

**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

J Hale
Hale Energy Ltd
JCG Building
Milland Road Industrial Estate
Neath
SA11 1NJ

Name and address of the agent

Mr Alex Smith
Simply Planning
214 Creative Quarter
8A Morgan Arcade
Cardiff
CF10 1AF

DATE REGISTERED: 26 May 2023

APPLICATION NO: P2023/0356

LOCATION: Sun Fields , Dream Fields, Llandarcy, Neath, SA10 6JU

PROPOSAL: Proposed ground mounted solar PV array with a generating capacity of up to 1.3MW, including development of ancillary structures, fencing and landscaping works

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

This is Decision Notice Revision 1 dated 14/10/2025

Conditions:-

Time Limit Conditions

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

Reason:

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

- 2 The development hereby approved shall endure for a period of 25 years from the date when electricity is first exported from the development within the site to the electricity grid network, excluding any testing or commissioning ('First Export Date'). The

developer shall notify the Local Planning Authority in writing of the First Export Date within 28 days of the First Export Date.

Reason:

In the interest of visual amenity, safety and to accord with Policy RE1 of the Neath Port Talbot Local Development Plan and Renewable and Low Carbon Energy Supplementary Planning Guidance dated July 2017.

List of Approved Plans

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

N395-A08 - PROPOSED SITE PLAN Rev (G)

Hawkeswood Ecology Report Ref. HE/47/2023 - Mitigation and Biodiversity

Enhancement - Issue 2 (December 2024)

Hawkeswood Ecology Report Ref. HE/47/2023 - Green Infrastructure Statement, Dreamfields Solar Farm - Issue 1 (2 December 2024)

N395 - A17 CONSTRUCTION ACCESS - VISIBILITY SPLAY (A)

N395 - A16 OPERATIONAL ACCESS - VISIBILITY SPLAY (A)

N395 - A09 PROPOSED PV ARRAY AND SITE ENCLOSURE DETAILS (B)

Planning Design and Access Statement

PAC Report

22-005-P-03E Landscape Strategy/Planting Plan

Air Quality Technical Note (ref: 0128 - July 2023) prepared by Greenavon Air Quality Consultants

Drainage Technical Note (ref: C1853 Rev.C - October 2023), prepared by CB3 Ecology Statement re potential run-off issues and SAC

Agricultural Land Classification Report (ref: KCC3512 - July 2023) prepared by Kernon Countryside Consultants

Preliminary Ecological Appraisal (ref: HE/34/2021 - Issue 1) prepared by Hawkeswood Ecology Ltd

In Season Walk Over (follow up to PEA) Report prepared by Hawkeswood Ecology Ltd

Landscape and Visual Appraisal (ref:2311/EH/LVA001) prepared by Bea Landscape Design Ltd

Heritage Settings Assessment (ref:2169 - February 2023) prepared by Archaeology Wales

N395 - A07 - SITE LOCATION PLAN - (B)

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 4 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

- 5 No development shall take place, including vegetation clearance, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:

- i) Construction methods: details of the extent and phasing of development, details for the storage and management of plant and materials used in constructing the development, how waste generated will be managed;
- ii) General site management and drainage: details of the construction programme including timetable, specified hours for deliveries, hours of working, details of site clearance, details for erection and maintenance of security hoarding including decorative displays and facilities for public viewing, details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- iii) Biodiversity Management: details of tree and hedgerow protection, invasive species management, species and habitats protection, avoidance and mitigation measures.
- iv) Soil/Peat Management: including protection and restoration methods, details of any topsoil strip, storage and amelioration for re-use;
- v) CEMP Masterplan: details of the extent and phasing of development, location of landscape and environmental resources, design proposals and objectives for integration and mitigation measures;
- vi) Detailed methodology on PV array installation: including cable installation and routeways, how generation of silt/suspended sediment will be minimised and associated pollution prevention measures;
- vii) Control of Nuisances: details of restrictions to be applied during construction and decommissioning including timing, duration and frequency of works, details of measures to minimise noise and vibration from piling activities including acoustic barriers, details of dust control measures, wheel washing facilities, measures to control light spill and the conservation of dark skies;
- viii) Resource management: details of fuel and chemical storage and containment, details of waste generation and its management, details of water consumption, wastewater and energy use;
- ix) Traffic management: a) details of site deliveries including routes of vehicles, plus delivery and construction times, taking into account the proximity of residential dwellings, 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; b) details for the loading and unloading of plant and materials; details for the parking

