



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Date Dyddiad	23rd March 2026
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Our ref Ein cyf	Q2025/0378

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BY EMAIL ONLY

Dear Sir/Madam

Town and Country Planning Act 1990

Pre-App. Ref.: Q2025/0378
PROPOSAL: Proposed demolition of former club and development of a Tesco Express store
LOCATION: 121 Heol Cae Gurwen Gwaun Cae Gurwen Neath Port Talbot SA18 1PD

I refer to your initial correspondence received on 8 December 2025, our meeting of 12 January and the subsequent information/amended proposals received on 18 February and 2 March concerning the above and your request for pre-application planning advice. Having considered the nature of submission, I respond as follows.

The application would require the submission of a planning application. If an outline only planning application is submitted (as opposed to a full planning application) then, as a minimum, the plan/drawing requirements of Article 3 of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 must be provided. This states:

(3) Where layout is a reserved matter, the application for outline planning permission must state the approximate location of buildings, routes and open spaces included in the development proposed.

(4) Where scale is a reserved matter, the application for outline planning permission must state the upper and lower limit for the height, width and length of each building included in the development proposed.

Amgylchedd ac Adfywio

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Croesewir gohebiaeth yn y Gymraeg a byddwn yn ymdrin â gohebiaeth Gymraeg a Saesneg i'r un safonau ac amserlenni.

We welcome correspondence in Welsh and will deal with Welsh and English correspondence to the same standards and timescales.

(5) Where access is a reserved matter, the application for outline planning permission must state the area or areas where access points to the development proposed will be situated.

Local Context and Constraints

- NRW Marine SAC Nitrogen Neutrality area
- Low Risk Coal Area

Please note that this information is based on our current records and is, as far as possible, accurate. Nevertheless, we reserve the right to advise you of any additional constraints that may be identified at the time of your application.

Relevant Planning History

From an examination of our records, the application site/ property has the following relevant planning history:

• P2023/0586	Demolition of existing derelict 3 storey building and replacement with 3 storey apartment building (comprising 4no. 2-bed on ground and first floor and 2no 1-bed at top floor) together with a detached dwelling all with associated works and car parking.	Approved 02.10.2023
• P2022/0912	Demolition of existing derelict 3 storey building and replacement with 3 storey apartment building (comprising 4no. 2-bed on ground and first floor and 2no 1-bed at top floor) together with a detached dwelling all with associated works and car parking.	Refused 13.07. 2023
• P2019/0382	Prior Notification for the demolition of the former club	Prior notification not required 29.04.2019
• P2019/0140	4 houses	Returned to applicant 07.03.2019
• P2019/0133	8 flats	Returned to applicant 07.03.2019
• P2018/0835	8 flats	Returned to applicant 12.10.2018
• P2018/0772	4 dwellings (outline)	Returned to applicant 08.11.2018
• P2010/0515	Demolition of existing building and replacement with two pairs of semi-detached houses and associated	Returned to applicant 18.08.2010

parking

- | | | |
|--------------|---|---------------------|
| • P2008/0504 | Outline application for four dwellings | Approved 30.11.2008 |
| • P2004/1389 | Demolition of club and outline for two pairs of semi-detached dwellings | Approved 02.11.2004 |
| • P2002/1149 | Change of use from former private members club to public house premises | Approved 12.11.2002 |

Relevant Planning Policies

The Development Plan comprises Future Wales - the National Plan 2040 and the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016.

National Planning Policy:

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

The Historic Environment (Wales) Act 2023 enhances the protection and sustainable management of the wider historic environment for the cultural, social, economic and environmental benefit of future generations.

The Active Travel (Wales) Act 2013 makes walking and cycling the preferred option for shorter journeys, particularly everyday journeys, such as to and from a workplace or shops and services.

The Environment (Wales) Act 2016 places a duty on the Council to maintain and enhance biodiversity, promote the resilience of ecosystems and increase their ability to adapt to events such as the impacts of climate change.

Future Wales: The National Plan 2040 is the national development framework, setting the direction for development in Wales to 2040. The development plan sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate resilience, developing strong ecosystems and improving the health and wellbeing of our communities.

