

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2019/0021	<u>DATE:</u> 04/01/2019
PROPOSAL:	140 residential units with associated infrastructure (Outline with all matters reserved.)
LOCATION:	Heritage Gate, Coed Llandarcy, Llandarcy, Neath SA10 6HZ
APPLICANT:	Heritage Gate
TYPE:	Outline
WARD:	Coedfrancc West

SITE AND CONTEXT

The application site forms part of the original BP landholdings that formed the wider BP Llandarcy refinery site. This was closed and the majority of structures and buildings demolished.

The wider site was granted planning permission in 2008 for an urban village known now as Coed Darcy, whilst this site formed a precursor to that development, known as Heritage Gate, or Area 1.

The site was granted outline, and then subsequently reserved matters approval for residential development in 2005 and 2006. Phase 1 of that development for approximately 68 units plus the commercial unit (Vacant) were constructed, however, the roads have still not been adopted.

The remainder of the site has been stalled since that time, and whilst various proposals have been submitted to re-plan the site, none have proceeded to determination as viability proved to be a major stumbling block in delivery. Those applications were withdrawn by the developer prior to any determination by the Local Authority.

DESCRIPTION OF DEVELOPMENT

This application seeks outline permission with all matters reserved for the construction of 140 dwellings on the extent of the site previously granted permission. It does not alter the proposed uses on the site, nor significantly alter the overall scale of development than previously approved.

The applicant has provided an indicative layout plan to support the application, that provides more clarity on the scale and density of the development, and indicative street scenes and house types. These show proposals, not dissimilar to that previously constructed. However, as highlighted previously in this report, or a more consistent design and aesthetic, to improve viability of the development.



Indicative Street Scene



The applicant has also provided the following parameters of development: -

Type	Storeys	Depth (mm) of single plot		Width (mm) of single plot		Eaves (mm)		Ridge (mm)	
		Min	Max	Min	Max	Min	Max	Min	Max
Apartment block	3 or 4	7,000	25,000	7,000	25,000	5,000	15,000	6,800	17,000
2 bed bungalow	1	4,000	12,000	4,000	12,000	2,100	3,900	3,900	12,500
2 bed house	2	4,000	12,000	4,000	12,000	3,900	6,900	6,800	15,000
3 bed house	2 or 2.5	4,000	12,000	4,000	12,000	3,900	9,600	6,800	15,000
3 bed wide frontage	2 or 2.5	4,000	12,000	4,000	12,000	3,900	9,600	6,800	15,000
4 bed house	2 or 2.5 or 3	4,000	12,000	4,000	12,000	3,900	9,600	5,800	17,000

This improved viability of this revised proposal is borne out by the applicants inclusion of a natural play area for children incorporated into the site, where previously there was only informal open space, together with the applicants agreement to provide affordable housing, and a financial contribution to address shortfalls of open space and play provision in the area as a whole.

These matters are looked at in more detail later in this report.



In support of the application the applicant provides a land contamination report, coal mining risk assessment, design and access statement, ecological assessment and preliminary drainage information.

All plans / documents submitted in respect of this application can be viewed on the [Council's online register](#).

NEGOTIATIONS

Negotiations in relation to the layout, and contributions were undertaken as part of the application process, together with requests for the provision of open space/ play area on the site.

PLANNING HISTORY

The application site and wider Coed Darcy development has an extensive planning history, with the following being of relevance to this application: -

- **P2002/0143** Mixed use development, major use: Housing (C3), Employment (B1), Potential ancillary uses including non residential institutions (D1), Local shop – Approved with conditions 09/09/03
- **P2004/1742** Outline residential development (extension to previously approved outline development site application No. 02/143) – Approved with conditions 22/02/05
- **P2005/0809** Outline residential development (extension to previously approved outline development site application No 02/143) – Approved with conditions 02/11/05
- **P2006/0880** Reserved matters application (of planning application 05/1284) for 144 residential units and commercial accommodation for a1/a3 uses, including highway, landscaping and tree works – Reserved matters approved 31/10/0
- **P2006/0881** Reserved matters application (of planning application 05/1287) for 23 residential units (and 11 part units) including highway and landscaping works – Reserved matters approved 31/10/06
- **P2006/0883** Reserved matters application (of planning application 05/809) for 11 residential units (and 3 part units) including highway and landscaping works – Reserved matters approved 31/10/06