of vehicles of site operatives and visitors; c) scheme for the erection of temporary/semi-temporary signage; d) The frequency and size of vehicles used to transport the waste material arising from the construction works;

x) Pollution Prevention: prepare a Pollution Prevention Plan to demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures, incident response plan and a pollution control system during construction and decommissioning;

xi) Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details, to include an ecological clerk of works ('ECoW'), the CEMP must be signed by the responsible person(s); and

xii) A construction, operational and decommissioning noise management plan, including identification of access operations to be carried out, mitigation measures and a scheme for the monitoring of noise for all phases of the development's lifespan.

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

Reason:

In the interests of biodiversity and the amenity of the area as a whole and to ensure the development complies with Policy EN7 of the Adopted Neath Port Talbot Local Development Plan.

- 6 Notwithstanding any other details which may be given in the application hereby approved, prior to commencement of any works on site, a scheme shall be submitted to and approved in writing by the Local Planning Authority, detailing the safe access and egress arrangements for the separate Construction/Decommissioning Phase and Operational Phase access points with the existing highway. The submitted scheme shall provide for the following:

a. The implementation of vehicular visibility splays in accordance with approved drawing numbers: N395 - A16 OPERATIONAL ACCESS - VISIBILITY SPLAY (A) and N395 - A17 CONSTRUCTION ACCESS - VISIBILITY SPLAY (A) within which nothing over 600mm in height shall be erected or allowed to grow and maintained as such for its duration;

b. surfacing and drainage arrangements;

c. the tie in of the access to the existing adopted highway fronting the site; and

d. a timetable for its removal at the decommissioning stage.

The scheme as approved shall be implemented in its entirety prior to works commencing on site and retained for the lifetime of the development. The approved works shall be removed and reinstated to its existing profile within 3 months of the completion of its decommissioning.

Reason:

In the interest of highway and pedestrian safety and to accord with Policies TR2, RE1 of the Adopted Neath Port Talbot Local Development Plan.

- 7 No development shall commence on site, including any enablement works, until a condition survey of the existing highway from the site entrances along the access road leading to the junction with Prettyman Drive, Llandarcy has been undertaken, and the survey results submitted to and approved in writing by the Local Planning Authority. This survey shall include an assessment of the condition of the existing carriageways, footways and soft verges. A further, second survey shall be undertaken within two months of removal of all temporary works at the site. Any damage to the highway

identified in the survey as being due to the increased volume of construction vehicles shall be repaired and made good by the developer. The required repairs/making good shall be identified in a scheme accompanying the second survey, with full details including the timing of repairs which shall be agreed in writing with the Local Planning Authority. The pre and post construction condition survey shall include but not be limited to, the following:-

- i. Photographic survey of all trees overhanging the highway carriageway.
- ii. Photographic survey of all related structures (e.g.) headwalls and gullies.
- iii. Drainage channels/ditches running alongside the lane access(es).
- iv. Survey of existing street furniture, lighting and overhead cables.
- v. All structures abutting and retaining the public highway, together with any widening of bends and highway pinch points that may require additional or new structural support.
- vi. Proposed structural movement gages/tools to be implemented on all relevant structures, so that assessments can be made on any potential movements during operation.
- vii. All surfacing of highway material including bitumen, antiskid surface and lining.
- viii. All removals of projected fixtures (e.g.) overhanging tree branches, hanging baskets, boundary treatments, external light fixtures.

