

Reference: P2025/0187

**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

Barry Collins
Western Bio-Energy Limited
Longlands Lane
Margam
Port Talbot
SA13 2NR

Name and address of the agent

Mr Michael Fox
The Urbanists
Westgate House
11 Womanby House
Cardiff
CF10 1BR

DATE REGISTERED: 1 April 2025

APPLICATION NO: P2025/0187

LOCATION: Land At Tyn-Y-Caeau, Margam, Port Talbot, SA13 2NR

PROPOSAL:

Erection of a data centre (use class B8) and supporting infrastructure, parking, alteration to access, drainage, landscaping and associated works. Including demolition of existing annex and retention of the existing building for ancillary use, substation and power connection to the existing Western Wood Biomass Plant.

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

Conditions:-

Time Limit Conditions

- 1 The development shall begin not later than five years from the date of this permission.

Reason:

Required by Section 91 of the Town and Country Planning Act 1990 (as amended).

List of Approved Plans

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

- 1044 - FUT - V1 - ZZ - DR - Z - X160 - Site Location and Block Plan
 - 1044 - FUT - V1 - ZZ - DR - Z - X100 - Site Wide Layout
 - 1044 - FUT - V1 - ZZ - DR - Z - X150 - Site Wide Layout - Height Strategy
 - 1044 - FUT - V1 - 00 - DR - Z - X200 - Site Layout Level Ground
 - 1044 - FUT - V1 - 01 - DR - Z - X210 - Site Layout Level First
 - 1044 - FUT - V1 - R1 - DR - Z - X260 - Site Layout Level Roof
 - 1044 - FUT - V1 - R2 - DR - Z - X265 - Site Layout Level Gantry
 - 1044 - FUT - ZZ - ZZ - DR - Z - X400 - Site Elevations
 - 1044 - FUT - V1 - ZZ - DR - Z - 0600 - External Fibre, Power and Water Routes
- Site Wide
- 2464_0120_P4_IAP - Impermeable Area Plan
 - 2464_0500_P4_Drainage Layout - Drainage layout plan
 - 2464_0600_P3_External Works Layout - External Works plan
 - C24103-ATP-DR-TP-003 - Swept Path Analysis plan
 - 2335-URB-XX-XX-DR-LA-102- SW GA - Softworks
 - 2335-URB-XX-XX-DR-LA-101- HW GA - Hardworks
 - 2335-URB-XX-XX-DR-LA-100_Illustrative Landscape Masterplan - illustrative Landscape Masterplan
 - Planning Design and Access Statement
 - C24103/TA01 - Transport Assessment
 - C23103/TP01 - Travel Plan
 - Heritage Impact Assessment
 - BC/MB/07.24.05. - Geo-Environmental Report
 - 2464- JRC-XX-XX-RP-CE-1001_P2 - Drainage Strategy / SAB Compliance
 - Ecological Impact Assessment (2024/2025)
 - Green Infrastructure Statement
 - 08.24/TYC/V4 - Tree Survey
 - 17163_R01b_OK_AW - Landscape and Visual Appraisal
 - P1334/REP02 - Noise Impact Assessment
 - 794-ENV-AIR-21341 - Air Quality Assessment
 - Sustainability Statement
 - Bat Mitigation Technical Note - Land at Tyn-y-Caeau, Margam, by by enzygo, dated 28 April 2026.

Reason:

For the avoidance of doubt and in the interests of proper planning.

Pre-Commencement Conditions

- 3 Before beginning any development at the site, you must do the following: -
- a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in

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Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and

b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason:

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

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

- 4 No development shall commence (including site clearance or demolition) until a detailed highways Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include details of:
- a) the parking of vehicles of site operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials used in constructing the development
 - d) the erection and maintenance of security hoarding
 - e) wheel washing facilities
 - f) measures to control the emission of dust and dirt during construction
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - h) scheme for the erection of temporary/semi temporary signage warning drivers of speed restrictions.
 - i) Scheme for controlling construction traffic associated with the development which should include the following:
 - o Number of HGV vehicles associated with the construction phase
 - o What days and times deliveries will be permitted to enter the site
 - o Construction traffic route
 - o What mitigation measure are proposed to minimise the impact on disruption and highway safety.
 - j) The Construction Method Statement shall be signed by a competent person(s). The approved Statement shall be adhered to throughout the construction period.