- **P2006/0885** Residential development comprising 17 units including highway and landscape works (revised plans, additional tree survey and revised transport assessment) – Full plans approved 31/10/06
- **P2007/1762** Reserved matters application for the construction of 52 residential units including highway & landscaping works (details pursuant to conditions 1 & 2 of outline planning permission 05/1284) – Approved with conditions 28/05/08
- **P2018/1027** Construction of 8 No. detached two storey dwellings with associated off street parking, retaining and highway works. Approved 11-MAR-19

CONSULTATIONS

Head of Engineering and Transport, Highway Section - No Objection, subject to conditions.

Head of Engineering and Transport, Drainage Section - No Objection, Subject to conditions.

Crime Prevention - Raise comments in respect of detailed design.

Contaminated Land - No Objection, subject to standard conditions.

Biodiversity - No Objection, subject to conditions.

Dwr Cymru Welsh Water - No Objection.

NRW - No Objection, subject to imposition of conditions in respect of contamination and ground water.

Coal Authority - No Objection subject to conditions.

Glamorgan Gwent Archaeological Trust - No Objection.

REPRESENTATIONS

The neighbouring properties were last consulted on 4th October 2019. A site notice was also displayed on site. The application was also advertised in the press.

In response, to date 3 no. representations have been received, with the issues raised summarised as follows: -

- Highway issues in terms of noise pollution and congestion.
- Design and external materials and issues on amenity.
- Issues that relate primarily to the Coed Darcy development not this site.

REPORT

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.

National Planning Policy:

[Planning Policy Wales](#) (Edition 10) was extensively revised and restructured at the end of 2018 to take into account the themes and approaches set out in the Well-being of Future Generations (Wales) Act 2015, and to deliver the vision for Wales that is set out therein.

PPW10 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision making process.

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

- TAN 2: Planning and affordable housing.
- TAN 5 Nature conservation and planning.
- TAN 8 Renewable Energy.
- TAN 12 Design
- TAN 18 Transport.

Local Planning Policies

The Development Plan for the area comprises the [Neath Port Talbot Local Development Plan](#) which was adopted in January 2016, and within which the following policies are of relevance:

Strategic Policies

- **Policy SP1** Climate Change
- **Policy SP2** Health
- **Policy SP3** Sustainable communities
- **Policy SP4** Infrastructure
- **Policy SP7** Housing Requirement
- **Policy SP8** Affordable Housing
- **Policy SP10** Open Space
- **Policy SP15** Biodiversity and Geodiversity
- **Policy SP16** Environmental Protection
- **Policy SP18** Renewable and Low Carbon Energy
- **Policy SP19** Waste Management
- **Policy SP20** Transport Network

Topic Based Policies

- **Policy SC1** Settlement limits
- **Policy I1** Infrastructure Requirements
- **Policy SRA1** Coed Darcy Strategic Regeneration Area
- **Policy H1** Housing Sites
- **Policy AH1** Affordable Housing
- **Policy OS1** Open Space Provision
- **Policy EN6** Important Biodiversity and Geodiversity Sites
- **Policy EN7** Important Natural Features

- **Policy EN8** Pollution and Land Stability
- **Policy RE2** Renewable and Low Carbon Energy in New Development
- **Policy W3** Waste Management in New Development
- **Policy TR2** Design and Access of New Development
- **Policy BE1** Design

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- [Planning Obligations](#) (October 2016)
- [Parking Standards](#) (October 2016)
- [Affordable Housing](#) (October 2016)
- [Pollution](#) (October 2016)
- [Open Space & Greenspace](#) (July 2017)
- [Renewable and Low Carbon Energy](#) (July 2017)
- [Design](#) (July 2017)
- [Biodiversity and Geodiversity](#) (May 2018)

Issues

Having regard to the above, the main issues to consider in this application relate to the principle of development, together with the impact on the visual amenity of the area, the amenities of neighbouring residents, highway safety, biodiversity and pollution control.

