

**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

Mrs Ruby Davies
Energybuild Ltd
Aberpergwm Colliery
B4242 From Rheola To Glynneath
Neath Port Talbot
Glynneath
SA11 5AJ

DATE REGISTERED: 7 October 2022

APPLICATION NO: P2022/0782

LOCATION: Aberpergwm Colliery , B4242 From Rheola To Glynneath,
Glynneath, SA11 5AJ

PROPOSAL: Variation of condition 32 of planning permission P2014/0729 to improve the durability of the surface drainage. Condition 32 refers to a plan 'Figure 2 - Existing Surface Water Drainage Layout', replace with 'Figure 2 - Existing Surface Water Drainage Layout - Rev A' to reflect the required alteration to the mine surfacing material).

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: -

- 1 Extraction of coal shall cease by 31st December 2039, buildings to which this permission relates shall be removed and the approved restoration shall be completed by 31st December 2041. For a period of five years from the date of completion of restoration on any part of the site the restored area shall be managed in accordance with the approved aftercare scheme. The planning permission shall

expire following the complete restoration and aftercare of the areas of surface development in accordance with the approved restoration and aftercare schemes.

Reason

The application refers to the 'regularisation' and 'retention' of development and has sought a planning permission for 14 years. As the implementation of the permission will therefore occur on the date this decision is issued, the permission is limited to 14 years from the end of the year in which it has been approved, in order to minimise the duration of disturbance.

- 2 The development of the Mine Waste Repository shall be carried out strictly in accordance with the following Drawing Numbers

JA-034-012-001 - Mine Waste Repository Design

JA-034-012-003.1 - Phasing Design

JA-034-012-003.2 - Phasing Design Cross Sections

JA-034-012-003.3 - Phasing Design Year 5

JA-034-012-003.4 - Phasing Design Year 10

JA-034-012-003.5 - Phasing Design Year 15

JA-034-012-003.10 - Mine Waste Repository Cross Sections

CA10649-006A - Final Landform, Slope Gradients, Surface Water Drainage System and Access Arrangements

CA10649-007A - Landscaping Scheme

CA10649-008A - Restored Soil Profiles

Reason

To ensure that the Mine Waste Repository is developed and engineered to ensure its long term stability and is properly restored so as to minimise the impact on the environment and local amenity.

- 3 No more than 95,000 tonnes per annum shall be transported from the Mine Surface Area to the Mine Waste Repository until such time as the improvements to the haul road have been carried out strictly in accordance with the following Drawing Numbers

Figure 9.21 - Mine Haul Road Layout 1

Figure 9.22 - Mine Haul Road Layout 2

Figure 9.23 - Mine Haul Road Layout 3

Figure 9.24 - Mine Haul Road Layout 4

Figure 9.25 - Mine Haul Road Layout 5

Figure 9.26 - Mine Haul Road Layout 6

Figure 9.27 - Mine Haul Road Layout 7

Figure 9.28 - Mine Haul Road Layout 8

Figure 9.29 - Mine Haul Road Layout 9

Reason

To ensure that the standard of the haul road is improved to a condition to facilitate the passage of the number of HGV/ADT vehicles at the time those improvements are necessary and to minimise the potential for pollution of the water environment and the impact on local amenity

- 4 Prior to the commencement of underground operations at the mine within Zone 4 (as defined in Drawing Number JA-034-001-030, dated March 2015) the developer shall submit plans and define control measures for working within Zone 4 to be protective of controlled waters and the River Dulais. These details shall be submitted to and be approved by the Local Planning Authority prior to any underground operations at the mine within Zone 4.

Reason

To protect controlled water (i.e. River Dulais) from underground mining of the 9 feet and 18 feet seam from the drift mining at Aberpergwm

- 5 Prior to commencement of underground operations at the mine within Zones 4, 5 and 6 (as defined in Drawing Number JA-034-001-030, dated March 2015) the developer shall submit plans, method statements (to include volumes, locations, treatment and discharge locations) and quantitative assessment of the dewatering required to work these zones. These details shall be submitted to and be approved by the Local Planning Authority prior to commencement of underground operations at the mine within Zones 4, 5 and 6.

Reason

To ensure protection of controlled water in the local area

- 6 Prior to the commencement of any groundwork on the car park site 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 historical environment shall be prepared and submitted to and agreed 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.

- 7 Prior to the use of the car park site for any other purpose commencing, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in accordance with condition 6 shall be submitted to and 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 offsite receptors.

- 8 Within twelve months of the date of this decision, and at intervals of twelve months thereafter, detailed surveys, sectional details and calculations shall be submitted to

the Local Planning Authority to show the volume of material tipped in the Mine Waste Repository.

Reason

In order that the local planning authority has sufficient information to monitor the development of the site.

- 9 In the event that contamination is found at any time when carrying out the approved car park 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.