Reason:

To ensure highway safety and to minimise disruption during construction in accordance with Policy TR2.

- 5 The Framework Construction Traffic Management Plan (Ref: C24103/CT01 Issue 2) has been submitted by the applicant. This shall be updated and submitted post planning permission, prior to the commencement of works on the site and this shall be agreed with the LHA and WG. Temporary traffic management requiring closure of

lane(s) on the A48 north of M4 Junction 38 where undertaken, shall not cause queuing to the roundabout.

Reason:

As directed to be imposed by Welsh Government Transport Directorate, to ensure highway safety and to minimise disruption during construction in accordance with Policy TR2.

- 6 No development including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:
- a) Construction methods: details of materials, how waste generated will be managed;
 - b) General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
 - c) Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
 - d) Soil Management: details of topsoil strip, storage and amelioration for re-use.
 - e) 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.
 - f) Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures (incorporate the mitigation measures set out in Section 7 of the Air Quality Impact Assessment (RPS Ref 794-ENV-AIR-21341 v1.1, dated 10 January 2025); measures to control light spill and the conservation of dark skies.
 - g) 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
 - h) Pollution Prevention: The relevant pollution prevention measures should be employed during the development and all efforts must be made in order to safeguard that pollutants do not enter the environment. More information can be found here: [Guidance for Pollution Prevention \(GPP\) documents | NetRegs | Environmental guidance for your business in Northern Ireland & Scotland](#). The relevant pollution prevention measures should be employed during the development and all efforts must be made in order to safeguard that pollutants do not enter the environment (including but not limited to: GPP 1, 6, 21 and 22).
 - i) Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
 - j) Details of a suitably qualified Ecological Clerk of Works, who shall be employed to oversee the ecological aspects of the works, as set out within the Ecological Impact Assessment (October 2025) by Enzygo.

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

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Reason:

To safeguard amenity and prevent pollution in accordance with Policy EN8 and EN9 of the LDP.

- 7 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These shall reflect the submitted detail within the Illustrative Landscape Masterplan (2335-URB-XX-XX-DR-LA100_Illustrative Landscape Masterplan) and Green Infrastructure Statement, details shall include:

- a) statement setting out the design objectives and how these will be delivered;
- b) earthworks showing existing and proposed finished levels or contours;
- c) means of enclosure and retaining structures;
- d) other vehicle and pedestrian access and circulation areas;
- e) hard surfacing materials;
- f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, etc.), and
- g) water features.

Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work where relevant).

The landscaping works shall be carried out in accordance with the approved details during the first planting season immediately following occupation of the development. The completed scheme shall thereafter be managed and maintained in accordance with the LEMP approved under condition 8.

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 Neath Port Talbot Local Development Plan.

- 8 No development shall take place until a Landscape and Ecological Management Plan ('LEMP'), including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas has been submitted to, and approved in writing by, the Local Planning Authority. The LEMP shall include the following:

- a) Description and evaluation of features to be managed;
- b) Constraints on site that might influence management;
- c) Aims and objectives of management which will include the provision of biodiversity net gain within the site as shown within the Biodiversity Net Gain Plan;
- d) Prescriptions for management actions;
- e) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);

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- f) Details of the body or organisation responsible for implementation of the plan; and
- g) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body responsible for its delivery. The plan shall be for no less than 30 years. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development delivers the fully functioning biodiversity objectives of the originally approved scheme. The LEMP shall be implemented prior to the first occupation of the development and shall thereafter be carried out as approved.

Reason:

To protect and enhance biodiversity in accordance with Policies EN6 and EN7.