The following policies are of particular relevance to the assessment of this application:

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 6 – Town Centre First

*“Significant new commercial, retail, education, health, **leisure** and public service facilities must be located within town and city centres. They should have good access by public transport to and from the whole town or city and, where appropriate, the wider region. A sequential approach must be used to inform the identification of the best location for these developments and they should be identified in Strategic and Local Development Plans.”*

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 12 – Regional Connectivity

[Planning Policy Wales \(Edition 12, February 2024\)](#)

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places

The following is of particular relevance in the assessment of this planning application:

4.3.18 The Welsh Government operates a ‘town centres first’ policy in relation to the location of new retail and commercial centre development. In implementing this policy, planning authorities should adopt a sequential approach to the selection of new sites in their development plan and when determining planning applications for retail and other complementary uses. By adopting a sequential approach first preference should be to locate new development within a retail and commercial centre defined in the development plan hierarchy of centres.

*4.3.19 If a suitable site or building to meet identified need is not available within a retail and commercial centre or centres, then consideration should be given to edge of centre sites and if no such sites are suitable or available, only then should out-of-centre sites in locations that are accessible by a choice of travel modes, including active travel and public transport, be considered. Developers should demonstrate that all potential retail and commercial centre options, and then edge-of-centre options, have been thoroughly assessed using the sequential approach before out-of-centre sites are considered. **The onus of proof that central sites have been thoroughly assessed rests with the developer.***

4.3.20 Edge-of-centre or out-of-centre sites should be accessible by a choice of public and private modes of travel. New out-of-centre retail developments or extensions to existing out-of-centre developments should not be of a scale, type or location likely to undermine the vibrancy, attractiveness and viability of those retail and commercial centres that would otherwise serve the community, and should not be allowed if they would be likely to put development plan retail strategy at risk. The extent of a sequential test should be agreed by pre-application discussion between the planning authority and the developer.

*4.3.21 **The sequential approach applies to retail and all other uses complementary to retail and commercial centres.** Other complementary uses include, for example, financial and professional services (A2), food and drink (A3), offices (B1), hotels (C1), educational and other non-residential establishments (D1), leisure (D2) and certain other uses such as launderettes and theatres.*

PPW 12 is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -

- Technical Advice Note 4: Retail and Commercial Development (2016)
- Technical Advice Note 5: Nature Conservation and Planning (2009)
- Technical Advice Note 11: Noise (1997)
- Technical Advice Note 12: Design (2016)
- Technical Advice Note 16: Sport, Recreation and Open Space (2009)
- Technical Advice Note 18: Transport (2007)
- Technical Advice Note 23: Economic Development (2014)

Local Planning Policy:

In addition to National guidance contained within Planning Policy Wales, any application would be considered against the Policies within Future Wales and the adopted Neath Port Talbot Local Development Plan, details of which are available on the Council's web site by visiting www.npt.gov.uk/ldp. The relevant policies would include:

Strategic Policies

- **Policy SP1** Climate Change
- **Policy SP2** Health
- **Policy SP3** Sustainable Communities
- **Policy SP4** Infrastructure
- **Policy SP12** Retail
- **Policy SP15** Biodiversity and Geodiversity
- **Policy SP16** Environmental Protection
- **Policy SP20** Transport Network
- **Policy SP21** Built Environment and Historic Heritage
- **Policy SP22** Welsh Language

Topic based Policies

- **Policy SC1** Settlement limits
- **Policy SC2** Protection of Existing Community Facilities
- **Policy I1** Infrastructure Requirements
- **Policy R3** Out of Centre Retail
- **Policy EN6** Important Biodiversity and Geodiversity Sites

- **Policy EN7** Important Natural Features
- **Policy EN8** Pollution and Land Stability
- **Policy TR2** Design and Access of New Development
- **Policy BE1** Design
- **Policy WL1** Development in Language Sensitive Areas

Supplementary Planning Guidance:

The following SPG is of relevance to this application:

- Planning Obligations (October 2016)
- Parking Standards (October 2016)
- Biodiversity and Geodiversity (May 2018)
- Pollution (October 2016)
- Design (July 2017)
- Development and the Welsh Language (July 2017)

All of the above SPG can be viewed on the [Council's website](#).

The Placemaking Charter, of which Neath Port Talbot Council are a signatory sets out the following principles;

People and community

The local community are involved in the development of proposals. The needs, aspirations, health and well-being of all people are considered at the outset. Proposals are shaped to help to meet these needs as well as create, integrate, protect and/or enhance a sense of community and promote equality.

Location

Places grow and develop in a way that uses land efficiently, supports and enhances existing places and is well connected. The location of housing, employment and leisure and other facilities are planned to help reduce the need to travel.