- 10 Within 6 months of the date of this decision, and every 6 months thereafter a report shall be submitted to and approved by the Local Planning Authority prepared by a suitably qualified soil scientist of the soils and peat resources recovered, conserved and/or utilised at the site identifying the procedures and inspections undertaken and the quantities recovered and the nature and suitability of the material for the restoration and after use of the site.

Reason

To ensure adequate restoration and aftercare of the site.

- 11 Within 5 years of the date of this decision, or in the event of a cessation of winning and working of minerals which in the opinion of the local planning authority constitutes a permanent cessation within the terms of paragraph 3(2) of Schedule 9 of the Town and Country Planning Act 1990, whichever is the sooner, a restoration scheme for the Mine Waste Repository, in the form of a written statement and plans shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:
- a. The removal of buildings, plant and machinery and the reinstatement of the site
 - b. Details of the respreading of peat, subsoil and topsoil previously stripped from the site, specifying depths and placement.
 - c. The ripping of any compacted layers of final cover to ensure adequate drainage and aeration, such ripping should normally take place before placing the topsoil.
 - d. The machinery to be used in soil spreading operations.
 - e. The final levels of the reclaimed land and the gradient of the slopes which shall be graded to prevent ponding of surface water.
 - f. The drainage of the reclaimed land including the formation of suitably graded contours to promote natural drainage and the installation of artificial drainage where necessary, and the position of main outfall ditches and watercourses. Design of

watercourses/drainage systems shall ensure inclusion of ecological interest and re-establishment of natural features.

g. The position and erection of fencing, hedge bank constructions, gates and cattle grids as necessary.

h. The creation of any attenuation ponds or water features.

i. Provision of and position of any footpaths/bridleways to link with existing Public Rights of Way.

The restoration of the site shall be carried out in accordance with the terms of such approval.

Reason

To ensure that the site is reclaimed in an orderly manner to a condition suitable for after use and in the interest of the amenities of the area.

- 12 Prior to 27th September 2033, or in the event of a cessation of winning and working of minerals which in the opinion of the local planning authority constitutes a permanent cessation within the terms of paragraph 3(2) of Schedule 9 of the Town and Country Planning Act 1990, whichever is the sooner, a restoration scheme for the Mine Surface Area and haul road, in the form of a written statement and plans shall be submitted to and approved in writing by the Local Planning Authority f. The scheme shall include details of:
- a. The removal of buildings, plant and machinery, drainage features and access/haul roads and the reinstatement of the site
 - b. Details of the re-spreading of subsoil and topsoil and soil forming material, specifying depths and placement.
 - c. The ripping of any compacted layers of final cover to ensure adequate drainage and aeration, such ripping should normally take place before placing the topsoil.
 - d. The machinery to be used in soil spreading operations.
 - e. The final levels of the reclaimed land and the gradient of the slopes which shall be graded to prevent ponding of surface water.
 - f. The drainage of the reclaimed land including the formation of suitably graded contours to promote natural drainage and the installation of artificial drainage where necessary, and the position of main outfall ditches and watercourses. Design of watercourses/drainage systems shall ensure inclusion of ecological interest and re-establishment of natural features.
 - g. The position and erection of fencing, hedge bank constructions, gates and cattle grids as necessary.
 - h. The creation of any attenuation ponds or water features.
 - i. Provision of and position of any footpaths/bridleways to link with existing Public Rights of Way.
- The restoration of the site shall be carried out in accordance with the terms of such approval.

Reason

To ensure that the site is reclaimed in an orderly manner to a condition suitable for after use and in the interest of the amenities of the area.

- 13 No later than 5 years from the date of this decision, or in the event of a cessation of winning and working of minerals, which in the opinion of the Local Planning Authority constitutes a permanent cessation within the terms of Paragraph 3(2) of Schedule 9 of the Town and Country Planning Act 1990 within 3 months thereof, whichever is the sooner, an aftercare scheme for the Mine Waste Repository setting out in detail

the requirements as may be necessary to bring the land to the required standard for use for amenity and forestry i.e. when it is reasonably fit for those uses, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:

- (a) Cultivation practices for the preparation of the soils, subsoils or colliery shale.
 - (b) The timing and pattern of vegetation establishment including species to be planted grass seeding mixtures, stock, type and size, spacing, method and position of planting.
 - (c) Secondary treatments such as moling, subsoiling, discing, stone picking as necessary.
 - (d) The provision of the treatment of the land to introduce enhanced biodiversity to the restored land including deciduous mixed woodland creation; the exclusion of hawthorn from acid grassland and heathland areas; and the provision of log piles, ponds, areas of bare ground to replace LBAP/Section 7 habitat losses.
 - (e) Drainage including timing of installation work, maintenance works or temporary drainage methods.
 - (f) Fertilizer and weed control to improve soil fertility and control of weeds to be based on soil/shale and sampling analysis.
 - (g) A detailed Annual Programme for the first and subsequent 4 years for the Aftercare of the site which shall include:
 - (i) Identify the person(s) responsible for the succeeding years programme.
 - (ii) Vegetation establishment and layout.
 - (iii) Secondary treatments such as further moling, subsoiling or fertilising requirements.
 - (iv) Field drainage requirements and maintenance.
 - (v) Tree and hedge establishment for the year including maintenance such as beating up, weed control fertiliser application, cutting and pruning.
- The aftercare of the site shall be carried out in accordance with the scheme as may be approved.

