

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL  
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT**

**TOWN AND COUNTRY PLANNING ACT 1990  
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (WALES) ORDER 2012**

**APPROVAL OF FULL PLANNING PERMISSION**

**Name and address of the applicant**

Mr Andrew Pegg  
Aldustria Ltd  
4-5 Harbourside  
The Grove  
Bristol  
BS1 4QZ

**Name and address of the agent**

Mrs Claire Alers-Hankey  
GTH  
Winchester House  
Deane Gate Avenue  
TAUNTON  
TA1 2UH

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**DATE REGISTERED:** 25 February 2025

**APPLICATION NO:** P2025/0064

**LOCATION:** Chosen Park, Unit 3 , Lane From Brunel Way To Sewage  
Pumping Station, Baglan Energy Park, Neath Port Talbot, SA11  
2HZ

**PROPOSAL:** Siting of 30 MW battery storage system and associated works  
including formation of access, onsite parking and turning area,  
and erection of fencing.

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

**Conditions: -**

**Time Limit Conditions**

- 1 The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning  
Act 1990.

**List of Approved Plans**

- 2 The development shall be carried out in accordance with the following approved plans and documents:

Site Location Plan, Drawing No. 24142BAG-LHC-00-00-DR-A-0100 P3, received on 30/01/2025.

Proposed Site Elevations with Palisade fence, Drawing No. 24142BAG-LHC-00-00-DR - A-0401 P4, received on 30/01/2025.

Proposed Site Elevations without Palisade fence, Drawing No. 24142BAG-LHC-00-00-DR - A-0402 P4, received on 30/01/2025.

Noise Impact Assessment, prepared by Hepworth Acoustics, Ref: Report No: P24-280-R01v1 (December 2024), received on 30/01/2025.

Battery MV Transformer Container, Drawing No. 24142BAG-LHC-00-00-DR-A-0001 P1, received on 30/01/2025.

HV Switchroom GRP Enclosure, Drawing No. 24142BAG-LHC-00-00-DR-A- 0002 P1, received on 30/01/2025.

LV Switchroom GRP Enclosure, Drawing No. 24142BAG-LHC-00-00-DR-A- 0003 P1, received on 30/01/2025.

Control Room, Drawing No. 24142BAG-LHC-00-00-DR-A- 0004 P1, received on 30/01/2025.

Flood Consequence Assessment, prepared by Sustain Environmental, Ref: 24041 (January 2025), received 30/01/2025.

Preliminary Ecological Appraisal, prepared by Avondale Ecology, Ref: AE520 Revision 1 (January 2025), received on 30/01/2025.

Planning Statement, prepared by GTH Ref: 2993E (January 2025), received on 30/01/2025.

Grid Connection Equipment Plan, Drawing No. 24142BAG-LHC-00-00-DR-A-0006 P1, as received on 24/02/2025.

Grid Connection Equipment Elevations, Drawing No. 24142BAG-LHC-00-00-DR-A-0005 P1, as received on 24/02/2025.

Galvanized steel Lamppost-CCTV Totem, Drawing No. 24142BAG-LHC-00-00-DR-A-0007 P1 as received on 24/02/2025.

Construction Method Statement, prepared by GTH (February 2025), received on 24/02/2025.

Topographical Survey, Drawing No. 68933YOLS-01, received on 25/02/2025;

Green Infrastructure Statement, prepared by GTH (February 2025), received on 25/02/2025.

Contamination Statement, prepared by GTH (February 2025), received on 25/02/2025.

Design Fire Safety Strategy, prepared by GTH (February 2025), received on 25/02/2025.

Site Layout Diagram with Vehicle Tracking, Drawing No. 24142BAG-LHC-00-00-DR-AR-0104 P4, received on 10/04/2025; and

Battery Energy Storage System Fire Safety Overview, prepared by GTH (April 2025), received on 10/04/2025.

Reason: In the interests of clarity.

### Pre-Commencement Conditions

- 3 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
  - 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.

- 4 If contamination is identified via the Desktop Assessment (Condition 03), 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 program 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.

- 5 No development or phase of development, including site clearance, 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 shall include:

- i) Construction methods: details of materials, methods (inc. any piling methods or vibration generating activities) and how waste generated during the construction phases will be managed.
- ii) General Site Management: details of the construction program including timetable, details of site clearance; details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drainage. All fuel, oil and chemicals used on Site must be stored away in a locked store which is bonded to 110% capacity of the total volume stored.
- iii) Biodiversity Management: Measures for the protection of habitats within the site or along the site's peripheries to include details of tree and hedgerow protection; species and habitats protection, avoidance and mitigation measures.
- iv) Invasive Species Management; Invasive Non-Native Species (INNS) Management Plan and a timetable for its implementation with details on methods of avoidance, containment or removal to avoid the spread of INNS.
- v) 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.
- vi) CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- vii) 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 habitats / trees and hedgerows.
- viii) 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.
- ix) Traffic Management: details of site deliveries, plant and machinery on site, any wheel wash facilities.
- x) 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.
- xi) 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 the site is developed in a sensitive manner that respects the surrounding environment with regards to pollution, contamination, water resources and ecology.