Movement

Walking, cycling and public transport are prioritised to provide a choice of transport modes and avoid dependence on private vehicles. Well designed and safe active travel routes connect to the wider active travel and public transport network and public transport stations and stops are positively integrated.

Mix of uses

Places have a range of purposes which provide opportunities for community development, local business growth and access jobs, services and facilities via walking, cycling or public transport. Development density and a mix of uses and tenures helps to support a diverse community and vibrant public realm.

Public realm

Streets and public spaces are well defined, welcoming, safe and inclusive with a distinct identity. They are designed to be robust and adaptable with landscape, green infrastructure and sustainable drainage well integrated. They are well connected to existing places and promote opportunities for social interaction and a range of activities for all people.

Identity

The positive, distinctive qualities of existing places are valued and respected. The unique features and opportunities of a location including heritage, culture, language, built and natural physical attributes are identified and responded to.

A development of this scale and type will need to address all of the forgoing placemaking principles, as set out within **Future Wales and Planning Policy Wales**, and the objectives for good design set within **Planning Policy Wales**. How your proposals address all of these principles will be required as part of any Planning statement/ design and access statement submitted with your application. Your application will be assessed against these principles as they are key to ensuring that development positively contributes towards building sustainable places that support active and healthy lives.

Analysis of Proposal

Having regard to the above planning policies, the main issues to consider relate to the principle of the proposed development in this location, the impact on the visual amenity of the area, the impact on the amenity of neighbouring residential properties, the impact in terms of highway safety and drainage, contaminated land, noise and biodiversity/ecology considerations.

Principle of Development

The site is located within settlement limits, as defined in the LDP, and Policy SC1 states that sustainable new development that is proportionate in scale and form to the role and function of the settlement will be acceptable in principle, subject to compliance with all other requirements and policies.

LDP Policy SC2 seeks to protect existing community facilities for wider public benefit and proposals which result in the loss of such facilities will only be permitted where:

1. The facility is surplus to requirements; or
2. The existing use is no longer viable.

As described in the planning history above, the principle of demolishing the existing building has already been established and there is an extant planning permission for a residential development on the site. Therefore, the existing community facility has effectively already been lost and the development proposed is for a new retail store which would serve as a replacement community facility. Therefore there is no objection in principle to the proposals under LDP Policy SC2.

However, Future Wales and PPW12 clearly signal Welsh Government's commitment to 'town centre first' with regard to locating new retail developments. National planning policy states that significant uses affected by Policy 6, should apply the sequential test to demonstrate that the

proposal cannot be accommodated in a town or city centre or other retail/commercial centre identified by the LPA. According to Welsh Government's FAQs (which has been produced to assist interpretation of Future Wales) there is no definition of 'significant' in Future Wales and they say that it is for the Local Planning Authority to determine this, based on their knowledge of their local area.

Strategic Policy LDP Policy SP12 sets out the Council's support for its existing retail centres, including the identification of a retail hierarchy which recognises the specific role and function. Gwaun Cae Gurwen has a designated Local Centre and the application site falls outside of this retail centre. Whilst criterion 4 of SP12 does identify a flexible approach to small scale out of centre retail proposals in the Valleys Strategy Area, LDP Policy R3 nevertheless restricts this to premises of 200m² gross floorspace or less (criterion 6). This flexibility is mainly to encourage the conversion of suitable village properties or small extensions to existing village shops designed to improve their viability. The current proposal for a new 372m² gross floorspace store is therefore too big to be considered acceptable under this policy therefore would have to satisfy LDP Policy R3 criteria 1-4 in order to be accepted in principle.

The designated Local Centre in Gwaun Cae Gurwen already benefits from a mix of uses including two existing convenience stores (CK Foodstores and a Nisa/was Premier). LDP Policy R3 criterion 1 therefore requires evidence of need for an additional Tesco Express store development as well as evidence that any such need cannot be accommodated within the defined Local Centre or other sequentially acceptable location, e.g. adjacent to it (edge of centre). This issue was discussed in our meeting of 12 January when you confirmed that no assessment of need had been undertaken at that time. This evidence of need is required before criterion 2 (sequential approach) can be considered.