Reason

To ensure satisfactory aftercare on site.

- 14 No later than 27th September 2033, or in the event of a cessation of winning and working of minerals, which in the opinion of the Local Planning Authority constitutes a permanent cessation within the terms of Paragraph 3(2) of Schedule 9 of the Town and Country Planning Act 1990 within 3 months thereof, whichever is the sooner, an aftercare scheme for the Mine Surface area and haul road setting out in detail the requirements as may be necessary to bring the land to the required standard for use for amenity, agriculture and forestry i.e. when it is reasonably fit for those uses, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following:
- (a) Cultivation practices for the preparation of the soils, subsoils or colliery shale.
 - (b) The timing and pattern of vegetation establishment including species to be planted grass seeding mixtures, stock, type and size, spacing, method and position of planting. Lowland deciduous woodland shall form part of the scheme.
 - (c) Secondary treatments such as moling, subsoiling, discing, stone picking as necessary.
 - (d) The provision of the treatment of the land to introduce enhanced biodiversity to the restored land including deciduous mixed woodland creation; the exclusion of hawthorn from acid grassland and heathland areas; and the provision of log piles, ponds, areas of bare ground to replace LBAP/Section 7 habitat losses.

- (e) Drainage including timing of installation work, maintenance works or temporary drainage methods.
 - (f) Fertilizer and weed control to improve soil fertility and control of weeds to be based on soil/shale and sampling analysis.
 - (g) A detailed Annual Programme for the first and subsequent 4 years for the Aftercare of the site which shall include:
 - (i) Identify the person(s) responsible for the succeeding years programme.
 - (ii) Vegetation establishment and layout.
 - (iii) Secondary treatments such as further moling, subsoiling or fertilising requirements.
 - (iv) Field drainage requirements and maintenance.
 - (v) Tree and hedge establishment for the year including maintenance such as beating up, weed control fertiliser application, cutting and pruning.
- The aftercare of the site shall be carried out in accordance with the scheme as may be approved.

Reason

To ensure satisfactory aftercare on site.

- 15 Before 1st December of every year of the aftercare period, a site meeting shall be arranged by the operator, to which the Local Planning Authority and the landowner shall be invited, to monitor previous performance of aftercare requirements and to discuss future aftercare proposals. The meeting shall also be attended by the person(s) responsible for undertaking the aftercare steps.

Reason

To ensure the productive after use of the site in accordance with Policy M10 of the Neath Port Talbot Unitary Development Plan

- 16 Before 1st November of every year of the aftercare period the operator shall provide the Local Planning Authority with the following
 - a) A record of the aftercare operations carried out on the land in the previous 12 months
 - b) An assessment of losses and replacements to be provided in woodland areas
 - c) Proposals for managing the land for the forthcoming 12 months including weed controls

Reason

To ensure the productive after-use of the site in accordance with Policy M10 of the Neath Port Talbot Unitary Development Plan

- 17 The Scheme for the continuation of the Site Liaison Committee as submitted under planning permission P2019/0112 shall be implemented as approved.

Reason

To ensure that the development is considered and discussed within the existing forum for the Aberpergwm Mine.

- 18 The Scheme for the continuation of the Site Technical Working Party Meetings (TWPs) as submitted under planning permission P2019/0112 shall be implemented as approved.

Reason

To ensure that the development is considered and discussed within the existing forum for the Aberpergwm Mine.

- 19 Within 12 months of the date of this decision, the operator shall convene a meeting of the Site Ecological Steering Committee which shall include representatives of the Local Planning Authority, the operator and the landowner. The Committee shall meet 6 monthly or as frequently as they shall otherwise determine and shall be responsible for monitoring the delivery of the Ecological Management and Monitoring Plan approved under Condition 63.

Reason

To ensure that the ecological and biodiversity opportunities at the site are maximised.

- 20 The underground extraction of coal from the site shall take place only in the 9 feet coal seam in Mining Zones Z0-Z6 and in the 18 feet coal seam in Mining Zones Z0-Z3 as shown on the Underground Mining Parameters Plan AC/UWPP/215/001.

Reason

The assessment of environmental impacts and particularly subsidence impacts is based only on extraction of coal within the 9 feet and 18 feet seams.