- 9 No development shall commence until a scheme of off-site highway works has been secured through a Section 278 Agreement under the Highways Act 1980. The works shall include, but not be limited to:
- a) Improvements to the site access arrangements and adjacent highway network;
 - b) Alterations to carriageway markings, kerbing, visibility splays and pedestrian/cycle facilities;
 - c) Localised Active Travel Improvements; and
 - d) Any ancillary highway works identified as necessary to accommodate the development.

The development shall not be brought into use until the approved highway works have been completed in accordance with the Section 278 Agreement.

Reason:

In the interests of highway safety and to ensure the development is adequately served by the public highway, in accordance with Policies TR2 and SP20 of the Neath Port Talbot Local Development Plan.

- 10 No development, including site clearance, demolition, ground works or delivery of materials, shall commence until an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) has been submitted to and approved in writing by the Local Planning Authority. The AMS shall be prepared in accordance with BS5837:2012 and shall include:

- a) details of tree protection fencing and ground protection, including specification, location and installation timing;
- b) details of any works proposed within or adjacent to RPAs, including construction methods, foundation solutions and surfacing;
- c) details of any specialist tree protection systems (including no-dig solutions such as cellular confinement systems) where required; and
- d) a programme of arboricultural supervision.

All works shall thereafter be carried out in full accordance with the approved AMS.

Reason:

To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development

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

- 11 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason:

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

Action Conditions

- 12 Prior to the commencement of above-ground works, full details of all green roofs and living walls shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) location and extent
- b) substrate depth and composition
- c) planting specification
- d) drainage and irrigation
- e) implementation and maintenance programme

The approved scheme shall be implemented prior to first beneficial use and retained thereafter.

Reason:

To secure biodiversity and design quality. In accordance with Policies BE1 and EN8 of the Neath Port Talbot Local Development Plan.

- 13 Prior to its installation, full details of lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:

- a) Details of the siting and type of all external lighting to be used
- b) Drawings setting out light spillage in key sensitive areas, in particular all bat access points and all retained vegetation on and surrounding the site
- c) Details of lighting to be used both during construction and operation
- d) Measures to monitor light spillage once development is operational

The lighting shall be installed and retained as approved during construction and operation. No additional external lighting shall be installed thereafter.

Reason:

A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected species, and their habitats and commuting corridors. In accordance with Policy EN8 of the Neath Port Talbot Local Development Plan.

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- 14 Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development is resumed or continued.

Reason:

To ensure the site is suitable for its proposed use, in accordance with Policy EN8.

- 15 No development shall be occupied until details of localised Active Travel improvements to the crossing points on the A48 and M4 Junction 38 slip road have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include renewal of tactile paving, widening of the crossing points, and repainting of road markings, and shall be implemented prior to occupation.

Reason:

To promote sustainable travel in accordance with Policies TR2 and TR5 and the Active Travel (Wales) Act 2013.

- 16 Prior to the installation of rooftop plant, a BS4142:2014 + A1:2019 assessment shall be submitted to and approved in writing by the Local Planning Authority. Any recommended noise mitigations measures in the form acoustic louvers, if required, shall be implemented to demonstrate that there is no acceptable risk to local amenity. Any mitigation shall be implemented prior to first use and retained thereafter.

Reason:

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

- 17 Prior to installation, details of the electricity substation and enclosure shall be submitted and approved. The substation shall be constructed in accordance with the approved details prior to first use.

Reason:

In the interest of visual amenity, to ensure compliance with Policy BE1 of the Neath Port Talbot Local Development Plan.

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

Reason:

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

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- 19 Prior to the first occupation of the development, details of the emissions performance of the proposed emergency generators shall be submitted to and approved in writing by the Local Planning Authority. This shall include technical details for the proposed generators demonstrating that the generators will achieve the same emission levels or cleaner than that specified in the submitted Air Quality Assessment (RPS 2025). The emergency generators at the site shall thereafter accord with the approved details.

Reason:

In the interest of the local environment to ensure the development complies with Policies EN8 and BE1 of the Neath Port Talbot Local Development Plan.

