

**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 Beale
Linc Cymru
C/o Agent

Name and address of the agent

Mr Jon Wilks
Amity Planning
Suite 212
Creative Quarter
Cardiff
CF10 1AF

DATE REGISTERED: 29 May 2024

APPLICATION NO: P2024/0301

LOCATION: Caewern House, Dwr Y Felin Road, Caewern, SA10 7RH

PROPOSAL: Demolition of Caewern House and construction of 36 no. affordable residential flats in five 3-storey blocks together with access, parking, footpaths, drainage, open space, landscaping and associated works including electric vehicle charging points, bin/cycle storage, pv solar arrays and air source heat pumps

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:

2609-00(03)100 Site Location Plan
2609 00(03)110 Rev.O - Proposed Site Plan
Planning Statement
Design and Access Statement
PAC Report
Illustrative Perspectives 1-10
IG2022 Bat Survey Report
Ecological Appraisal Report (November 2022)
Landscape Strategy
TC22110 Green Infrastructure Statement v6 (December 2024)
Arboricultural Impact Assessment
Tree Survey
Tree Constraints Plan
Tree Protection Plan
2609-502-D - Foul Drainage Strategy
2609-555-B - Refuse Vehicle Swept Path Assessment
2609-500-G - SuDS Strategy Plan
2609 00(03)111 - Proposed Site Plan Path Widths
2609-505-E - Engineering Levels Plan
2609-530-B - Adoption Plan
2609-600-A - Road Longitudinal Sections
Transport Statement 22-379-20 Rev. 04 (20/12/24) and Appendices
Preliminary Coal Mining Risk Assessment Doc. Ref.6346h.2616 Rev 0 (October 2016)
Geo-Environmental and Geotechnical Assessment Report Reference
ESP.7828b.3558
2609-00(03)410 Proposed Site Sections A and B
2609-00(03)411 Proposed Site Sections C and D
2609-00(03)412 Proposed Site Sections E and F
2609-00(03)302 Rev E - Building A - Rear and Side Elevation
2609-00(03)301 Rev H - Building A - Front and Side Elevation
2609-00(03)203 - Building A - Second Floor Plan
2609-00(03)202 - Building A - First Floor Plan
2609-00(03)201 - Building A - Lower and Ground Floor Plan
2609-00(03)303 Building B - Front and Side Elevations
2609-00(03)304 Building B - Rear and Side Elevations
2609-00(03)204 Building B - Ground and First Floor Plans
2609-00(03)205 Building B - Second Floor Plan
2609-00(03)305 Building C - Front Elevation
2609-00(03)306 Building C - Side Elevations
2609-00(03)307 Building C - Rear Elevation
2609-00(03)206 Building C - Ground Floor Plan
2609-00(03)207 Building C - First Floor Plan
2609-00(03)208 Building C - Second Floor Plan
2609-00(03)308 Building D - Front and Side Elevations
2609-00(03)309 Building D - Rear and Side Elevations
2609-00(03)209 Building D - Ground and First Floor Plans

2609-00(03)210 Building D - Second Floor Plan

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 Before beginning any development at the site, you must do the following: -
- a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and
 - b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason:

To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.

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

- 4 No 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.

- 5 No development shall commence on site until a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historic environment shall be prepared and submitted to and approved in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

Reason:

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

- 6 No development shall commence until the remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as identified within Section 7.2.1 of the Geo-Environmental and Geotechnical Assessment Report (ESP. 7 828b3558, August 2021) have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The remedial works shall be carried out in accordance with authoritative UK guidance.