- 21 All large-scale underground extraction (i.e. any method of underground mining in which less than 50% of the coal is left in place to support the roof of the active mining area) shall only take place within the application site in accordance with a Large Scale Mining Scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall as a minimum include:
- a) The proposed large scale underground extraction layout.
 - b) The predicted amount of mining related subsidence resulting from the layout and methods identified in a) above, based on the subsidence calculation methodology set out in the Subsidence Engineers Handbook and applying a 20% South Wales factor.
 - c) An assessment of the potential impact of predicted subsidence on any buildings and the areas hatched red on Drawing Number AC/UWPP/215/001 if such areas fall within the proposed extraction area
 - d) An assessment of the potential impact of predicted subsidence on any landslip areas identified on Drawing No CA10601-004 if such areas fall within the proposed extraction area.
 - e) An assessment of the potential impacts of predicted mining subsidence on sensitive ecological features identified as being at potential risk of adverse impacts from subsidence, as detailed in plan 'Ecological designated & sensitive sites Rev2' submitted on 9th December 2015, if such habitats fall within the proposed extraction area.
 - f) Details of any mitigation, remedial action or compensation for un-mitigated subsidence proposed to be implemented to protect/enhance any habitats, falling within the proposed extraction area and identified as being at risk of adverse impacts from the subsidence assessment carried out under e) above. Where compensation is required as a last resort this should be based on the ecological mitigation opportunities set out in the submission dated 9th December 2015 within 'Aberpergwm ecological mitigation opportunities 08dec15' and plan 'Aberpergwm mitigation zones'.
 - g) Details of any mitigation proposed to be implemented to protect/enhance any

buildings and features falling within the proposed extraction area identified as being at risk of adverse impacts from subsidence

h) The mechanism and timetable for implementing any mitigation identified in f) and/or g) above.

i) The proposed arrangements for monitoring of subsidence predicted together with the reporting mechanism for annual subsidence monitoring reports for large scale underground extraction areas mined in the preceding 12 months.

The Scheme shall be implemented as approved.

Reason

To enable the Local Planning Authority to control the impact of subsidence from the underground development and minimise its impact on the environment and the amenities of the local area

- 22 The scheme for the Haul Road Management and Maintenance Plan, submitted and approved under planning application P2020/0075, shall be implemented as approved.

Reason

The prevention of pollution from surface water drainage and to ensure the integrity of the road is sufficient to cater for the vehicular traffic along its length.

- 23 From the date of this decision to the completion of restoration, a copy of this permission including all documents hereby approved and any other documents subsequently approved in accordance with this permission shall be permanently maintained and be available for inspection at the site offices utilised for Aberpergwm Mine.

Reason

To ensure that the operators of the site and any site contractors are aware of the working programme and the conditions attached to carrying out the development.

- 24 Notwithstanding the provisions of parts 4, 19, 20 and 21 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or re-enacting that Order), no fixed plant or machinery, buildings or structures and erections, except for the plant, machinery, buildings and structures hereby approved and itemised on Drawing Number JNP/SRP/13-REV01, shall be erected, extended, installed or replaced at the site without the prior written approval of the Local Planning Authority.

Reason

In the interest of the amenities of the area and to ensure adequate space is maintained within the site to carry out the development proposed.

- 25 The external walls and roofs of buildings and the external surface of structures shall be dark green in colour and shall be maintained in such colour for the duration of operations.

The external walls and roofs of buildings and the external surface of structures shall be dark green in colour and shall be maintained in such colour for the duration of operations.

Reason

In the interests of visual amenity

- 26 The only coal to be processed and/or stocked at the site shall be coal extracted from the 9ft and 18ft seams at Aberpergwm Mine.

Reason

The capacity of the site for processing coal and the potential impacts on amenity and traffic generation is based on the use of coal from the mine only. The impact of processing additional coal from other sources has not been assessed.

- 27 From the date this decision the developer shall maintain records of their monthly run of mine production and shall make them available to the Local Planning Authority within 14 days of a written request.

Reason

In order that the Local Planning Authority can monitor the run of mine production at the site

- 28 No more than 480,000 tonnes of coal per annum shall be transported from the site by HGV until such time as a scheme to explore the viability of, and demonstrate the ability to, transport coal from the site by rail has been submitted to and approved in writing by the Local Planning Authority. Thereafter, all coal shall be transported in accordance with the approved scheme.

Reason

In order to minimise the impact of the development on the wider highway network and to ensure a sustainable delivery strategy in accordance with National Minerals Planning Policy.

- 29 The number of Heavy Goods Vehicles (more than 7.5 tonnes gross weight) loaded with coal leaving the site shall not exceed the following
- a) No more than 237 per day Monday to Friday, inclusive.
 - b) No more than 100 per day on Saturday
 - c) None on Sundays or Public Holidays

Reason

In the interests of highway safety and local amenity.