- 20 Prior to the first use of the development, a detailed Active Travel and Inclusive Access Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) details of all pedestrian and cycle routes within the site, including path widths, gradients and surface materials, demonstrating compliance with Active Travel (Wales) Act design guidance and relevant Active Travel Guidance (ATAG) standards;
- b) details of all pedestrian crossing points within the site, including the provision of dropped kerbs and tactile paving in accordance with guidance on the Use of Tactile Paving Surfaces;
- c) details of accessible routes between parking spaces, cycle parking, building entrances and key facilities;
- d) details of cycle parking provision, including location, type, security and natural surveillance; and
- e) confirmation of any on-site carriageway sections proposed to operate as shared-space or low-traffic environments, together with supporting design justification where applicable.

The approved scheme shall be fully implemented prior to first occupation of the development and thereafter retained and maintained for the lifetime of the development.

Reason:

To ensure safe, inclusive and accessible movement within the site for pedestrians and cyclists, in accordance with the Active Travel (Wales) Act 2013, Planning Policy Wales (Edition 12), and Policies TR2 and BE1 of the Neath Port Talbot Local Development Plan.

- 21 No development shall commence to install the proposed private wire connection between the application site and the nearby energy facility, until details of the wire connection have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a) the routing of the cable connection;
 - b) details of any trenching, supports, cabinets or above-ground infrastructure;
 - c) details of crossing points, access works and reinstatement measures;
 - d) measures for the protection of trees, ecology and existing infrastructure; and
 - e) a timetable for implementation.

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The development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure the satisfactory appearance and environmental integration of the development and to safeguard visual amenity, ecology, trees and highway infrastructure in accordance with Policies BE1, EN6 and EN7 of the Neath Port Talbot Local Development Plan.

- 22 Prior to the commencement of above-ground works, a Sustainability Implementation Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall demonstrate how the sustainability and resource efficiency measures identified within the approved Sustainability Statement shall be incorporated into the development, including:

- a) energy efficiency measures;
- b) measures to minimise operational energy demand;
- c) water efficiency measures;
- d) waste minimisation and recycling measures during construction and operation;
- e) implementation of green infrastructure measures including green roofs and living walls; and
- f) measures to support sustainable travel and electric vehicle charging.

The development shall thereafter be carried out in accordance with the approved Sustainability Implementation Plan.

Reason:

To ensure the delivery of sustainable development and resource efficiency measures in accordance with Policies SP2 and SP15 of the Neath Port Talbot Local Development Plan, Planning Policy Wales Edition 12 and Future Wales.

Regulatory Conditions

- 23 The vehicular access, internal roads, parking, servicing and turning areas shown on drawing - 1044 - FUT - V1 - ZZ - DR - Z - X100 - Site Wide Layout shall be constructed in full prior to first beneficial use and retained thereafter. These areas shall not be used for any purpose other than the parking, turning and servicing of vehicles associated with the development.

Reason:

In the interests of highway safety and to ensure adequate access to the site, in accordance with Policy TR2.

- 24 The emergency back up generators shall only be operated:
- a) During a mains power failure and private wire power failure; and
 - b) For routine testing of the emergency generators serving the development, which shall only take place between the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays

Reason:

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To protect amenity and air quality in accordance with Policy EN8 of the Neath Port Talbot Local Development Plan.

- 25 The off-site highway works secured under the Section 278 Agreement shall be subject to a Road Safety Audit stage 1-4 in accordance with GG 119 of the Design Manual for Roads and Bridges. Each stage of the Road Safety Audit, together with Designer's Response, shall be undertaken in accordance with the relevant Welsh Government standards, as part of the Section 278 approval process.

Reason:

In the interests of highway safety and to ensure adequate access to the site, in accordance with Policy TR2.