Reason:

To ensure that the assessment of the risk from past coal mining activity is satisfactory, and to ensure compliance with Policies SP16 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 7 No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the flats/buildings hereby permitted has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

- 8 No development, including any site clearance, shall commence until a Demolition and Construction Environmental Management Plan (CEMP) has been submitted to

and approved in writing by the Local Planning Authority. The CEMP shall be made with reference to the requirements of British Standard BS5228-1:2009 - Code of practice for noise and vibration control on construction and open sites. The approved CEMP shall be adhered to throughout the demolition and construction phases and shall provide for:

- a. Construction methods: details of the extent and phasing of development; details for the storage and management of plant and materials used in constructing the development;
- b. Drainage: Details of drainage measures during construction phases to ensure that the drainage of any adjoining land, and land downstream is not interrupted or otherwise adversely affected by the development;
- c. General Site Management: details of the construction programme including timetable; details of site clearance; details for erection and maintenance of security hoarding including decorative displays and facilities for public viewing;
- d. Control of Nuisances: Wheel washing facilities and measures to control light spill;
- e. Traffic Management: details of site deliveries including routes of vehicles, plus delivery and construction times, taking into account the proximity of residential dwellings and school, there shall be no deliveries in excess of 3.5 tonnes shall access or leave the site via any route during the hours of 8am to 9.30am and 2.30pm to 4pm during school term times; details for the loading and unloading of plant and materials; details for the parking of vehicles of site operatives and visitors; scheme for the erection of temporary/semi-temporary signage warning drivers of the presence of children and speed restrictions; Measures to prevent stacking of vehicles onto the public highway; The frequency and size of vehicles used to transport the waste material arising from the demolition works;
- f. Hours of working on site, including specified hours for deliveries; details of restrictions to be applied during construction and demolition works (including timing, duration and frequency of works) to prevent noise or nuisance amenity issues to surrounding properties; and
- g. Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details, the CEMP must also be signed by the responsible person.

Reason:

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

- 9 Prior to any works commencing on site, including demolition and site clearance, Road Safety Audit Stages 1 and 2 must be undertaken and the results used to inform the following details which must also be submitted to and approved in writing by the Local Planning Authority prior to any works commencing:
 - a. full construction details for the construction of the buildouts within the access road which shall include the minimum clear width of 3.8m, the direction of traffic that has priority and the kerb positioning;
 - b. full kerbing layout for the scheme showing any dropped kerbs for vehicle cross overs or pedestrian access;
 - c. additional details for the proposed new footpath link, including gradients not in excess of 1 in 12, and how this will tie in to the existing footpath;

- d. all the appropriate CAD drawings to be able to check the swept path analysis for the refuse vehicle and the junction;
- e. full construction details for the off-street highway improvements to the existing access point; and
- f. full construction details for the new access road into the development which includes the carriageway and footways and including the following:
 - 1. Longitudinal sections showing a gradient of not more than 1 in 12 or less than 1 in 150;
 - 2. Cross sections every 20 metres, and/or where any culvert outfalls, headwalls are located;
 - 3. Highway Drainage (including gullies, gully leaders, manholes, pipe sizes and gradients);
 - 4. Highway Construction details;
 - 5. A schematic street lighting design;
 - 6. Highway Retaining Walls (if any), along with full structural and design calculations; and
 - 7. A Traffic Regulation Order Scheme for the new access road and Dwr-Y-Felin Road.

Thereafter the development shall only proceed in accordance with the approved details, which shall be implemented in their entirety prior to the first beneficial occupation of any of the units.

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

Reason:

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

- 11 No development shall take place, nor any demolition works or site clearance, until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been first submitted to and approved in writing by the Local Planning Authority.

Reason:

As the building is of architectural and cultural significance the specified records are required to mitigate impact.

- 12 No development shall take place, nor any demolition works or site clearance, until a scheme of proposed interpretation, including a public display board or similar feature of interest, detailing the 'What Once Stood' history of Caewern House, has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to the first beneficial occupation of the development and thereafter retained as part of the development in perpetuity.

Reason:

As the building is of architectural and cultural significance, a scheme of interpretation is required to mitigate loss of historic features.