Reason:

In the interest of highway and pedestrian safety and to accord with Policies TR2, RE1 of the Adopted Neath Port Talbot Local Development Plan and Renewable and Low Carbon Energy Supplementary Planning Guidance dated July 2017.

Details for the above condition were partially agreed under application P2025/0653 dated 14/10/2025

- 8 Prior to the commencement of any works on site for the decommissioning stage of the development, a condition survey of the existing highway from the site entrances along the access road leading to the junction with Prettyman Drive, Llandarcy shall be undertaken, and the survey results submitted to and approved in writing by the Local Planning Authority. This survey shall include an assessment of the condition of the existing carriageways, footways and soft verges. A further, second survey shall be undertaken within two months of removal of all decommissioning works at the site. Any damage to the highway identified in the survey as being due to the increased volume of decommissioning vehicles shall be repaired and made good by the developer. The required repairs/making good shall be identified in a scheme accompanying the second survey, with full details including the timing of repairs which shall be agreed in writing with the Local Planning Authority. The pre and post decommissioning condition survey shall include but not be limited to, the following:-

- i. Photographic survey of all trees overhanging the highway carriageway.
- ii. Photographic survey of all related structures (e.g.) headwalls and gullies.
- iii. Drainage channels/ditches running alongside the lane access(es).
- iv. Survey of existing street furniture, lighting and overhead cables.
- v. All structures abutting and retaining the public highway, together with any widening of bends and highway pinch points that may require additional or new structural support.

- vi. Proposed structural movement gages/tools to be implemented on all relevant structures, so that assessments can be made on any potential movements during operation.
- vii. All surfacing of highway material including bitumen, antiskid surface and lining.
- viii. All removals of projected fixtures (e.g.) overhanging tree branches, hanging baskets, boundary treatments, external light fixtures.

Reason:

In the interest of highway and pedestrian safety and to accord with Policies TR2, RE1 of the Adopted Neath Port Talbot Local Development Plan and Renewable and Low Carbon Energy Supplementary Planning Guidance dated July 2017.

- 9 The development shall be carried out strictly in accordance with the recommendations contained within the Mitigation and Biodiversity Enhancement and Green Infrastructure Statement documents hereby approved.

Notwithstanding any other details which may be given in the application hereby approved, no development shall commence on site, including any enablement works, until the following additional mitigation and compensation details have been submitted to and approved in writing by the Local Planning Authority:

- a) details of woodland planting species and numbers, these to equate to a minimum ratio of 3 new/additional trees for every 1 tree removed and to include enough standard trees to compensate for trees removed and not being replaced at all access points, including the main Dreamfields access off the B4290;
- b) details of all new or reinstated hedgerows;
- c) detailed landscape plans, planting schedules and maintenance/management for at least 10/15 years for all areas;
- d) details of proposed grazing regime(s).

During the first planting and seeding seasons following the construction of the development but prior to the First Export Date, the additional mitigation and compensation details as approved together with the recommendations contained within the approved Mitigation and Biodiversity Enhancement and Green Infrastructure Statement reports, shall be implemented in full.

The approved mitigation, compensation and enhancement measures shall be retained as part of the development in perpetuity 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:

To ensure a net benefit for 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.

- 10 Notwithstanding any other details which may be given in the application hereby approved, no development or site clearance shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard

and soft landscaping, including surfacing material, gates and/or other boundary treatment(s), for the proposed construction and operational site access points. The scheme shall include:

- a) removing the existing palisade gates/heras fencing;
- b) adherence with the details approved pursuant to condition 6 of this permission; and
- c) indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

The development shall thereafter only proceed in accordance with the approved hard and soft landscaping details.

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.

- 11 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.

- 12 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.

- 13 Prior to beneficial use of the proposed development commencing, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in accordance with condition 12 shall have been submitted to and approved in writing by the Local Planning Authority.