- 26 The development shall be carried out in full accordance with the ecological mitigation, compensation and enhancement measures detailed in the Ecological Impact Assessment (CRM.9026.001.EC.R.001B, 9 April 2026), the Green Infrastructure Statement (#2335, March 2025) and the Bat Mitigation Technical Note - Land at Tyn-y-Caeau, Margam, by by enzygo, dated 28 April 2026. The bat roosts within Building B1, including the cellar hibernation roost and upstairs roosting area, shall be retained and protected. No works affecting bat roosts shall commence until a European Protected Species licence has been obtained from Natural Resources Wales. All works shall thereafter be carried out in accordance with the licence. No site clearance or tree removal shall take place until an updated bat survey (and any necessary licence from NRW) has been undertaken demonstrating that these works will not impact any bats that may be using these features.

Reason:

To protect and enhance biodiversity in accordance with Policies EN6 and EN7.

- 27 The approved tree protection measures (under Condition 10) shall be installed in full prior to the commencement of development and shall be retained and maintained for the duration of construction. No excavation, level changes, storage of materials, vehicle movements or construction activity shall take place within any Root Protection Area except where expressly approved within the Arboricultural Method Statement.

Reason:

To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 28 The development shall be carried out under the supervision of a suitably qualified arboricultural consultant, in accordance with the approved Arboricultural Method Statement (under Condition 10). A schedule of supervision and written records of site visits shall be maintained and made available to the Local Planning Authority upon request.

Reason:

To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development

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

- 29 No retained tree shall be cut down, uprooted, topped, lopped or otherwise damaged except in accordance with the approved plans and Arboricultural Method Statement (under Condition 10).

Reason:

To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 30 The car parking and cycle parking facilities, including provision for electric vehicle charging (a minimum of one space), shall be implemented prior to the beneficial use of the development and retained thereafter.

Reason:

To ensure adequate parking and sustainable travel options, in accordance with Policy TR2 and NPT Parking Standards SPG (2016).

- 31 The operational use of the data centre shall comply with the noise limits specified in the Noise Impact Assessment (RPS Ref 794-ENV-NIA, 2025).

Reason:

To safeguard residential amenity in accordance with Policy EN8.

- 32 The development shall be used as a Data Centre and for no other purpose including any other purpose in Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason:

To safeguard amenity and highway safety in accordance with Policies TR2 and EN8.

- 33 The annexe building which is identified for demolition within the Planning Design and Access Statement shall be demolished and the site restored in accordance with the agreed landscaping scheme prior to the first beneficial use of the data centre.

Reason:

To ensure that the building is demolished in accordance with the application in the interests of the setting of the farmhouse building in accordance with Policy BE1 of the Local Development Plan.

Informatives:

- 1 Sustainable Drainage (SuDS) Approval
This permission does not approve any surface water drainage arrangements. The applicant is advised that separate approval must be obtained from the Sustainable

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Drainage Approval Body (SAB) under Schedule 3 of the Flood and Water Management Act 2010 before commencing construction work.

2 Natural Resources Wales (NRW) - Protected Species Licence

If the presence of bats or other protected species is confirmed prior to or during development, a European Protected Species (EPS) licence must be obtained from Natural Resources Wales before any works that could affect such species, their roosts, or habitats commence.

3 Pollution Prevention and Control

All works must be undertaken in accordance with best practice guidance to prevent pollution of surface water and groundwater, including compliance with the Water Resources (Control of Pollution) (Oil Storage) (Wales) Regulations 2016 and GPP5 - Works and Maintenance in or near Water.

4 Land Ownership and Legal Rights

This permission does not convey or imply any rights of ownership or access over land not within the applicant's control. It is the developer's responsibility to ensure all appropriate legal interests and wayleaves are in place before implementation.

5 Coal Mining and Ground Stability

Should any evidence of unrecorded mining features be encountered during construction, the Mining Remediation Authority must be notified immediately. All works must cease until advice has been obtained and any required remediation implemented.

6 Foul Drainage Connection

A separate agreement must be entered into with Dwr Cymru Welsh Water for any connection to the public sewerage system.

7 Fire and Rescue Service Access

The developer should liaise with the Mid and West Wales Fire and Rescue Authority to ensure compliance with fire safety and hydrant installation standards under the Building Regulations 2010.