- 13 No development shall take place, nor any demolition works or site clearance, until there has been submitted to and approved in writing by the Local Planning Authority details of a scheme for the protection of trees shown to be retained on the plans hereby approved. The approved scheme shall be carried out during the demolition of the buildings and throughout the course of the development and shall include:

a) a suitably scaled plan, showing the position of every tree on the site and on land adjacent to the site (including street trees) that could influence or be affected by the development, indicating which trees are to be removed;

b) and in relation to every tree identified a schedule listing:

- information as specified in paragraph 4.4.2.5 of British Standard BS5837:2012 - Trees in Relation to Design, Demolition and Construction - Recommendations;

- any proposed pruning, felling or other work;

c) and in relation to every existing tree identified to be retained on the plan referred to in (a) above, details of:

- any proposed alterations to existing ground levels, and of the position of any proposed excavation, that might affect the root protection area;

- all appropriate tree protection measures required before and during the course of development (in accordance with BS5837:2012).

- areas of existing landscaping to be protected from construction operations and the method of protection.

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 Policies SP15 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

- 14 Prior to the commencement of development, a detailed scheme and method statement for the treatment and disposal of soils affected by any invasive non-native plant species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be in accordance with current best practice. Thereafter the development shall be carried out in accordance with the approved scheme.

Reason:

In the interests of amenity, and to ensure that the treatment is carried out in accordance with recognised good practice and to accord with Policy SP15 of the Adopted Neath Port Talbot Local Development Plan.

- 15 No development shall commence until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all open space and landscaped areas has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out and the open space and landscaping maintained in accordance with the approved details.

Reason:

In the interests of maintaining a suitable scheme of open space and landscaping to protect the visual and residential 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 Adopted Neath Port Talbot Local Development Plan.

- 16 Prior to the commencement of development, an external lighting scheme for the site (including lux contour and mitigation to prevent light spillage onto bat flight lines and tree habitats) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include any lighting proposed within the public open space and a schematic street lighting scheme. Lighting shall avoid conflict with all proposed bat mitigation and enhancement measures and shall incorporate best practice guidance to ensure the retention of dark corridors for the movement of bats. The lighting scheme shall be fully implemented prior to the beneficial use of the development.

Reason:

In the interests of residential amenity and to ensure that animal and plant species and habitats listed under the Conservation of Habitats and Species Regulations 2017 are adequately protected, and to ensure compliance with Policies SP15, SP16, EN6, EN8 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

Action Conditions

- 17 The development shall be carried out strictly in accordance with the proposed Landscape Strategy and Green Infrastructure Statement hereby approved. For the avoidance of doubt, all landscaping proposals for the development should align with the planting provision as required and approved pursuant to the separate SAB application for the development.

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 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 Adopted Neath Port Talbot Local Development Plan.

- 18 The development shall be carried out strictly in accordance with the recommendations contained in Sections 4 and 5 of the Bat Survey Report and Section 5 of the Preliminary Ecological Appraisal hereby approved. For the avoidance of doubt these recommendations include a requirement that an EPS derogation licence be obtained from Natural Resources Wales and a further bat scoping survey (of Caewern House and any trees to be removed) is undertaken prior to the commencement of development. A copy of the updated bat scoping survey report must be submitted to the Local Planning Authority prior to commencement of development.

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.

- 19 Prior to the first beneficial occupation of the development, biodiversity mitigation and enhancement measures shall be implemented in accordance with Sections 4 and 5 of the Bat Survey Report and Section 5 of the Preliminary Ecological Appraisal hereby approved. For the avoidance of doubt these require:

- 4 no. bat boxes to be located on appropriate trees within the site;
- 12 no. bat boxes to be located into the gable ends of each of the proposed buildings;
- 4 no. bird boxes to be located on appropriate trees within the site;
- 6 no. bird boxes to be located into the gable ends of each of the proposed buildings;
- any vegetation clearance to be undertaken outside of bird nesting season;
- any invasive non-native species to be treated and removed using approved techniques; and
- any fencing to have hedgehog-friendly gaps.

These measures 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.

- 20 The development hereby approved shall be connected to the mains sewerage system prior to the first beneficial occupation of any of the flats 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 Adopted Neath Port Talbot Local Development Plan.

