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**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	Name and address of the agent
Head Of Property And Regeneration NPTCBC The Quays Brunel Way Baglan Energy Park Neath SA11 2GG	Mr Iwan Rowlands Asbri Planning Suite D 1st Floor 220 High Street Swansea SA1 1NW

DATE REGISTERED: 13 September 2024

APPLICATION NO: P2024/0586

LOCATION: Land At Pontneddfechan And South Of Pontneathvaughan Road, Pontneddfechan, Neath Port Talbot, SA11 5NR

PROPOSAL: Proposed development of Waterfall Country Pontneddfechan Visitor Infrastructure Scheme to include retail shop, welfare facilities, tourist accommodation, ancillary plant room, lighting, car parking facilities, demolition of outbuildings adjoining Sgwd Gwladys and existing toilet block, and creation of farm track access, play park/ courtyard, with associated infrastructure works.

Decision Notice Revision 2 dated 22/05/2025

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:

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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:

Site Location Plan 2081-00-HIR-A-DR-00020-S2-P10
Existing Site Roof Plan 2081-00-HIR-A-DR-01039-S2-P7
Proposed Site Plan 2081-00-HIR-A-DR-00200-S2-P14
Site Demolition Plan 2081-00-HIR-A-DR-01139-S2-P5
Proposed Ground Floor Plan 2081-00-HIR-A-DR-01300-S2-P16
Proposed First Floor Plan 2081-00-HIR-A-DR-01310-S2-P14
Site Roof Plan as Proposed 2081-00-HIR-A-DR-01390-S2-P12
Proposed Accommodation Elevations 2081-01-HIR-A-DR-02410-S2-P8
Proposed Shop Elevations 1 2081-02-HIR-A-DR-02420-S2-P6
Proposed Shop Elevations 2 2081-02-HIR-A-DR-02421-S2-P6
Proposed Welfare Elevations 1 2081-04-HIR-A-DR-02440-S2-P6
Proposed Welfare Elevations 2 2081-04-HIR-A-DR-02441-S2-P6
Existing Site Sections 2081-00-HIR-A-DR-03050-S2-P6
Proposed Site Sections 2081-00-HIR-A-DR-03500-S2-P6
Waste Management Plan and Proposed Bin Store 2081-04-HIR-A-DR-00450-S2-P6
Proposed Bike and Water Tank Enclosure Elevations 2081-04-HIR-A-DR-00452-S2-P4
Highway Works - Existing & Proposed Drainage 2081-05-JUB-C-DR-00540-S2-P07
Highway Works - General Arrangement 2081-05-JUB-C-DR-00100-S2-P08
Highway Works - Swept Path Analysis - Delivery Vehicles 2081-05-JUB-C-DR-00151-S2-P05
Highway Works - Swept Path Analysis - MPV and Estate Car 2081-05-JUB-C-DR-00150-S2-P05
Highway Works - Swept Path Analysis - Refuse and Recycling Vehicles 2081-05-JUB-C-DR-00152-S2-P05
Highway Works - Swept Path Analysis - Tractor and Trailer 2081-05-JUB-C-DR-00153-S2-P06
Highway Works - Swept Path Analysis - Coaches 2081-05-JUB-C-DR-00154-S2-P02
Proposed Car Park - Drainage Layout 2081-04-JUB-C-DR-00500-S2-P10
Proposed Car Park - General Arrangement 2081-04-JUB-C-DR-00100-S2-P08
Proposed Car Park - Swept Path Analysis - Coaches 2081-04-JUB-C-DR-00150-S2-P05
Proposed Car Park - Swept Path Analysis - Delivery and Refuse Vehicles 2081-04-JUB-C-DR-00152-S2-P05
Proposed Car Park - Swept Path Analysis - MPV and Estate Cars 2081-04-JUB-C-DR-00151-S2-P05
Proposed Car Park - Access Track External Works 2081-04-JUB-C-DR-00730-S2-P02
Ecological Enhancements Plan 2228-DLA-DR-L-05-P04
Hard Landscape Plan 2228-DLA-DR-L-01-P16
Landscape Sections 2228-DLA-DR-L-04-P04
Soft Landscape Plan 2228-DLA-DR-L-02-P012
Tree Pit Details 2228-DLA-DR-L-03-P02
Lighting Strategy 2081-00-MCP-E-DR-9000 Rev P03