If a demonstrable need can be proven, there are other sites located on Water Street (former GCG Primary School and a Council-owned car park) that are much closer to the existing Local Centre than the proposed application site. Notwithstanding the information provided in your emails of 19 February and 2 March, the other landowner's 'intention' to develop the (former school) site is not evidence that the landowner would not consider an alternative development, particularly as no construction has commenced on the extant housing development permission. The application site also benefits from an extant planning permission for residential development. I am unclear on what planning basis the Council is being asked to accept a developers intent on one site and a lack of intent on another when, in planning terms, both benefit from a planning permission for a residential development. Further evidence will therefore be required at formal planning application stage to demonstrate that this sequentially better site is not available to meet any demonstrable need that can be proven.

Similarly, my colleagues in Estates have confirmed that no formal approach has been made to themselves about developing a Tesco Express store on the Council owned car park site on Water Street. Evidence can be gathered by the Council as landowner about the extent of its use to serve the existing retail centre and your comment that its development would lead to diminished trade in the centre itself appears to be speculative rather than based on any empirical evidence or data. This site too would need further exploration to evidence it is not available to meet any demonstrable need that can be proven for the development.

Visual Amenity

The condition of the existing building/site is considered to be detrimental to the appearance of the area and the redevelopment of the site is therefore acceptable in principle. No elevation plans have been provided for comment but a well-designed road frontage development is preferable to the original proposal for a building to be erected at the rear of the site, which would be at odds with the prevailing pattern of built development on this main thoroughfare location.

Residential Amenity

The application site is surrounded on three sides by existing residential development therefore repositioning the proposed building at the front of the site instead of the back is preferable in order to avoid the store (and any associated noise from deliveries, condenser units etc.) from being in close proximity to these neighbouring properties. The proposed design and layout must accord with LDP Policy BE1 requirements and the Design SPG.

Highway Safety & Drainage

For an application of this nature, it is expected that facilities for charging electric vehicles and other ultra-low emission vehicles are provided in accordance with FW Policy 12. The development must also accord with LDP Policy TR2 requirements. A reduction in car parking provision below adopted standards will not be accepted without sustainability evidence provided in accordance with Appendix F of the Parking Standards SPG and the provision of an appropriate Travel Plan.

The following documents are applicable to this submission:-

- Neath Port Talbot County Borough Council - Parking Standards (Oct 2016).
- Neath Port Talbot Highway Technical Design Guide for Residential, Commercial & Industrial Developments.
- Planning Policy Wales Technical Advice Note 18: Transport
- Schedule 3 of the Flood and Water Management Act (FWMA) 2010 requires surface water drainage for new developments to comply with Mandatory National Standards for Sustainable Drainage (SuDS). Reference to the Non-Statutory Ministerial National Standards and the CIRIA 753: The SuDS Manual is recommended.
- Welsh Government's Active Travel Guidance

The following concerns have been identified by the Council's Highways & Drainage Officer (NB these comments were provided in response to the original proposals received on 8 December and not the subsequent submissions which have not been reconsulted upon):

1. The proposed development does not comply with the Neath Port Talbot County Borough Council (NPTCBC) Parking Standards (October 2016). The site is located within Zone 4 and has a gross floor area of 321 m². In accordance with Section 4.3 – Shops, the minimum parking requirement for this type of development is two commercial vehicle spaces, sixteen non-operational spaces, one disabled parking space, and appropriate cycle parking facilities. The submitted proposal provides only seven parking spaces, which represents a significant shortfall against the required standard. This deficiency is likely to result in overspill parking on Heol Cae Gurwen, creating potential congestion and highway safety concerns.

2. The road fronting the property is an A-classified highway that experiences consistently high traffic volumes and is designated by the Council as a traffic-sensitive route. The surrounding residential area has limited off-street parking provision, resulting in informal parking arrangements for local dwellings. Introducing a development of this nature with insufficient customer parking is likely to exacerbate existing parking pressures and lead to increase on-street parking along this busy section of road, creating potential congestion and safety concerns.
3. There is an established car garage located on the opposite side of the road, which attracts a high volume of customers. Many of these customers park their vehicles on the highway due to limited on-site provision. While this existing situation is not directly related to the proposed store, introducing a retail development with inadequate parking facilities would compound the current parking pressures. This is likely to result in further on-street parking along an already busy section of road, increasing congestion and potential safety risks.
4. The submitted feasibility drawing includes an auto-tracking layout for a rigid vehicle; however, the tracking path conflicts with the back of the footway when reversing into the designated space and also encroaches on the kerblin on the opposite side of the property. To enable a full assessment, a detailed CAD drawing must be provided so that we can undertake its own vehicle tracking analysis on the proposal.
5. The southern access point is currently substandard and does not meet the requirements set out in the Neath Port Talbot Highway Technical Design Guide. To achieve compliance, the access width must be increased to 5.5 metres.
6. A plan needs to be submitted detailing vehicle visibility splays when exiting the site. The required splay shall be in accordance with TAN18 which for a 30mph road traffic speed limit (Page 44 TAN 18, Table A) would be a splay of 90m in either direction. There shall be no obstructions higher than 600mm in height within these splay areas to allow for a safe unobstructed egress from the site.
7. Pedestrian vision splays of 2.4 metres by 2.4 metres (measured back from back of footway) shall be provided and maintained each side of each access within which nothing over 600mm in height shall be erected or allowed to grow.

