

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 Name and address of the agent

ASSOCIATED BRITISH PORTS
QUEEN ALEXANDRA HOUSE
CARGO ROAD
CARDIFF
CF10 4LY

RPS
PARK HOUSE
GREYFRIARS ROAD
CARDIFF
CF10 3AF

Whereas on the Monday, 31 March 2014 you submitted an application for the following development:-

PROPOSAL To vary Condition 5 (details on method of working and progressive restoration) and Condition 13 (aftercare details) Planning Application Ref. P2005/1756 – (Extraction of sand and gravel, restoration to original **agreed** ground levels ~~using waste slag from adjoining steelworks~~, together with temporary use of site to accommodate storage and distribution of sand dredged from shipping lane in adjoining Port Talbot Dock) to allow the submissions to be deferred. ~~up to 1st January 2015.~~

LOCATION PORT TALBOT DOCKS SAND + GRAVEL SITE
LAND WEST OF MARGAM STEELWORKS
MARGAM PORT TALBOT

The description of development was altered by NMA Application P2026/0405 granted on 29/07/2026.

THE NEATH PORT TALBOT COUNTY BOROUGH COUNCIL AS THE LOCAL PLANNING AUTHORITY IN PURSUANCE OF ITS POWER UNDER THE ABOVE MENTIONED ACT AND ORDER HEREBY PERMITS THE DEVELOPMENT TO BE CARRIED OUT IN ACCORDANCE WITH THE APPLICATION AND THE PLANS SUBMITTED THEREWITH, SUBJECT TO COMPLIANCE WITH THE CONDITIONS SPECIFIED HEREUNDER:

Conditions:-

This decision notice is Revision Number 1 and 2 issued on 28/07/2026. Revision 1 included the alterations agreed under NMA application P2015/0411 granted on 25/08/2015 and Agreed details application P2016/0176 granted on 25/07/2019. Revision Number 2 includes alterations agreed under NMA application P2026/0405 granted on the 28/07/2026.

(1) The development is permitted for a temporary period only and, ~~with the exception of restoration and aftercare requirements,~~ shall cease not later than 11th December 20178, **restoration shall be completed not later than the 11 December 2019 2030 with a 5 year period of aftercare following from the date restoration is complete.**

Reason

In accordance with Schedule 5 para (1) of the Town & Country Planning Act, to provide a period which takes account of the needs of the operator as well as other planning considerations

The wording of this condition was altered by NMA application P2015/0411 on the 25/08/2015.

The wording of this condition was altered by NMA application P2026/0405 on the 29/07/26.

(2) Permission is granted for the winning and working of sand and gravel, the infilling of the site by **dredged material from the maintenance of Port Talbot Dock slag** and the subsequent restoration and aftercare of the land and such work shall be carried out within the working areas 1 and 2 as defined in red on Drawing No. 26444/1.

Reason

To avoid any ambiguity as to the extent of the mineral working areas hereby approved.

The wording of this condition was altered by NMA application

Reference No: P2014/0356

P2015/0411 on the 25/08/2015.

(3) From the commencement of development to its completion, a copy of this permission including all documents hereby approved and any other documents subsequently approved in accordance with this permission shall be permanently maintained and available for inspection at the site office.

Reason

To ensure that the operators of the site and any appropriate officer of the local planning authority has access to such approvals on site.

(4) Before entering onto the public highway the wheels, undersides and bodies of all vehicles travelling from the site shall be cleaned and, their loads shall be secured and fully covered by sheeting and in such a condition as to avoid the deposit of slurry, mud, minerals or other material upon the public highway.

Reason

To ensure that such reasonable precautions are taken and provision made as is necessary to prevent the exit of vehicles onto the public highway which would be likely to deposit material on the public highway to the detriment of highway safety and amenity.