- 21 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

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 ensure the development complies with Policy EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 22 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 conditions 5 and 6 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 Adopted Neath Port Talbot Local Development Plan.

- 23 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.

- 24 Prior to installation of any external heating or ventilation plant, to include air source heat pumps, a noise impact assessment must be submitted to and approved in writing by the Local Planning Authority.

The noise rating level emitted from external heating and ventilation plant shall not be greater than 5dB below the existing background noise level. The noise levels shall be determined at the nearest noise-sensitive premises or at another location that is deemed suitable by the Local Planning Authority. Measurements and assessments shall be made in accordance with 'BS 4142:2014 Method for rating and assessing industrial and commercial sound'.

Prior to first operation of the approved heating and ventilation plant, including air source heat pumps, where necessary mitigation measures shall be installed and verified in accordance with the recommendations of the approved Noise Impact Assessment demonstrating compliance with the target noise rating level and shall be maintained thereafter.

Reason:

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

- 25 Notwithstanding any other details which may be given in the plans hereby approved, prior to their installation or erection, a scheme indicating the positions, height, design, materials and type of boundary treatment(s) shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall accord with the requirements of condition 26 of this permission and the approved boundary treatments shall be completed, as approved, prior the first beneficial occupation of the flats and retained as such thereafter.

Reason:

In the interest of visual amenity and highway and pedestrian safety and to ensure compliance with Policies BE1 and TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 26 The development shall include a feature wall, re-using the original stone from the existing building to be demolished, and this wall could also form part of the proposed interpretation details as required by condition 12 of this permission. The approved details shall be implemented on site prior to the beneficial occupation of the last block of flats and thereafter retained as part of the development in perpetuity.

Reason:

In the interests of the Circular Economy and as the building is of architectural and cultural significance.

- 27 The development shall not be occupied until the clothes drying, bin storage and secure cycle parking facilities have been provided on site in accordance with the plans hereby approved and made available for use as such. These facilities shall thereafter be retained for use as such in perpetuity.

Reason:

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

- 28 Prior to the first beneficial occupation of the development hereby permitted, the junction and visibility splays in both directions, as shown on drawing 20-111 within the Transport Statement Issue 04 dated 20/12/2024 hereby approved, shall be provided on site, and shall thereafter be maintained free of any obstruction exceeding 0.6m in height for as long as the development exists.

Reason:

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

- 29 The car parking spaces as shown on the approved plans, including a minimum of 4 Electric Vehicle Charging spaces, shall be provided prior to the first beneficial occupation of the development hereby permitted, and shall thereafter be used solely for the benefit of the occupants of the residential accommodation of which it forms part and their visitors and for no other purpose and permanently retained as such. Unless otherwise first agreed in writing, each parking space shall be surfaced in a porous material, or provision made to direct run-off water from the hard surface, to a permeable porous area or surface within the curtilage of the site, to a maximum gradient of 1 in 9, with no surface water allowed to flow out onto the public highway.

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.

- 30 All works to be constructed on the public highway shall be 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 approval in writing by the Local Planning Authority. All issues highlighted at each stage, being addressed to the written approval of the Local Planning Authority within 3 months of that stage of that Road Safety Audit having been approved.

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.

- 31 Prior to the beneficial occupation of the first block of flats, the access road carriageway and footways shall be made up to at least binder course and prior to the beneficial occupation of the last block of flats, the access road carriageway and footways shall be completed up to and including surface course level.

Reason:

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

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

Reason:

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

- 33 Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming

that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason:

To ensure that the assessment of the risk from past coal mining activity is satisfactory, and to ensure compliance with Policies SP16 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 34 Notwithstanding any other details that may be given in the plans hereby approved, before any unit in Block 1 (Building A) is brought into beneficial use, all apertures in the rear (eastern) elevation of Block 1 (excluding the lower ground floor area), including any doors, windows or balconies, shall be fitted with obscured glazing, details of which shall first be submitted to and approved in writing by the Local Planning Authority prior to installation and any part of the aperture that is less than 1.8m above the finished floor level of the room in which it is installed shall be fixed shut and non-opening. The apertures shall be permanently retained in that condition thereafter.

