

Reference No: P2015/0641

**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

GRWP GWALIA CYF
7 - 13 THE KINGSWAY
SWANSEA
SA1 5JN

Name and address of the agent

STRIDE TREGLOWN
TREGLOWN COURT
DOWLAIS ROAD
CARDIFF
CF24 5LQ

DATE REGISTERED: Monday, 13 July 2015

APPLICATION NO: P2015/0641

LOCATION: PORT TALBOT POLICE STATION STATION ROAD PORT
TALBOT

PROPOSAL: Demolition of existing police station and erection of a four storey mixed use development of 30 one bed flats and 3 commercial units (Use class A1 and A3). Re-consultation following receipt of Flood Consequences Assessment addendum and further flood data (April 2016).

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:-

This Decision Notice is REVISION NUMBER 9, issued on July 22nd 2019

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Time Limit 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.

Approved Plans

(2) The development shall be carried out in accordance with the following approved plans and documents:

- Site Location Plan EX0002
- Proposed Demolition Plan PL0010
- Proposed Site Plan PL0001
- Existing Site Plan 70144 EX0003
- Proposed Slab Levels PL0009
- Proposed Ground Floor Plan PL0002 I
- Proposed First Floor Plan PL0003 I
- Proposed Second Floor PL0004 I
- Proposed Third Floor Plan 70144 PL0015 D
- Proposed Roof Plan PL0007 E
- Proposed Site Sections 70144 PL0008 G
- Proposed Street Elevations 70144 PL0005
- Proposed Courtyard Elevations 70144 PL0006
- Existing Boundary Treatment Plan EX0001 A
- Proposed Boundary Treatment Plan PL0011 F
- Boundary Treatment Details PI0012
- Design and Access Statement
- Day Time Inspection Survey Report
- Travel Plan
- Construction Impact Assessment
- Delivery Management Plan
- Flood Consequences Assessment
- Phase 2 Site Investigation

Reason

In the interests of clarity.

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

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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) Prior to work commencing on construction a scheme shall be submitted detailing surface water drainage proposals to prevent surface water discharging onto or over the public highway.

Reason

In the interest of highway safety

Details in respect of the above condition were approved by Planning Permission P2017/0601 on September 20th 2017.

(5) Notwithstanding the submitted demolition method statement no development shall take place, including any works of demolition until a Construction and Demolition 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.
- ii. Loading and unloading of plant and materials
- iii. Route to be taken by delivery and Heavy Goods Vehicles to and from the site.
- iv. Storage of plant and materials used in constructing the development.
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- vi. Measures to control the emission of dust and dirt during construction and demolition.

Reason

in the interest of highway safety

Details in respect of the above condition were approved by Planning Permission P2017/0601 on September 20th 2017.

(6) Notwithstanding the submitted details, prior to the commencement of works on the superstructure of the building, details for the provision of artificial nesting sites for birds shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include manufactured bird bricks incorporated into the fabric of the building.

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Development shall be undertaken in accordance with the approved scheme, and retained as such thereafter.

Reason

In the interest of biodiversity, as the proposals will remove potential bird nesting/foraging habitats which must be mitigated for under the Habitat Regulations (amended 2012).

Details in respect of the above condition were approved by Planning Permission P2017/0601 on September 20th 2017.

(7) Prior to the commencement of work on site a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risk to human health, buildings, other property and the natural and historical environment shall be prepared and submitted to and agreed in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without acceptable risks to workers, neighbours and other offsite receptors.

Details in respect of the above condition were approved by Planning Permission P2017/0601 on September 20th 2017.

Action Conditions

(8) Notwithstanding the submitted delivery management plan should the Local Planning Authority make such a request in writing following receipts of complaints whereby deliveries to the proposed development persistently overlap and create a nuisance to other road users a review of the delivery management plans shall take place within 4 weeks of such a request, with an emphasis on resolving the identified problem. The amended delivery management plan shall be submitted to and approved in writing by the Local Planning Authority and implemented as approved.

Reason

In the interest of highway safety.

(9) Prior to first occupation the car parking scheme identified on Dwg PL0001 Rev H shall be hard surfaced in bituminous bound material concrete or block paviers, clearly marked out and retained as such thereafter.

Reason

In the interest of highway safety

(10) Prior to first occupation of the **commercial units**, the loading bay and associated footway works shall be ~~constructed~~ **completed** in accordance with a scheme to be first

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submitted to and approved in writing by the Local Planning Authority. This scheme shall include all necessary road markings and signage to facilitate a loading order for goods vehicles and no waiting at any time.

Details in respect of the above condition were approved by Planning Permission P2019/5079 on July 2nd 2019.