Principle of Development

As stated previously, the site has previously benefited from planning permission in outline and reserved matters for residential development. The site is also allocated under the Local Development Plan under Policy H1/LB4.

The explanation of the Policy states that the scale of new proposals has been based on an appraisal of the locations to determine their suitability to accommodate growth having regard to existing social and physical capacity, the presence of environmental constraints and the extent to which development can provide, or compensate for, necessary additional social or physical infrastructure.

Para 5.1.11 also notes that in accordance with the strategy, the majority of the housing provision over the Plan period (2011-2026) will be provided within the urban areas of Neath and Port Talbot including the 'Strategic Regeneration Areas' and 'Coastal Corridor Regeneration Schemes'.

(5.1.13) The efficient use of land is an important element of the strategy, it is a scarce resource which has to be utilised effectively and in a sustainable manner. Policy in relation to density requirements can be found within Policy BE1 (Design). The number of units identified for each site ... is indicative and has either been based on details contained in a planning application or development brief or where no details have been provided the housing numbers represent the Council's assessment of an appropriate number of units, based on 35 dwellings per hectare (dph) in the urban areas and 30 dph in the valley areas. Sites located in sustainable places, near to transport nodes and a wide range of facilities where trips by foot, bicycle and public transport are easily accessible have been identified as sites where higher density development (40+ dph) is likely to be appropriate and will be encouraged.

The specific allocation H1/LB4 Area 1 Coed Darcy specifies up to 157 units on a 3.8ha site, with 68 residential units already delivered on part of that site. In his respect the principle of the developing the site for residential use has been long established, and it is considered that this development, whilst an iteration of that previously approved, does not significantly alter the scheme to an extent that alters the principle of development on this land.

This application relates to a site of 2.99Ha, with 140 dwellings proposed, which equates to a gross density of 46 dwellings per hectare, which fully accords with the objectives of Policy BE1 in securing high quality, high density development.

It is therefore considered that the proposals accord with the overarching land use policies on this site, and therefore accord with Policy H1 of the Neath Port Talbot Local Development Plan.

Impact on Visual Amenity

The proposed development is in outline with all matters reserved, however it is clear from the information provided that the applicant has

considered the form and scale of the proposed development to accord generally with the phase of development already constructed, and reflect the overall aesthetic of the properties constructed on the wider Coed Darcy site. In addition the proposals need to consider the arts and craft layout and design of the adjacent Llandarcy Conservation Area.

The applicant has provided indicative house types and street scenes to outline their draft proposals, and the indicative layout provides a layout that links to the existing highway network to ensure integration with the wider residential areas, and existing communities of Coed Darcy and Llandarcy Village. In addition the site layout incorporates an on-site play area to serve residents.

There are issues with the proposed layout that would need to be addressed through any reserved matters application, and these have been highlighted to the applicant, but are nevertheless considered relevant to subsequent reserved matters approval not the current outline application. These include the layout of parking adjoining the play area, some plot orientation, and the routing and alignment of the footpath link between Coed Darcy and this development. There are issues in respect of crime prevention that have also been highlighted through consultation, and these again can be dealt with at reserved matters stage.

Issues raised during consultation by neighbour objection on materials and design are noted, however as highlighted these will be considered in detail if reserved matters are progressed.

The provision of the Landscaped Local Area for Play (LLAP) within the reserved matters submission will be conditioned along with the need for ongoing management proposals in respect of the same.

Impact on Conservation Area

Part of the site lies within the designated Conservation Area of Llandarcy Village, wherein Policy SP21 emphasises the need to conserve and enhance the built environment and historic heritage.

The area of land lies to the opposite site of Tank Farm Road than the village itself, and is not distinct or dissimilar in nature than the remainder of the application site. The proposed residential development is not materially different from the previous applications,

and does not alter the impacts of the development upon the Conservation Area than previously considered.

Notwithstanding this, it is clear that any development that will provide a frontage and closer location to those existing properties within Llandarcy Village and this will be a matter that will be considered in more detail at reserved matters stage.