Reason:

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

- 14 No part of the development shall commence until a Waste Management Plan for the control, management, storage and disposal of any waste material generated by the development during the construction and operational phases has been submitted to and approved in writing by the Local Planning Authority.

No decommissioning shall commence until an additional Waste Management Plan for the control, management, storage and disposal of any waste material generated by the development during the decommissioning phase has been submitted to and approved in writing by the Local Planning Authority.

All waste shall be treated in accordance with the agreed Waste Management Plan and the development shall thereafter be implemented in accordance with the approved plan.

Reason:

To ensure the appropriate disposal of any waste arising from the development in terms of protection of the environment and to ensure the sustainability principles are adopted during development and complies with Policy W3 of the Neath Port Talbot Local Development Plan.

Details for the above condition were partially agreed under application P2025/0653 dated 14/10/2025

Action Conditions

- 15 Within 25 calendar years from the date when electricity is first generated to the grid, or within 6 months of the cessation of electricity generation by the solar farm development, whichever is sooner, the solar farm and all its ancillary and associated equipment shall be dismantled and removed from the site and the land restored to agricultural use.

Reason:

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

- 16 In the event of the solar farm development failing to produce electricity supplied to the local grid for a continuous period of 12 months, then it will be deemed to have ceased to be required, the solar farm and all its ancillary equipment shall be dismantled and removed from the site within 6 months of the deemed cessation date and the site restored to its former condition.

Reason:

In the interest of visual amenity and to accord with Policy RE1 of the Neath Port Talbot Local Development Plan and Supplementary Planning Guidance entitled Renewable and Low Carbon Energy dated July 2017.

- 17 In the event that any individual solar array or photovoltaic panel does not function (i.e. ceases to supply electricity to the electricity grid network) for a continuous period of 12 months and if so instructed by the Local Planning Authority, the solar array or photovoltaic panel and all its associated ancillary equipment shall be dismantled, including its base, and removed from site within a period of 6 months and that part of the site restored to agricultural use, unless a variation is otherwise first agreed in writing by the Local Planning Authority.

Reason:

In the interest of visual amenity and to accord with Policy RE1 of the Neath Port Talbot Local Development Plan and Renewable and Low Carbon Energy Supplementary Planning Guidance dated July 2017.

- 18 Within the year prior to decommissioning of the site, but no later than 6 months prior to decommissioning, a full ecological survey of the site shall be undertaken to inform decommissioning. A survey report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of decommissioning and then implemented as approved. The report shall include ecological mitigation measures, as appropriate, based on the ecological assessment findings to be followed during decommissioning, and beyond.

Reason:

To ensure that the decommissioning of the site is informed with up to date ecological information and mitigation measures if required and to accord with Policy RE1 of the

- 19 Not later than 12 months before the expiry date of the permission, a decommissioning and site restoration scheme shall be submitted for the written approval of the Local Planning Authority. Such a scheme shall include, but not be limited to:
- i. The removal of all surface elements, plus one metre of the arrays and all ancillary structures below ground level, of the solar farm.
 - ii. Confirmation of the management and timing of works.
 - iii. A traffic management plan to fully address highway safety issues during the period of the decommissioning works.
 - iv. Any other works of restoration and aftercare, following consultation with other parties, as the Local Planning Authority deem to be reasonable and necessary.
 - v. A de-construction method statement;
 - vi. Details of measures to prevent/minimise impacts upon important habitats and species including any protected species surveys;
 - vii. Details of all habitat restoration measures including methods and any seed mixes. The scheme shall be fully implemented as approved.

The approved decommissioning scheme shall be implemented and completed within 24 months of the expiry date of this permission.

Reason: To ensure the impacts of the development exist only for the lifetime of the development, in accordance with policies RE1 of the Adopted Neath Port Talbot Local Development Plan, Policy 17 of Future Wales: The National Plan 2040 and the relevant guidance set out in Planning Policy Wales.