Drainage Observations

1. SAB approval will be required prior to any work commencing. To commence work is a breach of SAB approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby legal action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018. Guidance and applications can be found on www.npt.gov.uk/sab.
2. 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.
3. No surface water or Land drainage run-off shall be allowed to connect, either directly or indirectly, to the Highway Drainage system unless otherwise approved in writing by the Local Planning Authority.

4. 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.

Contaminated Land & Noise

Due to the site history of the site being in close proximity to a former factory site, there is possibility of contamination and made ground being encountered at the site. A desk study will therefore be required as a minimum to assess the potential pollutant linkages associated with this development and to comply with LDP Policy EN8 and the Pollution SPG.

The development of a Tesco store will likely include condenser fans for cooling along with a possibly of other fixed plant and equipment. Consideration of noise impacts to neighbouring noise sensitive premises will be required in line with BS4142 guidance. Noise from any fixed plant will need to meet a noise level of 5db below background noise levels to comply with LDP Policy EN8 and the Pollution SPG.

Biodiversity/Ecology

As identified above, Policies EN6 and EN7 of the Local Development Plan will be of relevance insofar as there is a need to ensure any impacts on biodiversity/natural features are appropriately assessed and, where applicable, mitigated.

Planning Policy Wales (PPW) 12 sets out that; The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, informed by an appropriate level of assessment, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, help to overcome the potential for conflicting objectives, and contribute to health and well being outcomes.

A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step wise approach (Paragraph 6.4.15 of PPW 12) has been applied.

Where the adverse effect on biodiversity and ecosystem resilience clearly outweighs other material considerations, the development should be refused.

The bat scoping and emergence surveys undertaken as part of the 2023 extant planning permission are now out of date and will need to be repeated. In 2022, low numbers of pipistrelle species bats were recorded foraging in the vicinity, including occasional flights within the building which contains multiple openings and is missing much of its roof, particularly to the rear.

The Council's Ecologist has provided the following observations:

'Prior to determination of the application the following information is required to be submitted to inform the decision:

- An Extended Phase 1 habitat survey, this should include the identification of the presence of S7 Environment (Wales) Act habitats and species, sites that meet SINC criteria, in addition to protected species. A balance of S7/SINC habitat loss/gain to the scheme should be included. The results of this survey should inform the requirement for further more specific surveys, such as bird, bat and reptile surveys. The bat survey that was submitted with the application in 2023 will be out of date now so that will need to be updated.*
- A biodiversity record search from the South East Wales Biodiversity Records Centre (SEWBRc) should be undertaken to inform the required surveys and the assessment.*
- An assessment of the impacts upon areas identified as sites of importance for nature conservation (SINC) and all areas that would meet the criteria of a SINC. NB details of identified SINC are available from SEWBRc and the criteria are available from the Wales Biodiversity Partnership website.*
- An assessment of ecosystem resilience (Section 2 Environment (Wales) Act 2016); this shall particularly consider:*
 - (a) diversity between and within ecosystems;*
 - (b) the connections between and within ecosystems;*
 - (c) the scale of ecosystems;*
 - (d) the condition of ecosystems (including their structure and functioning);*
 - (e) the adaptability of ecosystems.*
- An assessment of impacts upon bird habitat (Conservation of Habitats and Species Regulations 2017 as amended); this should ideally be based on up to date survey information (including breeding, foraging and wintering requirements).*
- Proposals for mitigation/compensation for any adverse impacts identified in the above assessments.*
- Details of biodiversity enhancement measures in line with Planning Policy Wales 12 (2024).*
- Details of how the Step-Wise Approach has been considered (PPW 12, 6.4.15).*
- In line with Chapter 6 of PPW 12 any tree to be removed will be required to be replaced with 3 trees of a similar type and compensatory size for every 1 lost. This must be onsite, or immediately adjacent to the site. The applicant will need to demonstrate how this will be achieved prior to any permissions being given.'*

Other Matters

Nutrients

In June 2025, Natural Resources Wales ('NRW') issued Condition Assessments and Conservation Advice for Marine Special Areas of Conservation ('SACs'), which concluded that the nutrient sensitive features at some sites were in an 'unfavourable condition' for both chemical (Dissolved Inorganic Nitrogen) and biological (phytoplankton and opportunistic macroalgae) indicators of nitrogen enrichment.