- 30 A written record shall be maintained at the site office of all movements out of the site by Heavy Goods Vehicles (more than 7.5 tonnes gross weight); such records to include the vehicles loaded weight, registration number and the time/date of the movement and shall be made available for inspection by the Local Planning Authority within 14 days of a written request.

Reason

In order that the Local Planning Authority can monitor output of coal from the site and the number of HGV's loaded with coal leaving the site.

- 31 Except in an emergency, which shall be notified to the Local Planning Authority as soon as practicable, no surface operations within the Mine Surface Area (other than activity ancillary to underground operations, water pumping, servicing, environmental

monitoring, maintenance and/or repair and testing of plant) shall be carried out on the site except between the following times:

0700 to 1900 hours Mondays to Fridays.

0700 to 1600 hours Saturdays (Washery operation limited to 0700 to 1200 hours)

There shall be no development or other activities other than those in relation to water pumping, servicing, environmental monitoring, maintenance and the testing of plant undertaken on Sundays, Bank or Public Holidays.

Reason

In the interests of the amenity of local residents

- 32 Except in an emergency, which shall be notified to the Local Planning Authority as soon as practicable, no operations within the Mine Waste Repository (other than water pumping, servicing, environmental monitoring, maintenance and testing of plant) shall be carried out on the site except between the following times:

07.00 to 19.00 hours Mondays to Saturday.

There shall be no development or other activities other than those in relation to water pumping, servicing, environmental monitoring, maintenance and the testing of plant undertaken on Sundays, Bank or Public Holidays.

Reason

In the interests of the amenity of local residents

- 33 Except in an emergency, which shall be notified to the Local Planning Authority as soon as practicable, no HGVs loaded with coal shall leave the Mine Site except between the following times:

07.00 to 19.00 hours Mondays to Fridays.

07.00 to 12.00 hours Saturdays

There shall be no loaded HGV movements on Sundays, Bank or Public Holidays.

Reason

In the interests of the amenity of local residents

- 34 No more than 140,000 tonnes of coal per annum shall be transported from the site until such time as the traffic light controlled junction and all works along the B4242 identified on Figures 14.26, 14.27, 14.28 and 14.29 contained within the Transport Assessment (dated May 2014) has been fully implemented.

Reason

In the interests of highway and pedestrian safety.

- 35 Before entering the public highway the wheels, undersides and bodies of all vehicles transporting any coal from the site and exiting onto the B4242 shall be cleaned and their loads shall be secured and fully covered by sheeting and in such a condition as to avoid the deposit of slurry, mud, coal or other material upon the public highway. The mine operator shall also ensure that the B4242 is kept clear of any such material for a minimum of 150 metres each side of the access point.

Reason

To ensure that such reasonable precautions are taken and provision is made as

necessary to prevent the exit of vehicles onto the public highway which would be likely to deposit material on the public highway to the detriment of highway safety and amenity.

- 36 All vehicles transporting coal from the site shall turn left as they emerge at the junction of the access point with the B4242. In the event of exceptional circumstances when other highway routes are unavailable, vehicles transporting coal may turn in either direction for a temporary period only. Such events shall be notified in writing to the Local Planning Authority within 24 hours of such an occurrence. In any event such temporary periods shall not last for more than 5 days at any one time

Reason

In the interests of highway safety

- 37 The Operational Dust Management Plan Reference AC/EP/DMP/001 dated April 2015 shall be complied with at all times until the expiry of the permission. The Plan shall be reviewed annually by the Technical Working Party, and revised if considered necessary following the annual review to ensure the measures contained within it remain effective. All revisions shall be submitted to the Local Planning Authority for their written approval within 1 month of such revisions being made.

Reason

In the interests of the environment and local amenity

- 38 Between 0700 and 1900 hours Monday to Friday and 0700 to 1200 hours on Saturday the noise levels arising from the development shall not exceed the following levels measured as dBLAeq (1 hour) freefield under the measurement criteria of BS4142:

Engine Cottage - 54dB

Elmwood - 52dB

10 Chain Road - 52dB

1 Manor Drive - 47dB

St Cadocs Church - 47dB

Reason

In the interests of the amenity of the area

- 39 At all other times outside of the hours specified in condition 24 above the noise levels arising from the operations at the site shall not exceed 42 dBLAeq (1 hour) freefield under the measurement criteria of BS4142 and as measured at any noise sensitive property.

Reason

In the interest of the amenities of the area

- 40 The best practical measures shall be used to minimise noise from reverse warning devices fitted to mobile plant and vehicles on site.

Reason

In the interest of the amenities of the area.

- 41 All vehicles, plant and machinery operated on the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers.

Reason

In the interest of the amenities of the area

- 42 The Noise Management Plan Reference AC/EP/NMP/001 dated April 2015 shall be complied with at all times until the expiry of the permission. The Plan shall be reviewed annually by the Technical Working Party, and revised if considered necessary following the annual review to ensure the measures contained within it remain effective. All revisions shall be submitted to the Local Planning Authority for their written approval within 1 month of such revisions being made.

