

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT**

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT
PROCEDURE) ORDER 1995**

APPROVAL OF FULL PLANNING PERMISSION

Name and address of the applicant Name and address of the agent

**Asbri Planning
1st Floor Westview House
Unit 6 Oak Tree Court
Mulberry Drive
Cardiff Gate Business Park
CF23 8RS**

Whereas on the Friday, 19 March 2010 you submitted an application for the following development:-

PROPOSAL Variation of condition 17 of planning permission
 P2003/1330 granted on 12/07/05 to allow phased
 submission of geotechnical surveys
LOCATION Land off Heol y Glyn Glynneath Neath

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 the original planning permission P2003/1330 (approved on 12/07/05).

Reason

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

(2) Unless otherwise agreed in writing, the external materials to be used in the development shall be as agreed under planning application P2010/0184 on 06/05/10.

Reason

In the interest of the visual amenity of the area.

(3) The development shall include works for the control of effluent which shall be designed, engineered and maintained in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority to prevent any contaminated surface water drainage from entering a watercourse. The scheme shall be implemented prior to the occupation of each associated dwelling.

Reason

In order to ensure the provision of adequate foul drainage.

(4) Adequate provision, in accordance with a scheme to be first submitted to, and approved in writing by, the Local Planning Authority, shall be made for the drainage of the land. Such scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected. The scheme shall be implemented prior to the occupation of each associated dwelling.

Reason

To ensure satisfactory drainage.

(5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure without the prior grant of planning permission in that behalf other than that granted permission by this consent.

Reference No: P2010/0260

Reason

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted.

(6) The integral and attached garages shall not be converted to residential use unless a scheme for replacement car parking has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to the commencement of any conversion works and shall provide for one additional car parking space for each space lost by any conversion works.

Reason

To ensure that adequate car parking provision is maintained within the curtilage of the dwelling in the interest of highway safety.

(7) The use of separate garages 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 interests of amenity and to clarify the extent of this consent.

(8) No dwellings shall be occupied until the necessary on site foul drainage infrastructure has been completed and:

(i) Connected to the existing 375mm public combined sewer at manhole SN86058501 as marked on the statutory sewer record plan (Dwg WW/01 attached); or

(ii) The essential improvements to the public sewerage system, in particular, the combined sewer overflows at High Street Ref: SN87069403, Godfrey Avenue Ref: SN87053901, Chain Bridge Ref: SN86059604 have been completed and this has been confirmed in writing by the Local Planning Authority.

Reason

To prevent hydraulic overload of the public sewerage system and pollution of the environment.

(9) Unless otherwise agreed in writing, any work on land containing Fallopia Japonica (Japanese Knotweed), Giant Knotweed or any Knotweed hybrid shall be undertaken in accordance with the scheme agreed under planning application P2010/0039 on 21/01/10.

Reason

In the interests of ecology and visual amenity.

Reference No: P2010/0260

(10) Unless otherwise agreed in writing, the landscaping of the site shall be in accordance with the scheme agreed under planning application P2007/0252 on 11/05/07.

Reason

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

(11) Prior to commencement of work on site, a ghost island right turn lane shall be provided on Heol Y Glyn in accordance with a scheme which shall first be submitted to and approved in writing by the Local Planning Authority. This scheme shall include street lighting of the junction, anti skid surfacing, high visibility junction signs, slow markings on road etc.

Reason

In the interests of highway safety.

(12) Prior to the commencement of works on the dwellings, the site roads (or roads for any phase of the development agreed in writing by the Local Planning Authority) shall be constructed up to and including binder course and all roads completed prior to occupation of the last dwelling.

Reason

In the interests of highway safety.

(13) Prior to occupation of any dwelling a surfaced and lit footway shall be provided from Heol Y Glyn to the dwelling.

Reason

In the interests of highway safety.

(14) Prior to commencement of any work on the dwellings, a scheme for street lighting and road drainage shall be submitted to and approved in writing by the Local Planning Authority and each installed on site in accordance with the approved plans.

Reason

In the interests of highway safety.

(15) All drives/parking spaces shall be hardsurfaced in tarmacadam, concrete or block paving to a maximum gradient of 1 in 9 prior to occupation of that particular dwelling.

Reason

In the interests of highway safety.

(16) Prior to the occupation of any associated dwelling, pedestrian vision splays of 2.4 metres by 2.4 metres (measured back from back of footway) shall be provided each side of each access and maintained thereafter so that

Reference No: P2010/0260

nothing over 600mm in height is erected or allowed to grow within the splay area.