Impact on Residential Amenity

The development proposes residential development in a residential area, on a site allocated for residential use. The details are in outline, and matters of amenity would be considered under reserved matters.

Whilst concerns over the exact location of properties, and windows have been raised through consultation, these issues are looked at under reserved matters, and it is only the principle of the development proposed that is considered under this outline permission. In this respect it is considered that any such detailed matters can be addressed at reserved matters stage.

Parking and Access Requirements and Impact on Highway Safety

The Head of engineering and Transport, Highway Section have considered the proposals and raised concerns over the indicative layout, and issues in relation to the tank farm road. In addition matters of parking and connectivity have also been raised. However, as highlighted previously, suitably worded conditions will address these requirements as part of any reserved matters application.

With regard to issues on traffic congestion and noise etc, raised as part of the public consultation, the site does benefit from a previous planning permission and for a similar number of units in total. In addition the site is allocated for residential development within the Local Development Plan. It is not considered that the proposals would result in significant impacts upon highway and pedestrian safety, and the connectivity with the main Coed Darcy site to the north will ensure that vehicles can enter and leave the site at multiple exits and entry points to alleviate any build-up of traffic.

The junction arrangements at the entrance to J43 of the M4 have previously been improved, and further improvements are to be made as part of the wider Coed Darcy Development. Accordingly the outline

proposal is considered to be acceptable and to comply with Policies BE1 and TR2 of the Neath Port Talbot Local Development Plan.

Biodiversity / Ecology

The applicant has provided surveys covering the site, including reptile surveys. The Biodiversity Unit offer no objection subject to the recommendation of the Preliminary Ecological Assessment being carried out.

As such it is considered that the proposed development would accord with Policies EN6 and EN7 of the Local Development Plan apply.

Drainage

The applicant has provided an indicative drainage strategy, and the Head of Transport and Engineering, Drainage Section, offer no fundamental objection, but will require further details as part of any reserved matters application.

Dwr Cymru Welsh Water offer no objection to the proposed development in terms of sewerage connection, or water supply.

Contaminated Land

The site was part of the wider BP Oil Refinery site, and investigation into the potential land contamination was undertaken, and subsequent remediation undertaken, as part of the previous permissions on this site. Noting that phase one of the development was completed, but the remainder of the site left for a number of years, post completion of this work.

Policy EN8 of the Local Development Plan refers to Pollution and Land Stability.

The applicant has provided copies of the assessments and remediation undertaken at that time, and further updates on the land contamination, including assessment of stockpiles of material placed on site by others, whilst the development on this site has been stalled.

Whilst this information has addressed some of the matters raised through consultation with NRW and the Authority's own Land Contamination Section, it is not considered that this addresses the full

requirements. As such both NRW and Land Contamination request that suitable conditions are imposed in relation to both human health, and also potential contamination of ground water.

Archaeology

Glamorgan Gwent Archaeological Trust have offered no objection to the proposed development. There are no sites or points of interest within the application site.

Other matters

The scale of the proposed development will require the applicant to address both Waste Management and an Energy assessment. Policies W3 and I1 plus the Supplementary Planning Guidance on Planning Obligations apply. The applicant will need to address these through the submission of assessments to support reserved matters applications.

Section 106 Planning Obligations

Local Development Plan **Policy SP 4** (Infrastructure) states that “Developments will be expected to make efficient use of existing infrastructure and where required make adequate provision for new infrastructure, ensuring that there are no detrimental effects on the area and community. Where necessary, Planning Obligations will be sought to ensure that the effects of developments are fully addressed in order to make the development acceptable”.

Policy I1 (Infrastructure Requirements) then states that “In addition to infrastructure improvements necessary to make a development acceptable in health, safety and amenity terms, additional works or funding may be required to ensure that, where appropriate, the impact of new development is mitigated. These requirements will include consideration of and appropriate provision for: Affordable housing; Open space and recreation facilities; Welsh language infrastructure (in language Sensitive Areas); Community facilities including community hubs; Biodiversity, environmental and conservation interests; Improving access to facilities and services including the provision of walking and cycling routes; Historic and built environment and public realm improvements; Community and public transport; Education and training.