Reason

In the interests of the environment and local amenity

- 43 The processing yard acoustic fencing as indicated on Drawing Number JNP/SRP/13-REV01 shall be the subject of an inspection on a weekly basis for the duration of the operations at the site. Any damage or missing panels shall be repaired or replaced in accordance with the approved specification within 5 working days of the inspection. Details of the inspections shall be retained on site for the duration of the planning permission and shall be made available to the Local Planning Authority within 14 days of a written request.

Reason

To ensure that the attenuation fencing is maintained in an effective condition and in the interest of the amenity of the area.

- 44 Development shall be carried out in accordance with the approved surface water and mine water drainage schemes/plans for the lifetime of the development, inclusive of aftercare.

Figure 9.1 - Cae Capel Surface Water Drainage Layout

Figure 9.2 - Existing Yard Surface Water Drainage Layout - Rev B

Figure 9.3 - Pwllfaron Surface Water Drainage Layout

Figure 9.10 - Existing Mine Water Treatment Area

Figure 9.11 - Proposed Minewater Treatment Area

Figure 9.13 - MWR Surface Water Drainage Layout

Figure 9.15 - MWR SW Management Plan

Figure 9.16 - MWR WTA2A Layout

Figure 9.17 - MWR WTA 2B Layout

Figure 9.18 - MWR Attenuation Pond

Figure 9.30 - Mine Haul Road Lagoon System 1

Figure 9.31 - Mine Haul Road Lagoon System 2

Figure 9.32 - Preliminary Drainage Details

The full works proposed in plan 9.2 rev B shall be completed within 15 months of the date of this permission as per the schedule below.

- a) Phase 1 works to be completed and agreed with the LPA within 3 months of the date of this decision. LPA to be notified within 7 days of completion.

b) Phase 2 works to be completed and agreed with the LPA no more than 12 months following the date of the LPA's agreement of phase 1.

Reason

To reduce the risk of flooding and the prevention of pollution

- 45 The scheme for the surface water drainage arrangements at the site approved under planning reference P2021/0891 dated 18/01/2022, including the documents and plans detailed below Planning Consent P2014/0729 - Aberpergwm Colliery - Scheme for the monitoring of surface water drainage arrangements associated with the Aberpergwm mine, Haul Road and mine Waste Repository', and all plans therein, dated August 2021, Drawing entitled 'Drainage Strategy Plan', dated November 2021 shall be implemented as approved at all times throughout the lifetime of the site.

Reason

The prevention of pollution of the water environment

- 46 Drainage ditches, attenuation ponds, settling ponds and lagoons shall be regularly de-silted and maintained in such a condition that they are able to perform effectively and efficiently the purpose for which they have been provided.

Reason

To ensure that these facilities continue to function effectively and efficiently throughout the operational, restoration and after care period.

- 47 Any facilities for the storage of oils, fuel or chemicals shall be on impervious bases and surround by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vent, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All points and tank overflow pipes should be detailed to discharge downwards into the bund.

Reason

To prevent pollution of watercourses.

- 48 Foul water and surface water discharge shall be drained separately from the site.

Reason

To protect the integrity of the public sewerage system.

- 49 No surface water or land drainage run off shall be allowed to connect, either directly or indirectly to the public sewerage system.

Reason

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 50 All surface water flows within the site and north of the access bridge over the Neath Canal shall be prevented from flowing onto the public highway along the access point.

Reason

To prevent excessive flows of surface water flowing onto the public highway and in the interest of highway safety.

- 51 The storage of mining equipment and materials within the Materials Storage Areas defined on Drawing Number JNP/SRP/13-REV01 shall not occur within 7 metres of any water course, and within 1 metre of any tree, and shall not exceed a height of 3 metres from ground level. At no time shall chemicals or substances that have the potential to cause pollution or contamination be stored in these areas. On no account shall mining equipment or any other ancillary equipment or materials be stored on the application site other than within those areas identified on Drawing Number JNP/SRP/13-REV01.

Reason:

To ensure that materials are stored within areas specifically allocated for that purpose and in the interests of visual amenity.

- 52 The scheme for the mitigation of light pollution at the Mine Surface Area approved under planning reference P2020/0248 dated 24th November 2021 shall be fully implemented on the completion of the construction works at the site or before the beneficial use of the coal preparation plant building, whichever is the sooner and shall be maintained as such for the duration of the development.

Reason

To minimise the disturbance to neighbours, the surrounding area and in the interests of highway safety

- 53 No lighting or floodlighting whether fixed or portable shall be used at the Mine Waste Repository Site or the Peat Mitigation Area

Reason

The use of lighting at this remote and elevated location would have an adverse impact on the amenity of the area and would be detrimental to the environment and species, especially bats.