- 20 All electricity and control cables between the solar farm development and control building(s) shall be laid underground unless a variation has first been submitted to and approved in writing by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved details.

Reason:

In the interest of visual amenity and to accord with Policy RE1 of the Adopted Neath Port Talbot Local Development Plan and Renewable and Low Carbon Energy Supplementary Planning Guidance dated July 2017.

- 21 The photovoltaic panels and mounting frames shall not exceed 2.5 metres above ground level and the perimeter/security fencing shall not exceed 2 metres above ground level. All fencing shall be finished in RAL 6003 Olive Green unless the Local Planning Authority otherwise first agrees in writing to any variation.

Reason:

In the interest of visual amenity, to preserve the rural character of the area and to accord with Policy BE1 of the Adopted Neath Port Talbot Local Development Plan.

- 22 Prior to the erection of any lighting, a detailed lighting scheme (including lux contour plan) for the site shall be submitted to and approved in writing by the Local Planning Authority detailing the location of all proposed lights, the specification, intensity of

illumination, together with proposed hours of operation and any mitigation measures required.

The scheme shall incorporate best practice guidance to ensure the retention of dark corridors for the movement of wildlife with no direct lighting of vegetation. The light mitigation strategy shall be implemented and retained in accordance with the approved details.

There shall be no external lighting installed during the operational phase of the site as a solar farm unless it is installed in accordance with a scheme that adheres to the above requirements and has first been submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter only be implemented on site in accordance with the approved scheme, and retained as such thereafter.

Reason:

In the interest of 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.

- 23 Unless otherwise first agreed in writing by the Local Planning Authority, 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 pollution of or detriment to the environment and ensure the development complies with Policy SP16 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

- 24 On receipt of a justified complaint, following a written request from the Local Planning Authority the applicant shall undertake an assessment of the noise arising from the operations on the site and submit to the Local Planning Authority a written report detailing the findings of the assessment within two weeks of such a request being made (or other such date that may be agreed in writing by the Local Planning Authority). The noise assessment shall be undertaken by a competent and suitably qualified acoustic consultant; The acoustic consultant shall be a member of the Association of Noise Consultants (ANC) and a member of the Institute of Acoustics.

Prior to undertaking the noise assessment for the purpose of preparation of the report, the consultant shall contact the Local Planning Authority and shall agree a methodology and most appropriate standards. Following the noise assessment, a copy of the report shall be submitted to and approved in writing by the Local Planning Authority along with evidence that the control measures recommended within the report are implemented and maintained thereafter.

Reason:

To protect the amenity of the locality, and the amenity of persons living and/or working nearby, and to ensure accordance with Policies BE1 and EN8 of the Adopted Neath Port Talbot Local Development Plan (2011-2026).

- 25 Prior to the installation of any CCTV cameras on the site, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the location of all cameras indicating their design, height and field of view. The approved camera locations shall be implemented on site in accordance with the approved scheme, and retained as such thereafter.

Reason:

In the interest of visual and rural amenity and to prevent any unacceptable overlooking, and to ensure compliance with Policies SP16, EN8 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

- 26 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.

Regulatory Conditions

- 27 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended for Wales), or any subsequent Order revoking or re-enacting that Order with or without modification, no photovoltaic panels, CCTV, alarms, lighting, fences or other means of enclosure, or ancillary buildings/structures (other than those expressly authorised by this permission) shall be erected within the boundaries of the site.

Reason:

To enable the Local Planning Authority to retain control over the site in the interests of visual amenity and the rural character of the area and to accord with Policy BE1 of the Adopted Neath Port Talbot Local Development Plan.

Informatives:

- 1 Please note that SAB approval will be required prior to any work commencing. It is a breach of approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water

Management Act 2010 whereby action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018.

2 In addition to planning permission, you are advised to ensure all other permits/consents/licences relevant to the development are secured. Please refer to NRW's website for further details.

