

**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

Neath Port Talbot County Borough Council
C/O Agent

Name and address of the agent

Mr Oliver Hanney
Asbri Planning
Suite D 1st Floor
220 High Street
Swansea
SA1 1NW

DATE REGISTERED: 22 July 2024

APPLICATION NO: P2024/0435

LOCATION: Nant Y Cafn Business Park, Seven Sisters, Neath, SA10 9ES

PROPOSAL: Proposed development of 6 no. industrial workshop units (use class B2), highways arrangements, parking, drainage, landscaping and all associated works

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

This Decision Notice is REVISION NUMBER 2, issued on 25/03/2025

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:

ISU-EPT-XX-XX-DR-A-1301 P02 - Site Location Plan
ISU-EPT-XX-XX-DR-A-6301 P08 - Proposed Site Plan
ISU-EPT-ZZ-ZZ-DR-A-2301 P03 - Proposed Ground Floor Plan
ISU-EPT-ZZ-ZZ-DR-A-2302 P03 - Reflected Ceiling Plan
ISU-EPT-ZZ-ZZ-DR-A-2303 P03 - Roof Plan
ISU-EPT-ZZ-ZZ-DR-A-2304 P03 - Proposed Elevations
ISU-EPT-ZZ-ZZ-DR-A-2305 P03 - Proposed Sections
ISU-EPT-ZZ-ZZ-DR-A-9301 P03 - 3D view
6807-BHP-03-XX-DR-S-10201 P01 - Sub-structure Details
ISU-BHP-03-XX-DR-C-60302 P09 - Vehicle Tracking
ISU-BHP-03-XX-DR-C-60306 P01 - Highway Long Section
ISU-EPT-XX-XX-DR-A-6302 P04 - Site Sections
ISU-CAM-XX-XX-DR-L-0003 P05 - Soft Landscape Proposals
ISU-BHP-03-XX-DR-C-50301 P11 - Drainage Layout
ISU-BHP-03-XX-DR-C-60301 P10 - External Layout
ISU-BHP-03-XX-DR-C-60305 P10 - External Finishes
Construction Management Plan (FM-SITE-001 Rev 14 Feb 2022)
Arboricultural Report (ArbTS_1895.4_SevenSisters dated 1st July 2024)
Preliminary Ecological Appraisal (EC2023 015 SPF Business Units)
Green Infrastructure Statement (ISU-CAM-XX-XX-RP-0006-P02 dated May 2024)
SK19-2024-09-10_Water Mains Easement Sketch
L1662.3 V1 - Seven Sisters - Operational Noise Impact Assessment (22 August 2024)
L1662.1 V3 - Plant Noise Assessment (2 July 2024)
L1662.2 V2 - Acoustic Design Review (2 July 2024)
H3091-23/NR Ground Investigation Report (Factual Account and Interpretative Assessment) Issue No 3 (July 2024)
H3091-23/NR Desk Study and Field Reconnaissance Issue No 1 (April 2024)
6807-BHP-03-XX-RP-C-(50)301 P01 - Drainage Strategy Report
ISU-CAM-XX-XX-RP-L-0003 P02 - Landscape Management and Maintenance Plan
T24.126. Transport Technical Note July 2024

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 Notwithstanding the details contained within the submitted Ground Investigation Report (H3091-23/N2), no construction work shall commence on site until a further report to assess the nature and extent of any contamination on the site, and confirmation of whether or not it originates on the site, has been first submitted to and approved in writing with the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with the following document: Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006) and shall be submitted as a written report which shall include:

- (i) a survey of the extent, scale and nature of contamination:
- (ii) an assessment of the potential risks to:
 - human health,

- ground waters 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
- (iii) an appraisal of remedial options, and proposal of the preferred remedial option(s).

Reason:

The approved desk-top report recommends additional ground gas investigation and 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, to ensure compliance with Policies SP16 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

Details in respect of the above condition were approved under application P2025/0065 dated 05/03/2025.

- 4 No construction work 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 under application P2025/0133 dated 25.03.2025.

Action Conditions

- 5 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.

- 6 No works within the public highway shall commence until they have first been 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 the prior written approval of the Local Planning Authority and any issues highlighted shall be addressed within 3 months of that stage of the Road safety Audit having been given the written approval of the Local Planning Authority.

Reason:

In the interests of highway safety and the well-being of future occupiers of the site and to ensure the development complies with Future Wales Policy 12 and Policies SP20, BE1 and TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 7 All turning and manoeuvring areas as shown on drawing number ISU-EPT-XX-XX-DR-A-6301 P08 hereby approved, shall be kept free of any obstruction at all times to enable all vehicles accessing the development to enter and egress from the site in a forward gear.

Reason:

In the interest of highway safety and to ensure the development complies with Policies BE1 and TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 8 Prior to occupation of any of the units, cycle parking, disabled parking and electric vehicle charging spaces shall be provided on site in accordance with drawing number ISU-EPT-XX-XX-DR-A-6301 P08, hereby approved and thereafter retained for use as such in perpetuity.