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

Reason: To ensure the site is developed in a sensitive manner that respects the surrounding environment with regards to pollution, contamination, water resources

and ecology in accordance with Policies SP16 and EN8 of the Neath Port Talbot County Borough Council Local Development Plan (2011-2026) Adopted January 2016.

- 6 No development or site clearance shall commence until the Local Planning Authority have been informed in writing of the name of a professionally qualified archaeologist who is to be present during the undertaking of any excavations in the development area so that a watching brief can be conducted. No work shall commence until the Local Planning Authority has confirmed, in writing, that the proposed archaeologist is suitable. A copy of the watching brief report (detailing the findings of the watching brief) shall be submitted to the Local Planning Authority within two months of the archaeological fieldwork being completed.

Reason:

In the interests of protecting potential archaeological remains at the site, as required by Planning Policy Wales and Policy SP21 of the Neath Port Talbot Local Development Plan.

- 7 No development or phase of development, including site clearance, shall commence until a Firewater Containment Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall outline hydrology's role in fire protection and provide:

- a) Details of water supply for manual firefighting and on site-storage.
- b) Details of any storage or supply of emergency materials and equipment including sand and earth, proprietary absorbents, sealing devices and substances for damaged containers, drain seals, booms.
- c) Details of containment systems including primary and secondary containment with Source-Pathway-Receptor modelling.
- d) Details on any remote containment systems if primary and secondary containment are inadequate, (i.e., containment lagoons, purpose-build tanks, shut-off valves and penstocks and oil separators);
- e) Temporary emergency containment systems including sacrificial areas, bunding of vehicle parking and other hard standings, pits and trenches, and portable tanks, over drums and tankers.
- f) Procuring components and construction techniques of proposed containment systems which comply with all relevant legislation, to include details on prevention of ground contamination, water course pollution and the release of toxic gases.
- g) Details of ventilation or air conditioning systems.
- h) Details of automatic fire detection systems to be incorporated within the development design, including any automatic fire suppression systems (i.e., water misting systems) and management of potential thermal runaway.
- i) Firefighting strategies and run-off management, strategies and possible methods of reducing the amount of firewater run-off generated.
- j) Waste management, measures to be put in place to dispose of, as soon as possible, any spillage, contaminated material or firefighting water.
- k) Details on how firewater, including any other uncontrolled run-off will be contained, directed and decontaminated, including details of infiltration systems, impermeable areas, measures to contain/attenuation basins with supporting hydrological modelling; and
- l) Details on how water will be sustainably discharged to local water bodies as means to prevent contamination of watercourses and ground waters, (i.e. directly or via off-

site surface water sewers or through atmospheric deposition, such as vapour plumes).

The approved Firewater Containment Strategy shall be implemented and adhered to in accordance with the approved details thereafter.

Reason: In the interest of pollution prevention to air, water and ground quality to secure ongoing environmental protection to prevent an unacceptable adverse effect on health, biodiversity and local amenity, ensuring the development complies with Policies SP15 and EN8 of the Neath Port Talbot Local Development Plan.

#### Action Conditions

- 8 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 04 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.

- 9 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.

- 10 By no later than 24 months from the development ceasing to be used for the purposes of the storage (BESS) and distribution of electricity a decommissioning and site restoration scheme with a proposed implementation timetable shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
  - a) community liaison.
  - b) complaints procedures.

- c) nuisance management (including measures to avoid or minimise the impacts of decommissioning works (covering dust, noise, vibration and lighting));
- d) dust management measures.
- e) site waste and materials management measures.
- f) environmental protection and pollution control measures.
- g) security measures and use of artificial lighting.
- h) landscape restoration scheme.
- i) site decommissioning and site restoration transportation management plan; and
- j) a list of additional consents required for decommissioning activities and a program for the intended submission of relevant consent applications.

The development shall be decommissioned in accordance with the approved scheme and timetable.

Reason: To ensure satisfactory restoration of the site and to accord with Policy RE1 of the Neath Port Talbot Local Development Plan and Supplementary Planning Guidance entitled Renewable and Low Carbon Energy dated July 2017.

- 11 Notwithstanding the submitted details, prior to the occupation of the BESS site hereby approved a scheme indicating the positions, height, design, materials and type of boundary treatment to be erected to all boundaries shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed, as approved, prior the first beneficial use is of the BESS site and 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.