3 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 our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru /Welsh Water on 0800 085 3968 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.

4 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is also available on the Mining Remediation Authority website at: <https://www.gov.uk/government/organisations/mining-remediation-authority>

5 Access and Facilities for the Fire and Rescue Service should be in accordance with Approved Document B(Wales) 2020- Section 16 Fire mains and Hydrants- Section 17 Vehicle Access for Fire appliances. The developer should consider the need to provide adequate water supplies and vehicle access for firefighting purposes on the site and general guidance on this matter is given in the attached Appendix and the following links: <https://www.water.org.uk/guidance/national-guidance-documenton-the-provision-of-water-for-firefighting-3rd-edition-jan-2007/><https://www.ukfrs.com/index.php/promos/16847> Furthermore, the applicant should be advised to contact the Local Authority Building Control Department, which is the responsible authority, when determining issues concerning means of warning and escape, internal fire spread (linings and structure), external fire spread, access and facilities for the Fire and Rescue Service, in accordance with the 2007 version of Approved Document B (Wales).

6 Should any springs or ground water seepage be encountered the on site works in that area shall cease until a scheme for collection and disposal of the water has been submitted to and approved in writing by the Local Planning Authority. No ground water shall ever be discharged into the proposed drainage scheme. Adequate provision shall be made for the drainage of the site, to ensure that the drainage of any adjoining land is not interrupted or otherwise adversely effected by the development during the life time of construction.

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Neath Port Talbot Local Development Plan (2011-2026) adopted January 2016.

It is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on visual amenity, highway safety and the natural environment of the area. Accordingly, the proposed development is in accordance with Policies EN3, EN6, EN7, EN8, RE1, TR2 and BE1 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040, specifically Policy 17 and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

Signed: 

Ceri Morris – Head of Planning & Public Protection

Date: 22 April 2025

IMPORTANT:

(1) Please note that for all decisions issued after 16th March 2016 for outline or full planning permission, a revised decision notice will be issued whenever a subsequent consent is given, for example providing details of any Reserved Matters approvals (outline applications only) and/or approval of conditions (including on Reserved Matters). This will ensure that the current status of the conditions applied to a consent is clear. Accordingly you are advised to visit www.npt.gov.uk/planning to view the application documentation to see if this is the current version, or whether it has been superseded by a more up-to-date revision of this Decision Notice. For Reserved Matters approvals the revised Decision Notice will only be shown under the Outline approval.

(2) Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

(3) In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition). Please note that any works carried out without compliance with the conditions attached to this approval will be entirely at the risk of the persons involved and may result in formal action being taken by the Local Planning Authority.

(4) The developer should have regard to Sections 4, 7, 8 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the British Standards Institution's Code of Practice for "Design of buildings and their approaches to meet the needs of disabled people" (BS 8300:2009+A1:2010).

(5) From 1st October 2012 it has been an offence to install a public sewer or lateral drain without having an adoption agreement in place. From the 1st October 2012 the vast majority of all existing private sewers and lateral drains which link with the public sewer network were transferred to Welsh Water. For further details on how this will affect your development please contact: Welsh Water Developer Services, PO Box 3146, Cardiff, CF30 0EH. Telephone No. 0800 9172652 or email: developer.services@dwrcymru.com.

(6) Welsh Water Dwr Cymru advise that the planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water Industry Act 1991.

Please note, in accordance with Construction and Design Management (CDM) Regulations, it is the applicant's responsibility to ensure that any proposed works within their curtilage do not conflict with any underground services and is recommended they review their land registry title deeds for any legal covenants. For Sewers or Watermains that may be present and affected by your proposals, you are advised to contact Dwr Cymru Welsh Water who will be able to explain whether your proposed works will be acceptable as well as any consent required. Prior to commencing works, it is also recommend the applicant review the information and guidance on Building Over Sewers

available on Welsh Water's website at

<https://developers.dwrcymru.com/en/applications/planning/build-over-or-near-to-sewers>

The applicant is also advised that some public sewers and lateral drains may not be recorded on Welsh Water maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

IMPORTANT INFORMATION: TOWN AND COUNTRY PLANNING ACT 1990

The applicant's attention is drawn to the notes below.