Reason:

In the interests of highway safety and the well-being of future occupiers of the site and to ensure the development complies with Future Wales Policy 12 and Policies SP20, BE1 and TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 9 Prior to first beneficial use of the building, the proposed car parking layout shall be fully implemented on site in accordance with drawing number ISU-EPT-XX-XX-DR-A-6301 P08 hereby approved. The car parking areas shall remain available for their designated use as such in perpetuity.

Reason:

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

- 10 The development shall be carried out strictly in accordance with the Construction Management Plan (FM-SITE-001 Rev 14 Feb 2022) hereby approved.

Reason:

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

- 11 Prior to occupation of any of the units, gigabit capable broadband infrastructure from the site boundary to the units hereby permitted shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason:

To support the roll-out of digital communications infrastructure and to comply with Policy 13 of Future Wales: The National Plan 2040.

- 12 Notwithstanding any other details which may be given in the plans hereby approved, prior to installation, a scheme indicating the positions, height, design, materials and type of all boundary treatment(s) to be erected around the application site shall be submitted to and approved in writing by the Local Planning Authority. Any gates fronting onto the highway shall be of a type which open inwards only and can be seen through. The boundary treatment(s) shall be completed, as approved, prior to the first beneficial occupation of the units and thereafter retained as such in perpetuity.

Reason:

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

- 13 All planting, seeding or turfing comprised in the approved details of landscaping (ISU-CAM-XX-XX-DR-L-0003 P05 - Soft Landscape Proposals), including the planting of a new mixed native species hedgerow along the northern boundary of the application site, 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.

- 14 The development shall be carried out strictly in accordance with the recommendations contained within the Preliminary Ecological Appraisal and Green Infrastructure Statement reports hereby approved, and the proposed biodiversity enhancements identified within the documents and as indicated on the approved plans shall be implemented in full prior to the first beneficial occupation of the development.

New bat and bird boxes shall be installed on the building in accordance with details to be first submitted to and agreed in writing by the Local Planning Authority prior to installation. These shall be retained as part of the development in perpetuity.

Reason:

In the interest of biodiversity, to maintain and mitigate against the loss of any foraging habitats, 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.

- 15 All the trees/hedges shown on the approved landscaping plan as being retained, including the oak trees whose canopies overhang the site, shall be protected by strict adherence to the recommendations contained within BS5837:2012 and as detailed in the Arboricultural Report (ArbTS_1895.4_SevenSisters dated 1st July 2024) hereby approved.

Protective fencing shall be erected in accordance with Appendix 4 of the approved Arboricultural Report before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

Reason:

To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policy BE1 of the Adopted Neath Port Talbot Local Development Plan.

- 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 4 shall have been 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.

- 17 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.

- 18 The combined noise rating level emitted from the use of the new industrial units, both individually and cumulatively, together with the operation of any associated external fixed plant/machinery, shall not exceed the predicted levels as set out in Table 4 of the noise reports dated 2nd July 2024 hereby approved and shall remain below background noise levels as modelled, being 48 dB(A) LA90,1hr during the daytime period at façade level at the nearest affected receiver.

Measurements and assessments shall be made in accordance with 'BS 4142:2014 Method for rating and assessing industrial and commercial sound'.

To ensure there is sufficient attenuation to comply with the noise modelling, the building construction must comply with the specifications set out within the approved noise reports and prior to first operation of the approved heating and ventilation plant, a further Noise Impact Assessment demonstrating compliance with the target noise rating level shall be first submitted to, and approved in writing by, the Local Planning Authority.

Reason:

To ensure that the amenities of occupiers of residential properties in the vicinity are protected, and to ensure compliance with Policies SP16, EN8 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 19 The industrial use of the site/building, including the operation of any associated plant/equipment, shall not be carried out outside the hours of 07.00am to 19.00pm Monday to Sunday.

Reason:

To ensure that the amenities of occupiers of residential properties in the vicinity are protected, and to ensure compliance with Policies SP16, EN8 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

- 20 Roller shutter doors must be kept closed for the duration of the operation of any significant noise generating plant/machinery and insulated to provide sufficient acoustic attenuation to achieve compliance with condition 18 requirements.

Reason:

To ensure that the amenities of occupiers of residential properties in the vicinity are protected, and to ensure compliance with Policies SP16, EN8 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

- 21 Notwithstanding the provisions of Class B 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 external extraction equipment, plant or machinery shall be installed on the site/units without the prior express grant of planning permission from the Local Planning Authority.

Reason:

In the interests of local amenity, and to ensure compliance with Policies SP16, EN8 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

Informatives:

1 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.

2 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>

3 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 10 working days' 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.

4 No site/vegetation clearance/demolition shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

5 The proposed development site is crossed by a watermain and/or public sewers with the approximate position being marked on the Statutory Public Sewer Record. The positions shall be accurately located, marked out on site before works commence and no operational development shall be carried out within a specified easement zone either side of the centreline of the public sewers. The applicant is advised to contact Dwr Cymru/Welsh Water to discuss. 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 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. The applicant is advised to 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.

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 area, residential amenity, highway and pedestrian safety or ecology. Accordingly, the proposed development is in accordance with Policies SP6, SC1, OS1, EN6, EN7, EN8, 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, specifically Policy 6, 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: 9 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.