Reason

In the interest of highway safety

The above condition was amended by means of Non Material Amendment Application P2018/0992 approved on December 3rd 2018

(11) The travel plan hereby submitted shall be implemented and the developers appointed travel plan co-ordinator shall submit the information to the Local Planning Authority required by Table 5.1 of the implementation strategy.

Reason

In the interest of highway safety.

Details in respect of the above condition were approved by Planning Permission P2019/5190 on July 22nd 2019

(12) Prior to their use in the development hereby approved, details and samples of the materials to be used in the construction of the external surfaces of the development, together with all external areas hereby permitted shall be 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 interests of visual amenity

Details in respect of the above condition were approved by Planning Permission P2017/1168 on January 3rd 2018. Please note: the detail agreed under this condition relate to brickwork, render and window and curtain walling. Details of external cladding have yet to be agreed.

Details in respect of the external cladding were approved by Planning Permission P2018/0976 on November 29th 2018.

(13) Prior to beneficial use of the proposed development commencing, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in accordance with Condition 7 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

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ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Details in respect of the above condition were approved by Planning Permission P2018/1046 on March 6th 2019

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

(15) Prior to first beneficial use of any A3 unit a scheme for the extraction and control of cooking odours shall be designed in accordance with the DEFRA document "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" shall be submitted to and approved in writing by the Local Planning Authority. All equipment installed as part of the scheme shall be operated and maintained in accordance with the approved details for as long as the use continues.

Reason

To protect the amenity of the locality, especially for people living and/or working nearby.

(16) No deliveries by Heavy Goods Vehicles shall be made to the approved Class A1 or A3 uses outside of the hours 07:00-19:00. All deliveries outside of these hours should be arranged in accordance with Department for Transport document "Quiet Deliveries Good Practice Guidance - Key Principles and Processes for Retailers".

Reason

To protect the amenity of the locality, especially for people living and/or working nearby.

(17) Prior to the first beneficial use of any of the hereby approved dwellings a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 25% of the housing units;

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- ii. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing.
- lii. The arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
- iv. The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. the occupancy criteria to be used for determining the identity of the occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason

To ensure the satisfactory provision of affordable housing in perpetuity in accordance with Policy AH1 of the Neath Port Talbot Local Development Plan.

Details in respect of the above condition were approved by Planning Permission P2018/0996 on January 3rd 2019

(18) Prior to the first beneficial use of any hereby approved residential/commercial units commencing, a Flood Emergency Plan shall be produced and submitted to and approved in writing by the Local Planning Authority detailing what measures should be taken by residents in the event of a flood occurring, including detailed plans for staying in situ and measures for evacuating the property. All future residents of the residential units shall be provided with a copy of the Flood Emergency plan on moving into each property. The hereby approved plan shall then be implemented in the occurrence of such an event.

Reason

To ensure the safe evacuation of residents in the event of flooding.

Details in respect of the above condition were approved by Planning Permission P2018/0944 on December 17th 2018.

REASON FOR GRANTING PLANNING PERMISSION

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

Having regard to Policies SP4, SP7, SP8, SP10, SP21, SC1, I1, AH1, TR2, BE1 and national guidance in Planning Policy Wales (Edition 9) 2016 TANs 2,5,11,12,15,16 and 18 it is considered that the re-development of this site which is allocated within the Neath Port Talbot Local Development Plan, will contribute towards the delivery of housing within the County Borough in a sustainable location. Furthermore, it will contribute significantly to the character of the area and the ongoing regeneration of Port Talbot under the Vibrant and Viable Places Programme, would be acceptable in terms of managing flood risk, and would not have a significant impact on highway and pedestrian safety, residential amenity, foul, surface water discharges, and ecological issues.

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Signed : 
Nicola Pearce – Head of Planning & Public Protection

Date: 03/03/2017

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 .

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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):-
 - Planning Permission (with the exception of Minor Commercial and Householder applications – see below) Within 6 Months
 - Householder Appeal ^{see endnote i} Within 12 weeks
 - Minor Commercial Appeal ^{see endnote i} Within 12 weeks
 - Listed Building or Conservation Area Consent appeals Within 6 months
 - Tree Preservation Order (TPO) Consent Within 28 days
 - Advertisement Consent Within 8 weeks
 - Certificate of Lawfulness of Existing (Section 191) or Proposed (Section 192) Use or Development Within 6 months
 - Hazardous Substances Consent Within 6 months
5. Appeals must be made on a form which is obtainable from the Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ – Tel 0303 444 5940, or online at www.planningportal.gov.uk/pcs .
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

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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 686949 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.