

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~~

~~PENNANT HOMES
220 HIGH STREET
3RD FLOOR
SWANSEA
SA1 1NW~~

~~MR RICHARD BOWEN
ASBRI PLANNING LTD
SUITE 4, J SHED
KINGS ROAD
SWANSEA
SA1 8PL~~

Whereas on the Wednesday, 07 October 2015 you submitted an application for the following development:-

PROPOSAL 37 No. residential dwellings and associated access
LOCATION FORMER COLEG CWMTAWA ALLTYCHAM
DRIVE PONTARDAWE

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:-

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

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

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(2) Samples of the materials to be used in the construction of the external surfaces, including means of enclosure, of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to their use in the development hereby permitted. Development shall be carried out in accordance with the approved details only.

Reason

In the interest of the visual amenity of the area.

(3) Prior to the commencement of the construction of any dwellings, details of the finished floor levels of all dwellings shall be submitted to, and approved in writing by the local planning authority. The development shall be completed in accordance with these agreed levels.

Reason

In the interest of residential and visual amenity.

(4) Unless authorised by any condition of this permission, all means of enclosure as indicated on drawing number TP-01 Revision F shall be erected as approved prior to the occupation of the associated residential unit and shall be retained and maintained as such thereafter.

Reason

In the interests of the visual amenity of the area, and the amenities of the occupiers of proposed and existing dwellings.

(5) All retained trees that may be directly affected by the proposed development, including encroachment into Root Protection Areas, shall be adequately protected as specified in BS5837:2012 Trees in relation to design, demolition and construction by the provision of root zone protection (protective fencing). The erection of fencing for the protection of any retained tree shall be undertaken before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason

In order to protect the long term health of the trees to be retained.

(6) Prior to first beneficial occupation of any of the dwellings hereby approved, a scheme for landscaping, which shall include (but not be restricted to) adequate replacement tree planting and details of the long term management and maintenance of all areas falling outside of defined residential curtilage), shall be submitted to and agreed in writing with the

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Local Planning Authority. The approved scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(7) The landscaping scheme required by condition 7 shall ensure that any trees to be planted within the footway or within 2m of the back of footway shall be fitted with a suitable root barrier placed along the back of footway, and such barrier shall be provided at the time of planting and thereafter retained.

Reason

In the interest of highway and pedestrian safety

(8) No development shall commence until such time as a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with, together with an implementation plan identifying the phasing of such works, has been approved in writing by the local planning authority. All works shall thereafter be in accordance with the approved details.

Reason

To ensure the satisfactory drainage of the site

(9) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the

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development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

(10) Prior to occupation of each associated dwelling the off street parking spaces as shown on drawing number TP-01 Revision F shall be provided on site prior to first occupation of the associated dwelling and shall be retained open and free for such use thereafter.

Reason

In the interest of highway and pedestrian safety

(11) Prior to occupation of any dwelling the parking spaces as shown on the approved plans shall be provided for that dwelling and shall be surfaced in porous material to gradient not exceeding 1 in 9, or provision made to direct run-off water from a hard surface to a permeable porous area or surface within the curtilage of the dwelling and permanently maintained so that it continues to comply with the above requirements.

Reason

In the interest of highway and pedestrian safety

(12) No garage shall be converted to residential use unless a scheme for replacement car parking has been submitted and approved in writing by the local planning authority. The scheme shall be implemented prior to commencement of any conversion works and shall provide for one additional car parking space for each space lost by any garage conversion.

Reason

In the interest of highway and pedestrian safety

(13) The use of any garage hereby approved garage shall be restricted to the garaging of private motor vehicles and uses incidental to the use of the associated dwellinghouse only and for no industrial, commercial or business use.

Reason

In the interest of highway and pedestrian safety

(14) Notwithstanding the information set out within section 3.2.5 of the Transport Statement (September 2014), prior to commencement of development (other than work required to create the new vehicular access), visibility splays of 2.4m x 25m shall be provided each side of the new vehicular access to Allt-y-cham drive in full accordance with the details indicated within figure 3.3 of the transport statement. The splays shall thereafter be maintained so that nothing over 600 mm in height above back of footway level is erected or allowed to grow within these areas.

Reason

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In the interest of highway and pedestrian safety

(15) Prior to first use of each drive (hard standing) pedestrian vision splays measured at 2.4m x 2.4m behind back of footway each side of each drive/hard standing shall be provided and retained thereafter, with no enclosures or planting over 600 mm in height above back of footway level erected or allowed to grow within these areas.

Reason

In the interest of highway and pedestrian safety

(16) Other than work required for the construction of plots 3 and 37 together with the construction of the site office, compound and the junction with Alltycham Drive for the first 20m, no further development shall commence until a Traffic Regulation Order along Alltycham Drive to prevent parking, loading, unloading or waiting on either side of the public highway at Alltycham Drive eastern side between the hours of 7 am to 7 pm has been implemented. This order shall be further extended for the first 20m of the proposed site road following its construction up to binder course level.

Reason

In the interest of highway and pedestrian safety

(17) Prior to construction of any dwelling other than plots 3 and 37, a scheme for lighting improvements, together with a phased programmed of implementation for Alltycham Drive and the New Estate Road shall be submitted to and approved in writing by the local planning authority. All lighting improvements as per the approved scheme along Alltycham Drive shall be completed prior to commencement of work to construct any dwellings with the exception of plots 3 and 37.

Reason

In the interest of highway and pedestrian safety

(18) Prior to occupation of any dwelling a surfaced and lit footway shall be provided fronting the property and linking onto the nearest public highway.