In July 2025, NRW issued Interim advice for Planning Authorities with a map illustrating the freshwater catchments that drain into affected Marine SACs, with part of this covering the Amman Valley within Neath Port Talbot. The application site is located within the catchment of an affected SAC.

New developments have the potential to lead to an increase in nitrogen discharges directly to, or catchments of the Marine SAC, which may contribute to their 'unfavourable condition'. Therefore, in order for new development to be granted in affected areas, Planning Authorities are advised that a conclusion of no adverse effect on site integrity must be drawn in a Habitats Regulations Assessment (HRA). No new development can take place in affected areas until the following steps have been completed and the wider implications known:

- 1) Monitoring;
- 2) Apportionment;
- 3) Review of Environmental Permits.

You may wish to discuss this issue with NRW directly prior to submitting a planning application (please see details of their pre-application service at the end of this letter) and evidence of nutrient neutrality or betterment must accompany any planning application that is submitted in this area. Please also see below the published nutrient calculator: <https://www.gov.wales/nutrient-budget-calculator> as well as any updates to permit levels (which are reviewed by NRW on a six monthly basis).

NRW would be consulted on any formal planning application and their professional advice sought at that stage.

Welsh Language

The application site is located within a language sensitive area as defined in LDP Policy SP22 and the Development and The Welsh Language SPG therefore you should familiarise yourself with these requirements. The proposed development falls below the size threshold required to provide a Language Action Plan under LDP Policy W1, nevertheless the development's contribution to maintaining and enhancing the Welsh Language should be details in any accompanying Planning Statement.

Demolition

All demolition & site clearance works should adhere to the requirements and legislations as listed below. An outlined method statement should be submitted for the works; describing the building site and safe method for carrying out demolition and disposal of all arising in accordance with the code of practices as listed below.

BS6187: code of practice for demolition.

H&S Executive Guidance Notes for Demolition and Construction (Design and management) regulations 2015

BS5228-1 2008 Noise and vibration-control on construction and open sites.

(IAQM) Institute of Air Quality management; Guidance of the assessment from dust and construction.

Also to include for; description of the building construction, and any hazardous material to be stripped/disposed of site to Natural Resources Wales requirements. A method statement for carrying out the works, inc. risk assessment and means for eliminating , reducing, and controlling

hazards. Means of safe site access, suitable plant use, control of noise, vibration, dust control, etc. all in line with the above.

Sustainable Drainage – Statutory Requirements w.e.f January 2019

Please note that all new developments of more than 1 house or where the construction area is of 100m² or more will require sustainable drainage - built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers - to manage on-site surface water. More information is available in [Schedule 3 of the Flood & Water Management Act 2010](#).

These systems must be approved by the Council's Engineering Service acting in its SuDS Approving Body (SAB) role **before construction work begins**. In this respect it is essential that a developer of any such project gain SAB approval of its surface water drainage alongside any relevant planning permission. **You will not be allowed to start construction until both permissions have been approved.**

If you have not done so already, and your development would not fall into any of the relevant exceptions¹, you are therefore strongly encouraged to request further advice from the SAB. Involving the SAB Officers in pre-application discussions will allow for SuDS drainage matters (to ensure suitability of proposed SuDS design in line with national standards and adequate site layout) to be considered alongside the assessment of planning merits. **There is an additional charge for this service.** This can be as part of any agreed further pre-application submissions with the Planning Authority (recommended) or independently/ direct with the SAB. You are advised, however, that failing to engage in joint pre-application discussions has the potential to lead to delays and, most notably, the potential need to obtain further planning permission should any agreed SuDS design not be compliant with any relevant planning permission. Further details are available at www.npt.gov.uk/planning.

Major Developments

Please be aware that for all 'major' development there is now a statutory requirement (introduced by s17 of the Planning (Wales) Act 2015) for the applicant / developer to consult the community and relevant statutory consultees in advance of formal submission of an application.

