could mean removing any work that has commenced. As such under this legislation you are not permitted to start work on site until SAB approval has been granted for your proposed development. You can search the Authority's website for further information using the link <https://www.npt.gov.uk/17534>, or contact the Highway Development Control Section using hdc@npt.gov.uk or 01639 686850.

6 Dwr Cymru Welsh Water As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems - designing,

constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Neath Port Talbot County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting 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 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.

7 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

8 Bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building in which bats are roosting, Natural Resources Wales must be contacted. If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work shall cease and NRW should be contacted immediately. Where bats or their roosts are present, no works of site clearance, demolition or construction shall take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. NRW can be contacted at: Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000 Bat Conservation Trust can be contacted at: -Studio 15, Cloisters House, Cloisters Business Centre, 8 Battersea Park Road, London SW8 4BG 0345 1300228

Reasons for the Decision:

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 character and appearance of the surrounding area or adjacent historic building or upon the residential amenity of the occupiers of the adjacent

dwellings. It would also have no adverse impact upon the highways safety of the existing road network or upon the existing drainage system or the risk of flooding, or upon biodiversity. Accordingly, the proposed development is in accordance with Policies SP1, SP3, SP7, SP8, SP10, SP12, SP15, SP16, SP18, SP19, SP20, SP21, SC1, AH1, OS1, R3, TO4, EN7, EN8, EN9 RE2, TR2, BE1 and BE2 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040 and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

Signed:

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

Ceri Morris – Head of Planning & Public Protection

Date: 22 December 2022

IMPORTANT:

(1) Please note that for all decisions issued after 16th March 2016 for outline or full planning permission, a revised decision notice will be issued whenever a subsequent consent is given, for example providing details of any Reserved Matters approvals (outline applications only) and/or approval of conditions (including on Reserved Matters). This will ensure that the current status of the conditions applied to a consent is clear. Accordingly you are advised to visit www.npt.gov.uk/planning to view the application documentation to see if this is the current version, or whether it has been superseded by a more up-to-date revision of this Decision Notice. For Reserved Matters approvals the revised Decision Notice will only be shown under the Outline approval.

(2) Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

(3) In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition). Please note that any works carried out without compliance with the conditions attached to this approval will be entirely at the risk of the persons involved and may result in formal action being taken by the Local Planning Authority.

(4) The developer should have regard to Sections 4, 7, 8 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the British Standards Institution's Code of Practice for "Design of buildings and their approaches to meet the needs of disabled people" (BS 8300:2009+A1:2010).

(5) From 1st October 2012 it has been an offence to install a public sewer or lateral drain without having an adoption agreement in place. From the 1st October 2012 the vast majority of all existing private sewers and lateral drains which link with the public sewer network were transferred to Welsh Water. For further details on how this will affect your development please contact: Welsh Water Developer Services, PO Box 3146, Cardiff, CF30 0EH. Telephone No. 0800 9172652 or email: developer.services@dwrcymru.com.

IMPORTANT INFORMATION: TOWN AND COUNTRY PLANNING ACT 1990

The applicant's attention is drawn to the notes below.

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- (2) You can also appeal to the Welsh Government against a decision to refuse permission or grant subject to conditions in respect of applications made for :- Listed Building or Conservation Area Consent; Consent under a Tree Preservation Order; Advertisement Consent.
- (3) You can also appeal If your application for a Certificate of Lawful Existing Use or Lawful Proposed Use is partly or wholly refused or is granted differently from what you asked for (under Section 195/196) of the Town and Country Planning Act 1990 (as amended).
- (4) If you are aggrieved of the LPAs decision, the following deadlines apply for appeals to be submitted to the Welsh Government (from the date of the Council's decision):-

(1) Planning Permission (with the exception of Minor Commercial and Householder applications – see below)	Within 6 Months
(2) Householder Appeal see endnote i	Within 12 weeks
(3) Minor Commercial Appeal see endnote i	Within 12 weeks
(4) Listed Building or Conservation Area Consent appeals	Within 6 months
(5) Tree Preservation Order (TPO) Consent	Within 28 days
(6) Advertisement Consent	Within 8 weeks
(7) Certificate of Lawfulness of Existing (Section 191) or Proposed (Section 192) Use or Development	Within 6 months
(8) Hazardous Substances Consent	Within 6 months
- (5) Appeals must be made on a form which is obtainable from the Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ – Tel 0303 444 5940, or online at www.planningportal.gov.uk/pcs .
- (6) The Welsh Government has power to allow a longer period for the giving of notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (7) The Welsh Government is not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted having regard to the statutory requirements to the provisions of the development order, and to any directions given under the Order. They do not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by them.
- (8) If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Welsh Government, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the County Borough Council, in which the land is situated, as the case may be, a **purchase notice** requiring that Council purchase his interest in the land in

accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Making an Appeal

- (9) Please note that for all applications received by the LPA after 5th May 2017, it is now a requirement that any appeal made to the Planning Inspectorate (other than Householder and Minor Commercial Appeals, and appeals against refusal to grant advertisement consent) must be accompanied by all the information and evidence you intend to rely upon (a **“full statement of case”**). You must also send a copy of the notice of appeal and full statement of case to the LPA.
- (10) In addition, for ‘planning appeals’ an amendment to an application following notice of appeal may only be made to correct an error.
- (11) Additional details and information on making an appeal to the Welsh Government is available from the Planning Inspectorate at the above address and website. The relevant documents are entitled “making your planning appeal” and “planning appeals Public Local Inquiries”.
- (12) Further correspondence regarding this application should bear the reference number quoted on the top of the decision notice.

THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

- BUILDING REGULATIONS – Please contact buildingcontrol@npt.gov.uk or 01639 686820 to discuss all aspects of the service that is offered by Building Control
- HIGHWAY LEGISLATION

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

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

- *“householder application”* (essentially an application for the enlargement, improvement or other alteration of a dwellinghouse, or development within the curtilage of such a dwellinghouse, or change of use to enlarge the curtilage of a dwelling house)
- *“householder appeal”* means an appeal in relation to a householder application, but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.
- *“minor commercial application”* (essentially relates to existing buildings of no more than 250 square metres gross external floor space at ground floor level, currently in use for any of the purposes set out in Schedule 1A to The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2015 which is an application for change of use from Class A1 to A2 or A3; or Class A2 to A3); or the carrying out of building or other operations to a shop front.
- *“minor commercial appeal”* means an appeal in relation to a minor commercial application but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.