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Tree Survey Plan TS589
Topographical Survey 6785A
Planning Statement Asbri Planning
Welsh Language Action Plan Asbri Planning September 2024
Site Waste Management Plan Andrew Scott
Design and Access Statement including Energy and Sustainability Statement - Hiraeth Architecture
Accommodation Schedule Hiraeth Architecture
Drainage Strategy - Jubb
Flood Risk Technical Note - Jubb 2081-00-JUB-C-RP-00002 September 2024
Transport Statement Asbri Transport September 2024
Preliminary Ecological Assessment Neath Port Talbot County Borough Council
Tree Survey Neath Port Talbot County Borough Council
Landscape Management Plan Davies Landscapes
Green Infrastructure Statement Davies Landscapes November 2024
Factual Exploratory Investigation Earth Science Partnership
Ground Conditions Assessment Report Jubb
Historic Environment Desk Based Assessment Dyfed Archaeological Trust
Air Quality Statement - Logika J101618A102

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 No development or phase of development, including site clearance and demolition, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.
The CEMP should include:
 - Construction methods: details of materials, how waste generated will be managed.
 - General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain. All fuel, oil and chemicals used on Site must be stored away in a locked store which is bunded to 110% capacity of the total volume stored.
 - Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance, and mitigation measures.
 - Soil Management: details of topsoil strip, storage, and amelioration for re-use. The early establishment of buffer strips during surface restoration work can filter runoff and reduce soil erosion - such measures are particularly important on steep slopes and bare soil vulnerable to runoff.
 - Control of Nuisances: details of restrictions to be applied during construction including timing, duration, and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill and the conservation of dark skies.
 - Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater (including details of sewage disposal from any welfare facilities on site), and energy use.
 - Traffic Management: details of site deliveries, plant on site, wheel wash facilities

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- 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, following the Pollution Control Hierarchy. Site specific pollution sensitive receptors should be identified and their risks, and the methods of mitigation should be identified. A monitoring plan for watercourses should be developed.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: To ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction and to accord with Policy EN8 of the Local Development Plan.

- 4 No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- (i) the parking of vehicles of site operatives and visitors
 - (ii) loading and unloading of plant and materials
 - (iii) storage of plant and materials used in constructing the development
 - (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - (v) wheel washing facilities
 - (vi) measures to control the emission of dust and dirt during construction
 - (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - (viii) scheme for the erection of temporary/semi temporary signage warning drivers of the presence of a site access.
 - (ix) The Construction Method Statement shall be signed by a competent person(s).

Reason:

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

- 5 Prior to the commencement of work on site, including demolition, the developer shall submit a detailed Noise Impact Assessment, prepared by a qualified acoustic consultant, to the Local Planning Authority for approval. The assessment shall evaluate the potential noise impacts of the development on surrounding properties and sensitive receptors, particularly during both construction and operational phases. The assessment must be conducted in accordance with current standards and guidelines relevant in Wales, including BS 4142:2014+A1:2019 (Methods for Rating and Assessing Industrial and Commercial Sound) or any succeeding guidance.

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Where significant noise impacts are identified, the assessment shall also include detailed mitigation measures to reduce noise to acceptable levels. All recommended mitigation measures shall be implemented in full prior to the first occupation of the development and maintained thereafter for the duration of the development.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Local Planning Policy.

- 6 Prior to commencement of development (excluding demolition), Road Safety Audits, stages 1 and 2 shall be submitted to and approved in writing by the Local Planning Authority, and prior to the first beneficial use of the development, hereby approved, Road Safety Audits stages 3 and 4 shall be submitted to and approved in writing by the Local Planning Authority. The Road Safety Audit shall be completed in accordance with GG 119 of the Design Manual for Roads and Bridges the Road Safety Audits shall include all works to be constructed on the public highway and the works shall be carried out in accordance with the Audits prior to the first beneficial use of the development.

Reason:

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

- 7 No development shall commence on site until a revised assessment of the nature and extent of contamination affecting the application whole site area has been submitted to and approved in writing by the Local Planning Authority, including the northern section of the site that comprises the existing parking and toilet block. 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
- 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,

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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.

- 8 Prior to the commencement of the development, including demolition, a secured agreement for a written scheme of historic environment mitigation shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be 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.