Reason

In the interest of highway and pedestrian safety

(19) No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;

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- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during demolition and construction;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- Viii) A scheme for the erection of temporary / semi temporary signage warning drivers of the presence of children and speed restrictions.
- ix) A scheme detailing the control of surface water run-off during the construction period and the protection of lower lying land.
- X) A scheme detailing the route of all construction, site operatives and visitor traffic
- (xi) A scheme indicating how deliveries or works vehicles in excess of 7.5 tonnes shall be prevented access to Alltycham Drive during the hours of 8 am to 9 am and 3pm to 4 pm during term times; and
- (xii) Provision of a temporary security fence at the outset of development which shall incorporate a vehicle access gate to the site along the western boundary of the site adjoining Alltycham Drive.

Reason

In the interests of highways and pedestria

(20) The proposed development shall be carried out in accordance with the revised David Rice Forestry Arboricultural Method Statement dated 28 09 2015.

Reason

In order to protect the long term health of the trees to be retained and in the interest of clarity and good tree husbandry

(21) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no doors, windows or dormer windows (other than those expressly authorised by this permission) shall be constructed.

Reason

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for additional windows, having regard to the particular layout and design of the estate.

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(22) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification) no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a highway, carriageway, shared driveway or footpath unless authorised by any condition of this permission, and detailed on the approved plans.

Reason

In the interests of visual amenity as the estate is open plan in character.

(23) Prior to the commencement of works on site and notwithstanding the submitted information, an updated detailed ecological mitigation, management and monitoring plan shall be submitted to and agreed in writing with the local planning authority. Such details shall be broadly in accordance with the measures detailed within the Proposed Mitigation Strategy dated July 2015, Bat Activity Survey dated September 2014, the Bat Tree Roost Assessment dated January 2015 and the Reptile Translocation Strategy dated December 2014 as updated in July 2015, but shall also include (but not necessarily be restricted to) a detailed external lighting scheme, full details of methods, timings, locations, responsibilities, mechanism of delivery, programme of works, management and monitoring for all mitigation proposed (which shall be for a minimum of 15 years). The development shall only be carried out in accordance with the approved details and mitigation, compensation and enhancement measures

Reason

In order to safeguard protected species

NOTES TO DEVELOPER:

(1) Drainage notes to developer:

1. Any existing drainage pipe, highway drain or highway run-off entering, crossing or discharging onto the development site must be accommodated into the site development works, by the developer. No building shall be erected over or within the safety zone of any culvert or watercourse.
2. There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site, without prior consultation and agreement with the local authority.
3. Notwithstanding the submitted plans, ACO drains shall be placed at back of footway along all drives which fall out onto the highway, These ACO drains shall be retained thereafter.

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4. Unless otherwise agreed by the local planning authority, foul water and surface water discharges shall be drained separately from the site.
5. No surface water of land drainage run-off shall be allowed to connect either directly or indirectly, to the public sewerage system unless otherwise agreed in writing by the local planning authority.
6. Prior to commencement of works on site a Method Statement detailing the control of surface water run-off during the construction period and the protection of lower lying land, shall be submitted and approved in writing by the local planning authority. These measures as approved shall be implemented during the construction works.
7. Adequate provision shall be made for the drainage of the site to ensure that the drainage of any adjoining or lower lying land is not interrupted or otherwise adversely effected by the developer.

(2) Highways notes to developer:

In order to ensure the road works you are required to undertake are carried out to the satisfaction of the local planning authority and subsequently adopted if you so wish you are advised prior to commencing any work on these works to contact the Head of Engineering and Transport at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG (FAO Mrs Joanna Weeks – Telephone No: 01639 686399 or e-mail j.weeks@npt.gov.uk) to agree the specification, enter an adoption agreement and arrange on site inspection of your works.

Any agreement to adopt the roads relating to his development should be entered into with the Council prior to the commencement of development. Such an agreement will be under Section 278 and Section 38 of the Highways Act 1980 relating to the specification, timescale and subsequent adoption of the roads and a Bond to ensure that the Authority can complete the works if the developer defaults on the roadworks.

For the implementation of the Traffic Regulation Order you should contact the Project Manager – Highways of Neath Port Talbot County Borough Council at The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG (FAO Mr Martin Brumby e-mail m.brumby@npt.gov.uk or telephone 01639 686013) who will advise you of the procedure for the implementation of the required Traffic Regulation Order.

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*Please note this process can take up to 4 months – subject to the consultation process outcome.

(3) Welsh Water Advisory Notes

If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Developer Services on 0800 917 2652.

Some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal we request the applicant contacts our Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The Welsh Government have introduced new legislation that will make it mandatory for all developers who wish to communicate with the public sewerage system to obtain an adoption agreement for their sewerage with Dwr Cymru Welsh Water (DCWW). The Welsh Ministers Standards for the construction of sewerage apparatus and an agreement under Section 104 of the Water Industry Act (WIA) 1991 will need to be completed in advance of any authorisation to communicate with the public sewerage system under Section 106 WIA 1991 being granted by DCWW.

On the 1st October 2012 the Welsh Government introduced the Welsh Ministers Standards and we would welcome your support in informing applicants who wish to communicate with the public sewerage system to engage with us at the earliest opportunity. Further information on the Welsh Ministers Standards is available for viewing on the Developer Services Section of our website - www.dwrcymru.com

Further information on the Welsh Ministers Standards can be found on the Welsh Government website - www.wales.gov.uk

SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

WATER SUPPLY

Dwr Cymru Welsh Water has no objection to the proposed development.

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Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact Welsh Water on 0800 917 2652 or via email at developer.services@dwrcymru.com

(4) It is recommended that vegetation clearance should avoid the bird breeding season 1st March to 31st July inclusive in accordance with the Wildlife and Countryside Act 1981 (as amended). A note should be added to the planning permission, if granted, to this effect.

Signed : 
Nicola Pearce – Head Of Planning

Date: 26/01/2016

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