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- (2) You can also appeal to the Welsh Government against a decision to refuse permission or grant subject to conditions in respect of applications made for :- Listed Building or Conservation Area Consent; Consent under a Tree Preservation Order; Advertisement Consent.
- (3) You can also appeal If your application for a Certificate of Lawful Existing Use or Lawful Proposed Use is partly or wholly refused or is granted differently from what you asked for (under Section 195/196) of the Town and Country Planning Act 1990 (as amended).
- (4) If you are aggrieved of the LPAs decision, the following deadlines apply for appeals to be submitted to the Welsh Government (from the date of the Council's decision):-

(1) Planning Permission (with the exception of Minor Commercial and Householder applications – see below)	Within 6 Months
(2) Householder Appeal see endnote i	Within 12 weeks
(3) Minor Commercial Appeal see endnote i	Within 12 weeks
(4) Listed Building or Conservation Area Consent appeals	Within 6 months
(5) Tree Preservation Order (TPO) Consent	Within 28 days
(6) Advertisement Consent	Within 8 weeks
(7) Certificate of Lawfulness of Existing (Section 191) or Proposed (Section 192) Use or Development	Within 6 months
(8) Hazardous Substances Consent	Within 6 months
- (5) Appeals must be made on a form which is obtainable from the Planning & Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ – Tel 0300 060 4400, or online at <https://planningcasework.service.gov.wales/>.
- (6) The Welsh Government has power to allow a longer period for the giving of notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (7) The Welsh Government is not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted having regard to the statutory requirements to the provisions of the development order, and to any directions given under the Order. They do not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by them.
- (8) If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Welsh Government, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the County Borough Council, in which the land is situated, as the case may be, a **purchase notice** requiring that Council purchase his interest in the land in

accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Making an Appeal

- (9) Please note that for all applications received by the LPA after 5th May 2017, it is now a requirement that any appeal made to the Planning Inspectorate (other than Householder and Minor Commercial Appeals, and appeals against refusal to grant advertisement consent) must be accompanied by all the information and evidence you intend to rely upon (a **“full statement of case”**). You must also send a copy of the notice of appeal and full statement of case to the LPA.
- (10) In addition, for ‘planning appeals’ an amendment to an application following notice of appeal may only be made to correct an error.
- (11) Additional details and information on making an appeal to the Welsh Government is available from the Planning Inspectorate at the above address and website. The relevant documents are entitled “making your planning appeal” and “planning appeals Public Local Inquiries”.
- (12) Further correspondence regarding this application should bear the reference number quoted on the top of the decision notice.

THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

- BUILDING REGULATIONS – Please contact buildingcontrol@npt.gov.uk or 01639 686820 to discuss all aspects of the service that is offered by Building Control
- HIGHWAY LEGISLATION

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

ⁱ Please see the [Town and Country Planning \(Referred Applications and Appeals Procedure\) \(Wales\) Regulations 2017](#) for appeal procedures and for full definitions of:

- *“householder application”* (essentially an application for the enlargement, improvement or other alteration of a dwellinghouse, or development within the curtilage of such a dwellinghouse, or change of use to enlarge the curtilage of a dwelling house)
- *“householder appeal”* means an appeal in relation to a householder application, but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.
- *“minor commercial application”* (essentially relates to existing buildings of no more than 250 square metres gross external floor space at ground floor level, currently in use for any of the purposes set out in Schedule 1A to The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2015 which is an application for change of use from Class A1 to A2 or A3; or Class A2 to A3); or the carrying out of building or other operations to a shop front.
- *“minor commercial appeal”* means an appeal in relation to a minor commercial application but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.