Details of this condition was agreed under application P2025/0223 dated 22/05/2025

- 9 No development shall commence, excluding demolition, 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.

- 10 Prior to the commencement of development on site, excluding demolition, details shall be submitted to and approved in writing by the Local Planning Authority for the play park and courtyard as identified on plan 2326 00 Rev 16 (Site Ground Floor Plan as Proposed). The details shall include a block plan, elevation details, equipment details and any hard and soft landscaping. The play park shall then be implemented on site, as approved prior to the first beneficial use of the development.

Reason:

To ensure the acceptable delivery of the courtyard and play park and to ensure the proposal complies with Policy BE1 of the Local Development Plan.

Details of this condition was agreed under application P2025/0300 dated 07/05/2025

- 11 Prior to the commencement of development on site, including demolition, and before any equipment, machinery or materials are bought onto site, tree protective fencing as shown in Appendix 2 of the submitted Tree Survey, dated February 2024 must be erected on site in accordance with the Tree Survey and the Tree Survey Plan (dated 29.02.2024). The protective fencing measures must comply with BS5837:2012 Trees

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in relation to design, demolition and construction and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. The tree protection fencing shall also be erected around the root protection area of the additional tree located to the west of the proposed agricultural access. Nothing shall be stored or placed within any fenced areas, and the ground levels within those areas shall not be altered, nor shall any excavation be made.

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 Neath Port Talbot Local Development Plan.

Action Conditions

- 12 Prior to the construction of the car park hereby approved, a scheme detailing how parking spaces and direction arrows will be marked out on proposed gravel surfaced element of car park shall be submitted to and approved in writing by the Local Planning Authority. Signage should be provided in accordance Traffic Signs Regulations and General Directions (2016) to show flow and direction of traffic, and the approved scheme shall be implement on site prior to the first beneficial use of the car park and retained as such thereafter.

Reason:

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

- 13 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system including any increase in the roof area of buildings /or impermeable surfaces within the application site and foul water and surface water discharges shall be drained separately from the site.

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, and to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

- 14 The shop, accommodation and welfare buildings hereby approved shall be connected to the mains sewerage system prior to the first beneficial use of the development 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.

- 15 Notwithstanding the submitted plans, no planting shall be allowed to grow above 600mm within the hereby approved vehicular and pedestrian vision splays and no trees shall be planted within the footway, nor shall any trees be planted within 2m of the back of footway unless a suitable root barrier is placed along the back of footway. The vision splays shall thereafter be maintained free of any obstruction exceeding 600mm in height for as long as the development exists

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Reason:

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

- 16 Prior to the first beneficial use of the development hereby approved the 13no EV charging parking spaces shall be provided on site and retained as such thereafter.

Reason: To ensure that the development complies with the requirements of Planning Policy Wales 12.

- 17 Prior to the first beneficial use of the development hereby approved, details of the markings of the emergency layby shall be submitted to and approved in writing by the Local Planning Authority. The markings shall then be completed on site in accordance with the approved details prior to the use of the layby and retained as such thereafter.

Reason:

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

- 18 Prior to the first beneficial use of the development hereby approved replacement highway replacement lighting scheme shall be submitted to and approved in writing by the Local Planning Authority, the replacement lighting scheme shall include the proposed siting of the lighting columns and lux levels and shall be constructed on site prior to the first beneficial use of the development.

Reason:

In the interest of visual, residential amenity and to prevent any unacceptable light spillage, and in the interest of biodiversity and protected species and to ensure the proposal complies with Policies EN8 and BE1 of the Local Development Plan.

- 19 If required by the development, prior to the implementation of the substation on site, as shown on plan 2326 00 Rev14 Site Plan as Proposed, details shall be submitted to and approved in writing by the Local Planning Authority and the substation shall then be implemented on site in accordance with the approved details.

Reason:

To ensure acceptable design and appearance and to accord with policy BE1 of the Local Development Plan.

- 20 Prior to the first beneficial use of the development hereby approved, excluding the farm access track, the facilities for the secure storage/ stands for a minimum of 10no cycles, including 1no. adapted space shall be provided in accordance with plan 2081-04-JUB-C-DR - 00100 P08, and such facilities 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.