(5) No later than 1st ~~March 2016~~ **2028** January 2015, a **revised restoration** scheme shall be submitted to the local planning authority for approval for the phased restoration of the site. The scheme shall identify **full details of the proposed fill materials including details of their source (including potential reuse of overburden and topsoil)**, the method and direction of ~~working~~ **infilling** and the anticipated timescale for the completion **of the remaining restoration** of each phase and its restoration. The operations of the site shall be carried out in accordance with the approved scheme. ~~unless otherwise agreed in writing by the local planning authority.~~

Reason

To establish a phased method of working whereupon progressive restoration can be monitored.

The wording of this condition was altered by NMA application P2015/0411 on the 25/08/2015.

Details agreed under application P2016/0176 granted on the 25/07/2019.

The wording of this condition was altered by NMA application P2026/0405 on the 29/07/26.

~~(6) Notwithstanding the details as required under Condition 5 of the consent~~

Reference No: P2014/0356

~~mineral working shall be completed and the site restored to contours as approved under the restoration scheme on Area 1 as identified on Drawing No. 26444/1 no later than 1st September 2014.~~

Reason

~~To establish a reasonable timescale for the completion of mineral working of Area 1.~~

Condition removed by NMA Application P2015/0411 granted on the 25/08/2015

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

Reason

To prevent pollution of watercourses.

(8) Any area subject to the temporary discharge and storage of dredged sand from the Port Talbot docks shall be restored and all stocks removed from the site following the completion of mineral extraction at the site.

Reason

To ensure the satisfactory restoration of the site.

(9) The existing perimeter screening bund constructed on the north western boundary of the site shall be retained in accordance with the contours as identified under approved Drawing M59/2 of approval P97/0205 and retained for the purposes of screening for the duration of mineral extraction.

Reason

In the interest of the amenity of the area.

(10) Area 3 as identified in planning permission 2/4/95/9982 shall not be worked for any mineral working or other ancillary operations associated with this development.

Reason

Reference No: P2014/0356

To accord with the application details as submitted.

~~(11) Unless otherwise agreed in writing by the local planning authority the site shall be restored to the contours as approved under P97/0205 and Drawing No. M59/2.~~

Reason

~~To identify the restoration contours approved for the development.~~

Condition removed by NMA Application P2015/0411 granted on the 25/08/2015

~~(12) The site shall be completely restored to the approved contours in accordance with the details approved under condition 5 within 12 months of the completion of any mineral extraction from the site or by the 31st December 2018 2030 at the latest. whichever is the earliest.~~

Reason

~~To identify a reasonable timescale for the completion of restoration works on the site.~~

The wording of this condition was altered by NMA application P2026/0405 on the 29/07/26.

~~(13) Notwithstanding the aftercare scheme as approved under P97/0206 on 29th September 1997, no later than 1st January 2015 March 2016 2030 a revised aftercare scheme for the creation of a coastal grassland or coastal saltmarsh habitat shall be submitted to the local planning authority for its approval and the scheme shall be implemented as approved.~~

Reason

~~To establish a revised aftercare treatment of the land.~~

The wording of this condition was altered by NMA application P2015/0411 on the 25/08/2015.

Details were agreed under application P2016/0176 granted on 25 July 2019.

The wording of this condition was altered by NMA application P2026/0405 on the 29/07/26.

(14) The site shall be the subject to aftercare for a period of five years in accordance with the provisions of the aftercare scheme as approved by the local planning authority under condition 13 of this consent unless otherwise

Reference No: P2014/0356

agreed in writing with the Local Planning Authority.

Reason

To ensure the satisfactory aftercare of the site.

~~(15) Unless otherwise agreed in writing by the local planning authority the only material that shall be imported into the site shall be dredged material from the maintenance of the Port Talbot Docks and inlet and blast furnace slag for the purposes of infill and restoration.~~

Reason

~~To ensure adequate control on the scale of site operations.~~

This condition was removed by NMA application P2026/0405 on the 29/07/26.