Please note that a major application cannot be validated until such consultation is undertaken and a Pre-Application Consultation (PAC) Report submitted with the application.

Best practice guidance for developers on Pre-application Community Consultation can be found on the [Welsh Government website](#).

Section 106 Planning Obligations

The Council's approved [Planning Obligations Supplementary Planning Guidance](#) (SPG) provides the local policy basis for seeking planning obligations through Section 106 Agreements in Neath

¹ Exceptions and exemptions, in summary, relate to:-

- Existing sites and developments with planning permission granted or deemed to be granted (whether or not subject to any conditions as to a reserved matter) or for which a valid application has been received but not determined by 7 January 2019. However, SAB approval will still be required if the planning permission was granted subject to a condition as to a reserved matter and an application for approval of the reserved matter is not made before 7 January 2020.

Port Talbot. The Council's approved SPG is also available to view/ download at www.npt.gov.uk/planning.

Social Value- For Large Major Developments (EIA apps, employers, large housing etc)

Neath Port Talbot Council is committed to promoting Sustainable Development through our policies, strategies and services. In Wales, the importance of social value is recognised through the Well-being of Future Generations (Wales) Act 2015 which requires public bodies in Wales to think about the long-term impact of their decisions, to work better with people, communities and each other, and work to prevent issues such as poverty, health inequalities and climate change. Social Value can be defined as the positive impact on local people & communities, the local economy, and the environment that we create.

These can be through:

- **Social benefits that deliver positive outcomes for individuals and/or communities**
- **Economic benefits that strengthen a workforce, industry, sector and/or the economy**
- **Environmental benefits that result in protection or enhancement of the environment, e.g. carbon reduction or nature protection.**
- **Cultural benefits i.e. culture, heritage and Welsh Language by encouraging people to participate in the Arts, sports and recreation**

The Council believes that through this approach we can achieve both a return on investment on a whole life basis and generate benefits for the local economy and environment.

For advice and guidance on delivering social value on your project contact:

Email: business@npt.gov.uk or tel: 01639 686835

Viability

Where a developer/applicant indicates that they may be unable to provide the full affordable housing requirement or other planning obligations on viability grounds, they will need to submit a detailed financial assessment of the proposed development using the Council's Development Viability Model (DVM). For more information, please visit our [Viability Assessments for Planning Applications](#) page and/or read the Council's Viability Assessment Procedure Note: [Section 106 Obligations Viability Assessment Procedure Note and Guidance Note](#).

Before submitting an application, and as part of any further pre-application discussions (which may require further charges), the Planning Officer will discuss the Council's expectations, and offer you the opportunity for a completed viability assessment to be submitted and reviewed prior to the planning application (subject to payment of the relevant charges outlined on the Council's website at [Pay planning application fees - Neath Port Talbot Council](#)). Alternatively this can be at application stage, though we would always recommend initiating discussions at pre-application stage.

Required Supporting Documentation

We would encourage you to submit your application electronically via www.gov.wales/planningapplications.

Having regard to the nature of your proposal, it is considered at this stage that in addition to the submission of standard mandatory supporting documentation such as application forms, plans

and fee, any application for the above development should also be accompanied by the following additional documentation: -

- Evidence of retail need and sequential site assessment
- Evidence of nutrient neutrality/betterment in order to satisfy NRW moratorium on new development within this Marine SAC affected area
- Phase 1 Habitat Survey / Bat Survey/ Follow up Surveys
- Green Infrastructure Statement
- Details of biodiversity enhancements (incorporated within your GI Statement)
- Contaminated Land Desk-top Assessment
- Site survey identifying existing ground levels, plus details of proposed levels including sections / cross-sections showing relationship to adjoining properties
- Demolition Method Statement
- Demolition & Construction Environmental Management Plan
- Sustainability evidence and accompanying Travel Plan

If any subsequent application fails to include the information above, there is a chance it may not be registered and, in any event, it is likely that an application will either be refused or will not be able to be progressed until its satisfactory submission.

It is also this Authority's practice to recommend to applicants that detailed information is submitted at application stage to ensure that, in the event of planning permission being granted, that 'pre-commencement' conditions (which require approval of details prior to work starting on site) can be minimised. You are therefore encouraged to ensure that your initial submissions incorporate as much information as possible (for example materials, boundary treatment, ecology mitigation, Construction Management Plan, Travel Plan etc.), and address all matters raised in the advice given above.