Reason:

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

Regulatory Conditions

- 35 Notwithstanding the provisions of Class A of Part 2 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), unless expressly granted by condition 25 of this permission, no further fences, gates or walls or other means of enclosure shall be erected around the perimeter of the site or within or around the curtilage of any individual block of flats without the prior, express planning permission of the Local Planning Authority.

Reason:

In order to safeguard the visual amenity of the area and highway safety by enabling the Local Planning Authority to consider whether planning permission should be granted for such enclosures having regard to the particular layout and design of the development, and to accord with Policies BE1, TR2 and SC1 of the Neath Port Talbot Local Development Plan.

Informatives:

1 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 1 calendar months' notice in writing of the date of commencement of the works. As part of this process, you are advised that only certain contractors are permitted to undertake the works on the public highway, a list of these contractors are available from the Highway Authority's Highway Development Control Section. Therefore 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 (FAO Mr T Davies Telephone No. 01639 686392 or e-mail t.davies2@npt.gov.uk) to agree the specification, enter the necessary agreement and arrange onsite inspection of your works.

2 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.

3 Bats often roost in trees, and work on these trees may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a tree in which bats are roosting, Natural Resources Wales must be contacted. If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work shall cease and NRW should be contacted immediately. Where bats or their roosts are present, no works of felling, lopping or pruning shall take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. NRW can be contacted at:- Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000

4 Warning: A Protected Species Licence is required for this development. This planning permission does not provide consent to undertake works that require a Protected

Species licence. It is an offence to deliberately capture, kill or disturb Protected Species or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales. Development must not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorising the specified activity/development to go ahead.

5 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.

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

7 Ground Investigations. Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission to enter or disturb our property may result in the potential for court action. It is recommended that you check with the Mining Remediation Authority prior to commencing any works. Application forms for Mining Remediation Authority permission and further guidance can be obtained from their website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property Shallow Coal Seams in areas where shallow coal seams are present caution should be taken when carrying out any on-site burning or heat focused activities.

8 Unless temporary approval has been given for diversion or closure, the Public Rights of Way shall remain open at all times, any damage caused to the Rights of Way shall be rectified to the satisfaction of this authority immediately.

9 Ground Stabilisation by Grouting. It is not clear from the submission whether grout is to be used in the application. If grout is to be used, an Environmental Permit may be required - please contact NRW's Permitting team for more advice and permit application requirements. Waste. 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. Pollution Prevention Construction and demolition activities can give rise to pollution and so it is important that appropriate provisions are in place to manage dust, silt, surface water and the storage of waste during the construction phase. You should take any precaution to prevent contamination of surface water drains and local watercourses. All works at the site must be carried out in accordance with GPP5, 'Works and maintenance in or near water' and PPG6, 'Working at construction and demolition sites' which is available on the following website:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelinesppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

10 Any agreement to adopt the roads relating to this development should be entered into with the Council prior to the commencement of development. Such an agreement will be under Section 38 of the Highways Act 1980 relating to the specification, timescale and subsequent adoption of the roads and a Bond to ensure that the Authority can complete the works if the Developer defaults on the roadworks.

11 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 (e-mail m.brumby@npt.gov.uk or telephone 01639 686475) 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.

12 This permission is subject to an obligation under Section 106 of the Town and Country Planning Act 1990, as amended.

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 visual amenity and character of the area, residential amenity, highway and pedestrian safety, ecology, drainage or land contamination considerations. Accordingly, the proposed development is in accordance with Policies AH1, EN6, EN7, EN8, OS1, TR2 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

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

Signed:

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

Ceri Morris – Head of Planning & Public Protection

Date: 11 September 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.

(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, Email: 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):-

(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.