Reason

In the interests of highway safety.

(17) Unless otherwise agreed in writing, prior to the commencement of development, a phased programme of works for the construction of the access road shall be submitted to and approved in writing by the Local Planning Authority. The phased programme of works shall include geotechnical surveys of each of the identified phases and the works shall be carried out in accordance with the agreed details. The first phase shall include details of a minimum length of 50m of access road together with boreholes for the first 60m, taken at 10m intervals, showing the ground conditions under the proposed part of the road taken along the centre line and measures proposed to overcome deficiencies, and this shall be submitted to and approved in writing by the Local Planning Authority. Any subsequent phases shall take boreholes a minimum length of 10m beyond the part of the highway to be constructed, and no part of the highway shall be constructed in excess of the submitted and approved length.

Reason

In the interests of highway safety and structural stability, in view of the tipped material on the site.

(18) Unless otherwise agreed in writing, prior to construction of the proposed highway, all remedial measures to the existing ground, as proposed by the scheme required by Condition 17, shall be completed on site to the satisfaction of the Local Planning Authority.

Reason

In the interests of highway safety and structural stability, in view of the tipped material on the site.

(19) Notwithstanding the submitted plans, prior to commencing any work on the link to Woodland Park, a scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall show how vehicular access is to be retained to the existing garages, cross sections showing construction details and signing, drainage, lighting and type of bollards proposed in order to prevent general vehicular use of the access. The link shall be provided as per the approved scheme when the cul de sac has been completed to base course level.

Reason

In the interests of highway safety.

Reference No: P2010/0260

(20) Notwithstanding the details shown on the Long Section Drawing 3174 111A, prior to the occupation of any associated dwelling, a near level platform of no greater than 1 in 25 for the first 15 metres shall be created at the junction of road 1 with Heol Y Glyn and the junction of Road 1 with Road 2 with the vertical curve not starting until the first 15 metres has been cleared.

Reason

In the interests of highway safety.

(21) No pedestrian or vehicular access shall be constructed from the properties onto Heol Y Glyn.

Reason

In the interests of highway safety.

(22) Prior to the construction of any retaining wall details shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include engineering calculations.

Reason

In the interests of safety and amenity.

(23) Unless otherwise agreed in writing, the archaeological watching brief shall be undertaken by the nominated archaeologist agreed under planning application P2010/0303 on 20/04/10.

Reason

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

(24) No surface water or land drainage shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

(25) Foul water and surface water discharges shall be drained separately from the site.

Reason

To protect the integrity of the Public Sewerage System.

(26) No trees shall be felled or cut back other than that indicated on the submitted plan.

Reason

In the interest of visual amenity.

Reference No: P2010/0260

(27) Any importation of material shall cease within 12 months of its commencement, unless otherwise agreed in writing with the Local Planning Authority. The Local Planning Authority shall be notified in writing when operations commence within 7 days of the commencement of tipping operations.

Reason

In the interest of amenity.

(28) Unless otherwise agreed in writing, plots 24 to 27 shall be constructed in accordance with the re-designed scheme agreed under planning application P2007/0253 on 11/05/07.

Reason

In the interest of visual amenity

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.

It is considered that the proposed variation of condition 17 would not have a detrimental impact upon residential amenity or upon the character and appearance of the surrounding area, and there would be no adverse impact upon highway and pedestrian safety. Hence, the proposed development would be in accordance with Policies GC1, T1, ENV17 and H3 of the Neath Port Talbot Unitary Development Plan. Approval is therefore recommended.



Signed : Signed :

Geoff White – Head Of Planning

Date: 23/04/2010

Reference No: P2010/0260

NOTES TO DEVELOPER

(1) Under the 1990 Environmental Protection Act it is an offence to deposit Japanese Knotweed or soils containing Japanese Knotweed, anywhere other than a licensed site. For information on local sites licensed to receive Knotweed, contact the Environment Agency. Under the 1990 Environmental Protection Act it is an offence to deposit Japanese Knotweed or soils containing Japanese Knotweed, anywhere other than a licensed site. For information on local sites licensed to receive Knotweed, contact the Environment Agency.

(2) You are advised that the trees within the site are protected by a Tree Preservation Order and that further permission will be required if works to trees are proposed in excess of that allowed by this consent.

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) Before commencing development, the developer is advised to contact Hyder Network Development Consultants on 01443 331155 in relation to building in the vicinity of a sewer or a connection to a sewer.

(4) The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.

Reference No: P2010/0260

- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips. Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com