Detailed guidance on the use of the national standard application form for planning permission and other associated consent regimes; and the information which must accompany a planning application so that the local planning authority can determine the validity of the application, can be found as follows: -

"Guidance on the use of the standard application form ('1app') and validation of applications":
<https://gov.wales/sites/default/files/publications/2019-03/section-7-annex-planning-applications-lists-of-validation-requirements.pdf>

The Town and Country Planning (Development Management Procedure)(Wales) Order 2012: [http://www.legislation.gov.uk/wsi/2012/801/contents/made \(original Order\)](http://www.legislation.gov.uk/wsi/2012/801/contents/made (original Order)).
(Note subsequent Amendment Orders: [2014](#) ; [2015](#) ; [2016](#) ; and [2017](#)).

How we will deal with your planning application

As part of its emphasis on 'Delivering Quality Development Quickly', the Planning department prides itself on the service it offers our customers. Once your application has been received, this will include an allocated case officer making contact with you or your appointed agent within the first week and arranging a visit, following which we will contact you by phone or email to advise of any discrepancies with your application. We will also work with you to address any outstanding concerns, including any amendments required to make your proposal acceptable.

Once we are happy with the validity of your application, we will formally consult neighbours and relevant consultees. Provided there are no significant matters of concern resulting from such consultations, we will then seek to determine your application as swiftly as possible after the expiry of the statutory publicity period, and aim to do so within the 8 week statutory period.

While Officers will endeavour to ensure you are aware of the progress of your application, we would encourage you to contact the case officer should you wish to discuss any matter further.

Development Team Approach – Building Control

The Development Management and Building Control teams work closely to assist developers in improving the quality of their development and ensuring compliance with all appropriate conditions and Regulations. In particular, Building Control provide a competitive and highly professional service and seek to actively engage with developers at the earliest stage of their project. You are therefore encouraged to contact the Building Control team on 01639 686820 or by emailing building.control@npt.gov.uk to enter into early negotiations and understand the benefits of the Council's Development Team approach.

Requests for Further Advice

Following receipt of this initial advice, should you wish to discuss your scheme prior to formal submission, please contact the case officer on the direct number or email address given above. Further charges may apply.

Yours faithfully

Claire Hall

If you require this information in larger print, or in an alternative format, please contact the above named officer.

Seeking Pre-Application Advice from External Consultees

Natural Resources Wales (NRW)

Natural Resources Wales has a key role in the planning system and you may wish to hold pre-application consultation with them, utilising their pre-application service, so that environmental considerations are identified and addressed at the earliest opportunity. More information about Natural Resources Wales's pre-application service, including what advice can be sought for free, and what advice is subject to a fee can be found at:

<https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/advice-for-developers/our-service-to-developers/?lang=en>

Dŵr Cymru Welsh Water (DCWW)

Welsh Water has a key role to play in the development and planning process as the services provided are at the forefront of public health and protection of the environment. Welsh Water encourages all developers to engage with them as early as possible in order to address any issues that may arise during the planning/construction process. Please also be advised that for any major development applications you will need to consult Welsh Water as a 'Specialist Consultee' by submission of the relevant information as set out in Schedule 1C, Article 2D of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

Upon receipt of a pre-application enquiry, Welsh Water will provide a written response advising whether the local network(s) can support the proposal, whether off-site water mains and/or sewers will need to be provided, and whether there are any apparatus located within the land you wish to develop and the requirements for these apparatus. This service is provided for a fee of £71+ VAT (**please refer to DCWW schedule of charges**) and can be submitted by post or by completing the online enquiry form at <http://www.dwrcymru.com/en/Developer-Services>. Further information can be obtained from the dedicated team of planning officers at Welsh Water on 0800 917 2652

Mining Remediation Authority

In line with many other statutory consultees, the Mining Remediation Authority no longer provides responses to pre-application enquiries without a charge. The Mining Remediation Authority therefore requests LPAs to direct applicants that are seeking pre-application advice regarding coal mining legacy issues because their site falls within the Development High Risk Area to them, so they may provide a quotation for providing advice.

Should only a small part of your site fall within the High Risk area, we would especially encourage you to engage with the Mining Remediation Authority, since they may advise in certain situations that a Coal Mining Risk Assessment is not required.

Further advice may be found at: <https://www.gov.uk/government/organisations/mining-remediation-authority>