- 21 Prior to the first beneficial use of the development hereby permitted, excluding the western farm access, the proposed bird boxes as detailed on plan 2228DLADRL05 P)4 (Ecological Enhancement Plan) shall be provided on site and retained as such thereafter.

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Reason:

In the interest of biodiversity, and to mitigate to loss of bird nesting/foraging habitats under the Habitats Regulations (amended 2012) and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

- 22 The development hereby approved shall be undertaken in accordance with the Landscape Management Plan (DLA2228LMP01) and the Soft Landscaping Plan (2228 DLA DRL02P12). All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the operation of the buildings or the completion of the development, whichever is the sooner; and any trees, hedgerows 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 interest of visual amenity, and to ensure the long-term management and maintenance of all landscaped areas that lie within the site and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 23 Prior to the first beneficial use of the proposed development commencing, if required by condition 9, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in accordance with condition 9 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.

- 24 Should the provision of Air Source Heat Pumps be required by the development, details of the Air Source Heat Pumps including siting location, any housing and specifications shall be submitted to and approved in writing by the Local Planning Authority prior to their installation on site. The details shall also include a Noise Impact Assessment and where significant noise impacts are identified; the assessment shall also include detailed mitigation measures to reduce noise to acceptable levels. All recommended mitigation measures shall be implemented in full prior to the first beneficial use of the development and maintained thereafter for the duration of the development.

Reason:

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

- 25 External lighting within the development shall be completed in accordance with the External Light Management Strategy (2081-009000- P03) and the external lights shall not be operational outside of the operational hours of the development identified in condition 33.

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Reason:

In the interest of visual, residential amenity and to prevent any unacceptable light spillage, and in the interest of biodiversity and protected species and to ensure the proposal complies with Policies EN8 and BE1 of the Local Development Plan.

- 26 Prior to the first beneficial use of the access junctions and car park hereby permitted, the highway bollards as shown on plans 2081 00200 P14 (Site Plan as Proposed) and 2081-05-JUB-C-DR-00100 (Highway Works - General Arrangement) shall be provided on site and shall be retained as such thereafter.

Reason:

To ensure sufficient viability splays and in the interest of highway and pedestrian safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.

- 27 Prior to their use in the construction of the development hereby permitted, 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.

Regulatory Conditions

- 28 Any gates provided across the accesses shall be of a type which open inward only and can be seen through, and shall be retained as such thereafter.

Reason:

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

- 29 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.

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- 30 The development shall be undertaken in accordance with the Preliminary Ecological Assessment 03/2024 EC2023 004.

Reason:

In the interest of biodiversity, and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

- 31 Demolition and 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.

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Local Planning Policy.

- 32 The separate highway access junction and track, as detailed on plan 2081-04-JUB-C-DR-00730 P02, located to the west of the application site and the secondary access point located off the car park access shall be restricted to farm use only and for no other purpose.

Reason:

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

- 33 The use of car park shall not be carried out outside the hours of 7am -11pm Monday - Saturday and 7am-10pm on Sundays, during summer and winter. The use of the shop and ancillary coffee kiosk shall not be carried out outside the hours of 7am - 10pm Monday -Sunday, during summer and winter. The use of the toilet and welfare building shall not be carried out outside the hours of 7am- 11pm Monday- Saturday and 7am-10pm on Sundays during summer months and 7am- 5pm Monday- Sunday during winter months, as set out within the Planning Statement hereby approved.

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.

- 34 The coffee kiosk shall be limited to the area shown on plan 2326 00 Rev 16 (Site Ground Floor Plan as Proposed) and shall remain ancillary to the A1 shop hereby approved.

Reason:

In order to ensure compliance with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 35 No deliveries by Heavy Goods Vehicles (vehicles over 3500kg maximum gross weight) shall be made to the approved Class A1 use outside of the hours 07:00-19:00. All deliveries outside of these hours should be arranged in accordance with Department for Transport document "Quiet Deliveries Good Practice Guidance - Key Principles and Processes for Retailers".

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Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Local Planning Policy.

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. It is recommended to submit separate SAB applications for the existing junction layout alterations and the proposed visitor centre/carpark development. Should any springs or ground water seepage be encountered the on site works in that area shall cease until a scheme for collection and disposal of the water has been submitted to and approved in writing by the Local Planning Authority. No ground water shall ever be discharged into the proposed drainage scheme.