- 54 No excavation of soils shall take place in any previously undisturbed areas of the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

- 55 The Myotis bat light mitigation scheme submitted under planning permission ref. P2020/0248 dated 24th November 2021 shall be fully implemented on site

throughout the operational phase of the development and retained as such thereafter.

Reason

To limit the impact of lighting on bat flight corridors.

- 56 The scheme for the provision of bird boxes/artificial nests under "Method Statement 2 Breeding Birds: Hole Nesting Species" of planning permission ref. P2020/0248 dated 24th November 2021 shall be implemented as approved.

Reason

To provide bird mitigation within the development site.

- 57 An ecological watching brief and associated mitigation strategy for the conservation of reptiles approved by planning permission ref. P2020/0248 dated 24th November 2021 (Method Statement 4 "Actions specific to the needs of protected species") shall be implemented as approved.

Reason

In the interest of nature conservation.

- 58 The scheme submitted under planning permission ref. P2020/0248 dated 24th November 2021 (Method Statements 5 & 6) for the eradication of all invasive species listed under Section 9 of the Wildlife and Countryside Act 1981 that are located on the site shall be implemented as approved.

Reason

In the interests of amenity, and to ensure that the treatment is carried out in accordance with recognised good practice.

- 59 The details submitted under planning permission ref. P2020/0248 dated 24th November 2021 for the peat bog construction and mitigation together with method statements, restoration and aftercare management of those areas shall be implemented as approved.

Reason

To ensure adequate restoration and aftercare and ecological mitigation.

- 60 The details submitted under planning permission ref. P2020/0248 dated 24th November 2021 for an amphibian survey of the pond and peat areas shall be implemented as approved.

Reason

In the interests of biodiversity and ecology

- 61 The details submitted under planning permission ref. P2020/0248 dated 24th November 2021 to check that there are no breeding birds or protected species (i.e. bats, badger, otter) prior to the removal of any vegetation on that part of the site shall be implemented as approved.

Reason

In the interests of the biodiversity

- 62 The details submitted under planning permission ref P2020/0248 dated 24th November 2021 for a Bird Monitoring Programme and associated mitigation measures if any nesting birds are encountered, shall be implemented as approved.

Reason:

In the interests of ecology and biodiversity

- 63 The scheme submitted under planning permission ref. P2020/0248 dated 24th November 2021 for an Ecological Management and Monitoring Plan for the entire site shall be implemented as approved by the Local Planning Authority.

Reason

To allow the identification of positive and negative indicators in restored habitats and to allow adjustments to aftercare operations as necessary to achieve the objectives of the aftercare scheme.

- 64 The details submitted under planning permission ref. P2020/0248 dated 24th November 2021 with regards to the potential to disturb any species listed under Schedules 2 or 5 of the Conservation of Habitats and Species Regulations 2010 shall be implemented as approved by the Local Planning Authority

Reason

In the interests of ecology and biodiversity

- 65 The scheme submitted under planning permission ref. P2020/0248 dated 24th November 2021 for
- a) the supplementary planting of the Mine Surface Area and in particular along the southern boundary and
 - b) phasing of vegetation removal to ensure continual provision of appropriate ground nesting habitat shall be submitted to and approved in writing by the Local Planning Authority shall be implemented as approved

Reason

To diversify plant species, improve structural integrity and to provide additional screening from the B4242

- 66 All existing deciduous trees, bushes and hedgerows within and bounding the site or within the developer/operators control (including their root systems) shall be retained and protected as detailed in planning permission ref. P2020/0248 dated 24th November 2021, and shall not be lopped, topped, removed or felled without the prior written approval of the Local Planning Authority. Any requests for approval to remove, lop, top or fell deciduous trees, bushes or hedgerows must be supported by an Arboricultural Method Statement and a Bat Roost Survey.

Reason

The protection of the environment and protected species such as bats, in the interests of visual amenity and to ensure the development is adequately screened by natural vegetation.

- 67 The details submitted under planning permission ref. P2020/0248 dated 24th November 2021, providing details of measures for the protection of

trees from damage shall be implemented as approved and maintained for the duration of mining activity at the site.

Reason

The protection of the environment.

- 68 The scheme approved by planning permission ref. P2020/0248 dated 24th November 2021 for all trees and shrubs to be planted shall be maintained and any plants which within 5 years of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason

In the interests of amenity, the environment and to ensure the site is adequately restored.

- 69 Mineral and waste stocking at the site shall be restricted to the following height limits above ground level at each specified location.
ROM Coal Storage areas - 8 metres
Sized coal products area - 8 metres
Washed/High Ash Duff areas - 8 metres
Discard/Filter cake - 8 metres

Reason

To protect the living conditions of nearby residents and visual amenity.