(16) In the following conditions the term "emergency" means any circumstances in which the operator has a reasonable cause for apprehending injury to persons or serious damage to property.

Reason

For the avoidance of doubt as to the meaning of "emergency" as used in the planning conditions.

(17) Except in an emergency to maintain the safe working of the site, which shall be notified to the local planning authority as soon as practicable, or unless otherwise agreed in writing by the local planning authority operations, other than water pumping, servicing, environmental monitoring, or maintenance of plant shall only be carried out at the site between the following times:

06.00 hours and 19.00 hours Monday to Friday.

06.00 hours and 17.00 hours Saturdays.

No operations shall occur on Sundays or Bank Holidays.

Reason

In the interest of amenities.

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

Reason

To ensure minimum disturbance from operations and avoidance of nuisance to the local community.

(19) Unless otherwise agreed in writing by the local planning authority noise

Reference No: P2014/0356

levels arising from the development shall not exceed 55dB(LAeq)(1 hour) freefield at any noise sensitive property.

Reason

In the interest of the amenity of the area.

(20) All operations on the site shall be monitored for dust generation during all activities on the site and dust shall be suppressed by the best available techniques which shall include the following:

- (i) a sufficient number of spraying units to ensure that haul routes and other areas traversed by vehicles are kept damp during dry weather;
- (ii) exhausts and through body exhaust systems of plants and vehicles shall be fitted to prevent exhaust gases being emitted downwards.

Reason

To provide suppression and control of emissions of dust from the development.

~~(21) All overburden and topsoil shall remain on the site for the purpose of the restoration of the site.~~

Reason

~~In the interest of the restoration of the site.~~

This condition was removed by NMA application P2026/0405 on the 29/07/26.

(22) At the expiry of the period of permission or at such earlier time, when all mineral working and restoration are complete, all buildings and ancillary structures shall be removed from the site.

Reason

To ensure complete restoration of the site.

(23) Unless otherwise agreed in writing by the local planning authority groundwater monitoring shall be undertaken in accordance with the principles set out in the SLR consulting letter and documents dated 15th October 2007 from SLR to Tarmac Western Ltd.

Reason

To protect the water environment.

~~(24) Unless otherwise agreed in writing by the local planning authority only blast furnace slag with low leaching potential shall be utilised as backfilling of excavation areas and as characterised by the source testing described in the letter from SLR consulting to Tarmac Western Ltd. Dated 15th October 2007~~

Reference No: P2014/0356

~~or material dredged from the maintenance of Port Talbot Docks shall be utilised to infill the excavated areas.~~

Reason

~~To protect the water environment.~~

The wording of this condition was altered by NMA application P2015/0411 on the 25/08/2015.

This condition was removed by NMA application P2026/0405 on the 29/07/26.

REASON FOR GRANTING PLANNING PERMISSION

The site is screened from the nearest sensitive residents in Mariners Point. To extend a further deadline for the compliance of Condition 5 (details of method of working and progressive restoration) and Condition 13 (aftercare details) whilst awaiting the outcome of current commercial negotiations in respect of the Prenergy development will not prejudice Policies GC2, M8 and M10 of the Unitary Development Plan to such an extent that would justify a refusal given that the remaining short period of time for the extended period up to 1st January 2015 is not much more than 6 months and therefore it is considered that issues as they relate to landscape/restoration and aftercare are not seriously prejudiced by this further delay.

In approving this Section 73 application, the opportunity has been taken to adjust a further timescale requirement for Condition 6 and the period allowed for the restoration of the area identified as Area 1 up until 1st September 2014 along with the adoption of all other relevant conditions as they apply to the extant mineral permission.

Signed : 
Nicola Pearce – Head Of Planning

Date: 30/06/2014

Important Notes:

(1) 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 8300:2001).

(2) 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.

(3) From 1st October 2012 it will be 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 will transfer 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

(4) The developer shall take due regard of the possible presence of nesting Sand Martins at the site during all excavations.

(5) The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com