2 For the implementation of 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 F.A.O. Mr Martin Brumby Project Manager Highways (e-mail m.brumby@npt.gov.uk or telephone 01639 686013) who will advise you of the procedure for the implementation of the required Traffic Regulation Order. *Please note this process can take up to 4 months - subject to the consultation process outcome*.

3 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

4 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 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 Welsh Water 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. No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

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5 The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), CIfA regulations, standards and guidance | Chartered Institute for Archaeologists and it is recommended that it is carried out either by a CIfA Registered Organisation or a MCIfA level accredited Member Looking for an archaeologist? | Chartered Institute for Archaeologists.

6 There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site, without prior consultation and agreement with the Authority.

7 Adequate precautions are to be taken to ensure the protection of the water main during the course of site development. If heavy earthmoving machinery is to be employed, then the routes to be used in moving plant around the site should be clearly indicated. Suitable ramps or other protection will need to be provided to protect the water main from heavy plant. The water main is to be kept free from all temporary buildings, building material and spoil heaps etc. The existing ground cover on the water main should not be increased or decreased. All chambers, covers, marker posts etc. are to be preserved in their present position. Access to the Welsh Water apparatus must be maintained at all times for inspection and maintenance purposes and must not be restricted in any way as a result of the development. No work is to be carried out before this Welsh Water has approved the final plans and sections.

8 Consideration must be given to installing a CCTV system to protect the fronts of the commercial units- the shop, kiosk, the accommodation block, cycle stores and the parking areas. The reception area should also be protected by CCTV. The General Data Protection Regulations (GDPR) must be complied with. Lighting must be effective and complement and enhance CCTV, if CCTV is installed. The commercial units, bike stores, accommodation block, bin stores and public circulation areas should be lit. The lighting should also protect the vehicle parking area where the lighting should meet the British Standard 5489. Bike stores must be secure (please visit the Secured by Design website www.securedbydesign.com for further information). Access into the bike store areas must be controlled by access control. Bin stores must be secure. Access into the bin stores must be controlled by access control e.g., digilocks, fob or swipe card. Bin stores should be lit when in use. Drainpipes must be concealed within the fabric of the buildings or designed to be difficult to climb e.g. flush fitting. The commercial units must be constructed of materials that are resistant to attack. The first two metres of the external walls must be brickwork or materials of a similar strength. The design of the buildings must consider the need to prevent features that aid scaling or climbing, and hidden areas and covered areas ideally should be designed out. Access into the holiday accommodation i.e. bedroom areas, must be controlled via access control that meets SBD standards. Access into rooms where valuable property is located should also be controlled by access control e.g. fob or swipe card. The main external doors into the buildings must meet the standards specified by SBD (SBD) i.e. PAS 24 2022, LPS 1175 SR2 or equivalent and be third party tested and certificated. Individual bedroom doors must also meet the same SBD standards. Fire doors should have no external furniture fitted. Doors that are described as fire doors, or where fire performance is declared or implied, are required to have third-party certification for security, smoke, and fire performance. Glass in external door panels or adjacent to these panels must be laminated and doors in recesses of more than 600mm must be avoided. Consideration should be given to protecting the external doors of the commercial units with security shutters or grilles that meet the security standard LPS 1175SR2 or equivalent. Commercial units should also be protected against ram raiding. All vulnerable windows in the buildings must meet the SBD standard PAS 24 2022, or equivalent and should be third party tested

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and certificated. The windows in the commercial units must also meet the standard i.e. PAS 24 2022, LPS 1175 SR2 or equivalent and have laminated glass fitted. Windows should also be third party tested and certificated. Consideration should be given to protecting the vulnerable external windows in the commercial units with security shutters or grilles that meet the security standard LPS 1175 SR2 or equivalent. The commercial units should be protected by an alarm system. Ideally the system would be monitored with any alarm wires protected.

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 Visual Amenity, Neighbouring Amenity, Highway and Pedestrian Safety, Biodiversity, Trees, Archaeology, Flooding, Drainage or Waste. Accordingly, the proposed development is in accordance with Policies SC1, BE1, TR2, EN5, EN6, EN8, RE2, W3, SP22, SP13 and TO1 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: 17 December 2024

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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 recommended the applicant review the information and guidance on Building Over Sewers

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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.

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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

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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.