8 Archaeological Note

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

The proposal has been assessed against the relevant national and local planning policy framework, including Planning Policy Wales (Edition 12, 2024), Future Wales - The National Plan 2040, and the policies of the Neath Port Talbot Local Development Plan (LDP) 2011-2026.

--Principle of Development--

The site lies outside of the defined settlement limits and therefore represents a departure from the adopted LDP, which seeks to direct new development to within or adjoining established settlements. It also lies adjacent to, but outside of, the designated

employment allocation (EC1/10 - Margam). However, the proposal must be considered in the context of its relationship with the adjoining Western Bio-Energy (WBE) Plant, with which it will operate in a co-located and functionally linked manner. The development would utilise renewable power generated by the WBE facility, supporting the transition to low-carbon infrastructure and contributing to national energy resilience objectives set out in Future Wales (Policies 17 and 18). While not in accordance with the strict locational policies of the LDP, the functional relationship between the two uses provides a site-specific justification that materially distinguishes this proposal from other forms of development in the open countryside.

--Environmental and Technical Considerations--

All environmental and technical matters have been comprehensively assessed.

- o Ecology and Biodiversity: Detailed ecological surveys and additional bat assessments have been submitted, with the applicant providing appropriate mitigation and enhancement of the site.
- o Landscape and Visual Impact: While the site is within open countryside, it is visually associated with existing energy and industrial uses. The proposed built form will be read within this context, with landscaping and planting providing adequate mitigation.
- o Highways and Active Travel: The Local Highway Authority and Welsh Government Transport Directorate have raised no objections, with improvements to local crossing points secured by condition to address active travel concerns.
- o Drainage and Flood Risk: The drainage strategy demonstrates that surface water can be managed via SuDS-compliant infiltration measures, and NRW confirmed that a Flood Consequences Assessment is not required for the limited underground cable element within the flood zone.
- o Ground Conditions: The Mining Remediation Authority and Contaminated Land Officer raised no objection, confirming the site is suitable for development with only standard precautionary conditions.
- o Residential Amenity: The nature of the development, together with the separation from sensitive receptors, ensures no unacceptable impacts from noise, air quality, or lighting.

Each technical consultee has either confirmed acceptability or identified that any residual impacts can be satisfactorily mitigated through the use of planning conditions.

--Sustainability and Economic Considerations--

The proposal aligns with the Welsh Government's decarbonisation and digital infrastructure agendas, supporting the growth of low-carbon industries and data storage capacity in South Wales. The development will create specialist technical employment opportunities during both construction and operation, while contributing to local supply chains. The design incorporates energy-efficient systems, potential use of renewable power from the adjoining WBE Plant, and construction techniques that support circular economy principles, consistent with the objectives of Future Wales Policies 17 and 19 and LDP Policies SP2, SP16 and BE1.

--Overall Planning Balance--

When assessed against the development plan as a whole, the proposal represents a departure due to its location outside settlement limits and employment allocations. However, significant material considerations weigh in favour of the development, including:

- o The co-location and functional synergy with the existing Western Bio-Energy Plant, allowing direct use of renewable power;

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- o The contribution to low-carbon infrastructure and digital resilience at both regional and national levels;
- o The limited environmental and amenity impacts, all of which can be satisfactorily mitigated by condition; and
- o The economic and sustainability benefits consistent with the priorities of Future Wales and the Well-being of Future Generations (Wales) Act 2015.

Taking these matters together, it is considered that the benefits of the proposal clearly outweigh the policy conflict with the LDP's settlement boundary provisions and justify the development as an acceptable and sustainable form of growth at this location.

--Conclusion--

Subject to the recommended conditions securing the required mitigation and enhancement measures, the development is considered to represent a sustainable and well-considered proposal that accords with the overarching objectives of national policy and, notwithstanding the identified departure, can be supported within the terms of the planning balance.

Accordingly, it is recommended that planning permission be granted, subject to the conditions set out below and to no objection being received from Natural Resources Wales or the Council's Ecologist on the updated ecological submissions.

Signed: 

Ceri Morris – Head of Planning & Public Protection

Date: 26 May 2026

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

Reference: P2025/0187

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.