- 70 ROM coal, coal product and discard shall only be stocked within the areas of the mine surface shown for bulk coal stocking and discard stocking on Drawing JNP/SRP/13-REV1 and at no time shall any coal or discard be stocked on any other areas of the mine surface.

Reason

To protect the living conditions of nearby residents and visual amenity.

- 71 All turf, topsoil, subsoil and peat deposits shall be stripped from any areas used for the Mine Waste Repository, those areas used for the storage of topsoils, subsoils and all those areas to be traversed by heavy machinery or other vehicles. Wherever possible these resources shall be directly placed as part of the restoration or peat mitigation scheme; where this is not reasonably practicable, they should be stored separately in mounds within the site until required for restoration. Topsoil mounds shall not exceed 3m in height and subsoil mounds shall not exceed 4m in height as measured from adjoining ground.

Reason

To ensure satisfactory preservation, conservation and restoration of soil and peat resources.

- 72 All turf and topsoil, subsoil, peat and soil forming material shall remain on site for use in the restoration of the site.

Reason

To ensure satisfactory preservation, conservation and restoration of soils and peat resources.

- 73 In any calendar year, soil stripping shall not commence on any phase until any standing crop of vegetation has been cut and removed

Reason

To avoid incorporation of concentrations of decaying vegetation in soil

- 74 Topsoil, subsoil and soil making material shall only be stripped when they are in a dry and friable condition.

Reason

To ensure that the soils are not damaged during the process of their stripping and handling.

- 75 The scheme for the seeding of topsoil and subsoil storage mounds that will remain in situ for more than 3 months, shall be implemented as approved in planning permission P/2022/0287.

Reason

To protect mounds from erosion and prevent the build up of weeds in the soil

- 76 All disturbed areas of the site and all topsoil, subsoil and peat storage mounds shall be kept free of weeds.

Reason

To prevent a build-up of harmful weed seeds in soils

- 77 The scheme approved by planning permission ref. P2021/1120 dated 14/01/2022 - a remediation plan for the Rock Tip (shown coloured blue on Drawing Number CA10605-002) shall be implemented as approved.

Reason

To address an outstanding liability in the interests of the environment

- 78 The scheme submitted under planning permission 2020/0075 for the monitoring of ground water and mine water discharge flows from the Aberpergwm mine shall be implemented as approved.

Reason

To prevent the pollution of receiving waters from the lagoon treatment system and from the recovery of groundwater levels following the completion of mining.

Informatives:

- 1 Please note that tree felling and any other vegetation clearance should avoid the bird breeding season 1st March to 31st July inclusive in accordance with the Wildlife and Countryside Act 1981 (as amended).

- 2 The developer is advised to consider the implications of the Mining Waste Directive on their activities.
- 3 The applicant is advised that this permission does not give permission for additional train lines in the mine surface area.
- 4 In order 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 Services at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG to agree the specification, enter an appropriate agreement and arrange on site inspection of your works
- 5 Any agreement to carry out works on the public highway relating to this development must be entered into with the Council prior to the commencement of development. Such an agreement will be under Section 278 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. This will include a Stage 3 and 12 month later a Stage 4 Road Safety Audit.
- 6 For the amendments to the Traffic Regulation Orders 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 who will advise you of the procedure for the implementation of the required Traffic Regulation Order
- 7 Any culverting of a watercourse requires the prior written approval of the Local Authority under the terms of the Public Health Act 1936, and the prior written consent of the Natural Resources Wales under terms of the Land Drainage Act 1991/Water Resources Act 1991. The Environment Agency seeks to avoid culverting, and its consents for such works will not normally be granted except for access crossings.
- 8 All trees to be felled during the course of development shall be checked for bats and nesting birds if felling is to take place during the period 1st March to 30th July inclusive. If bats are discovered in any trees or other structures the Natural Resources Wales shall be contacted and an appropriate licence for any works obtained before any works are undertaken.
- 9 In this permission 'underground operations at the mine' means underground operations including construction of roadways, coal recovery from room and pillar multi entry development work, the installation of support and the installation of plant and machinery.
- 10 The term 'emergency' means any circumstance in which the site operator has reasonable cause to apprehend injury to persons or serious damage to property.
- 11 This planning permission is the subject of an agreement under the terms of Section 106 of the Town and Country Planning Act 1990 relating to a Restoration Guarantee Fund to ensure the site is restored in accordance with the terms of the planning permission, Community Benefits Fund and the extension of aftercare on the Peat Mitigation Areas until the end of the period of extraction of coal.
- 12 Warning - A European Protected Species (EPS) Licence is required for this development. It is an offence to deliberately capture, kill or disturb EPS 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.

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 amenity or flood risk. Accordingly, the proposed development is in accordance with the above mentioned policies of the Neath Port Talbot Local Development Plan.

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

Signed: 

Ceri Morris – Head of Planning & Public Protection

Date: 18 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.