- 12 Prior to the BESS hereby approved being brought into beneficial use, a Biodiversity Management Plan (BMP) shall have been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Management Plan shall provide for:
  - i) Methods and timings for the control of weeds, noxious weeds and alien invasive and notifiable species.
  - ii) Details on proposed biodiversity enhancements to be provided on site, including how the proposed Biodiversity Net Gain (BNG) area as shown on Drawing No. 24142BAG-LHC-00-00-DR-AR-0104 P4 will be created and what form of seeding, planting or other measures it will constitute.
  - iii) Identification and description of landscape components, including existing and proposed vegetation with details of new planting areas, including planting specifications and schedules.
  - iv) Aims and objectives for each of the key components with details of the expected outcome - e.g. habitat creation, foraging hedgerow, wildflower meadow, shrubs, herbaceous and bulb borders.
  - iv) Details of specialist operations required to deliver habitat creation and biodiversity.
  - v) Details on how and when habitats on-site will be monitored (i.e. inspection frequency for loss, damage and replacement) and details of appointed ecologists to undertake monitoring.
  - vi) Management operations of all functions (i.e., heights, timings and methods for tree, hedgerow and shrub pruning, re-shaping and thinning), including the proposed

BNG (including, re-seeding and re-planting of wildflower plugs etc.), specifying the frequency of checks, timings for work and durations, details of the body or organisation responsible for implementation of the plan.

vii) Ongoing monitoring and remedial measures, to include preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period) with a longer term schedule leading up to decommissioning and restoration of the site;

viii) Sustainable Drainage Systems (SuDs) details, including implementation and long-term maintenance details and any specialist operations.

The approved Biodiversity 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 the proposed biodiversity enhancement areas situated within the curtilage of the BESS site, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

### Regulatory Conditions

- 13 The car parking spaces, as shown on the approved plans shall be provided prior to the first beneficial use of the development hereby permitted commencing and shall thereafter be used solely for the benefit of the occupants working at and servicing the BESS site of which it forms part and authorised visitors and for no other purpose and permanently retained as such.

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

### Informatives:

1 NOTES TO APPLICANT - Section 278 Agreement: To ensure the road works you are required to undertake are carried out to the satisfaction of the local planning authority you are advised prior to commencing any work on these works to contact the Head of Engineering and Transport at The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG (Highway Development Control Section Telephone No. 01639 686850 or e-mail [hdc@npt.gov.uk](mailto:hdc@npt.gov.uk)) to agree the specification, enter an adoption agreement and arrange onsite inspection of your works. The Final Completion (adoption) Certificate for the required S.278 Agreement of the Highways Act 1980 to facilitate the junction giving access to the development, will not be issued until confirmation is submitted to the Local Planning Authority that a S.104 Agreement of the Water Industry Act 1991 has been completed and is in its maintenance period prior to adoption by DCWW.

2 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 on Neath Port Talbot 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](http://www.npt.gov.uk/activetravel)

3 GLAMORGAN-GWENT ARCHOLOGY TRUST (GGAT / HENEB): 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.

4 MID AND WEST WALES FIRE AND RESCUE SERVICE: The developer should consider the need to provide adequate water supplies and vehicle access for firefighting purposes on the site and general guidance on this matter is given in the attached Appendix and the following links: <https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of-water-for-firefighting-3rd-edition-jan-2007/><https://www.ukfrs.com/index.php/promos/16847>. Furthermore, the applicant should be advised to contact the appropriate Authority responsible for ensuring safety and compliance for these types of developments i.e., Health & Safety Executive / Local Authority Building Control.

5 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 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. In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements. If you have any queries please contact Dwr Cymru / Welsh Water via 0800 917 2652 or email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com).

6 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](http://www.dwrcymru.com)

7 NRW Advice for the Developer: The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit. Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays. Environmental Permits may be required during construction and operation, and we recommend early consultation with the relevant permitting teams to ensure all permits are in place prior to commencement of development.

## CONCLUSION

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 or residential amenity, highway safety, biodiversity or the environment. Accordingly, the proposed development is in accordance with Policies SP15, EN6, EN7, SP16, EN8, SP18, SP20, TR2 and SP21 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040, specifically Policies 2, 9 and 17 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: 19 June 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](http://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](mailto: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.

(7) Please be informed that your application may require approval from the SuDS Approving Body (SAB). The SAB consent may be necessary to ensure that your development proposals complies with the statutory requirements, relevant regulations, and standards under schedule 3 of the Flood and Water Management Act 2010. Please contact our Website: [www.npt.gov.uk/SAB](http://www.npt.gov.uk/SAB), Email: [SAB-HDC@npt.gov.uk](mailto:SAB-HDC@npt.gov.uk) or Tel: 01639 686850

## 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):-
  - Planning Permission (with the exception of Minor Commercial and Householder applications – see below) Within 6 Months
  - Householder Appeal see endnote i Within 12 weeks
  - Minor Commercial Appeal see endnote i Within 12 weeks
  - Listed Building or Conservation Area Consent appeals Within 6 months
  - Tree Preservation Order (TPO) Consent Within 28 days
  - Advertisement Consent Within 8 weeks
  - Certificate of Lawfulness of Existing (Section 191) or Proposed (Section 192) Use or Development Within 6 months
  - 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 5<sup>th</sup> 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.

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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](mailto:buildingcontrol@npt.gov.uk) or 01639 686820 to discuss all aspects of the service that is offered by Building Control
- HIGHWAY LEGISLATION

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

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<sup>i</sup> 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.