The Community Infrastructure Levy Regulations 2010 came into force on 6th April 2010 in England and Wales. They introduced limitations on

the use of planning obligations (Reg. 122 refers). As of 6th April 2010, a planning obligation may only legally constitute a reason for granting planning permission if it is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In this case, the proposal relates to a planning application for the development of residential development

In view of the type and form of development proposed in this location, having regard to local circumstances and needs arising from the development, the following planning obligations are considered necessary to make the development acceptable in planning terms and to meet the policy and legislative tests for planning obligations.

Affordable Housing

Policy AH1 of the Neath Port Talbot Local Development Plan states that all new housing developments will be required to contribute to affordable housing provision. Within the Port Talbot / Neath spatial area, a 25% affordable housing target is sought.

The applicant has confirmed that is their intention to deliver 25% affordable housing as part of the development. A suitably worded condition will be added to any permission issued.

Public Open Space / Children’s Play Facilities

Policy OS1 states where there is a quantitative deficiency in outdoor sport, children’s play, informal space or allotments, provision will be sought, including the requirement for maintenance in conjunction with all new residential developments of 3 or more dwellings, based on the following standards:

<u>Open Space</u>	<u>Standard</u>
Outdoor Sport	1.6 hectares per 1,000 population
Children’s Play	0.25 hectares per 1,000 population
Informal Space	0.55 hectares per 1,000 population
Allotments	0.19 hectares per 1,000 population

Having regard to the 'Open Space Assessment 2013, produced in support of the adopted Local Development Plan, it is noted that there are existing ward shortfalls in respect of non pitch sport and allotments in Coedfranc West.

Accordingly, the existing deficiencies would be exacerbated by the increase in population arising from the proposed development, and there is a need for the development to contribute towards addressing such deficiency.

The applicant has been advised (and has agreed) that the development should support a financial contribution towards these shortfalls as follows:

- Non pitch sport – £144,200
- Allotments – £6,720

Total S106 contribution £150,920

These will need to be secured through a section 106 agreement.

Other Matters

The issues raised as part of the consultation process received from residents of the existing site, and adjoining Coed Darcy site has been predominantly addressed within this report in relation to highway and amenity issues.

It should be noted that issues raised in respect of programmed infrastructure on the Coed Darcy Urban Village site is not relevant to this application, and not a material consideration in this case.

CONCLUSION

The decision to recommend 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 (2011–2026) adopted January 2016.

It is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on visual amenity and the character of the area as a whole, including the Conservation Area designation. Highway and pedestrian safety, residential amenity, pollution and biodiversity. Accordingly, the proposed development is in accordance with Policies SC1, I1, H1, AH1, OS1, EN6, EN7, EN8, RE2, W3, TR2 and BE1 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION

Approve subject to the signing of a S106 Legal Agreement requiring a financial contribution of £150,920 for off site open space and play provision within the Ward of Coedffranc West, and subject to the following conditions.

Time Limit Conditions

- 1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason:

The application was made for outline planning permission.

- 2 Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 3 The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

List of Approved Plans

- 4 The development shall be carried out in accordance with the following approved plans and documents:
- 9117_PH2_SCH01_Location_Plan
 - 9117_PH2_OA_PL03_Preliminary_Site_Plan
 - 9117_PH2_OA_Parameters_schedule_Rev_B_
 - 9117_PH2_OA_PL04_Preliminary_Street_Elevations
 - 2304-005 Outline LLAP Play Area Design
 - Earth Science Partnership CMRA Phase 1
 - ESP.7103h.3169 - Phase 2 CMRA
 - Hawkeswood Ecology Preliminary Ecological Assessment Nov.2018
 - Hawkeswood Ecology Reptile Survey July 2019
 - T18.185.D1 Transport Statement Asbri Transport, Nov.18
 - URS Remediation Report

Reason: In the interests of clarity.

Action Conditions

- 5 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
 - 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.

- 6 As part of the first reserved matters application, a Waste Management Plan for the control, management, storage and disposal of any waste material generated by the development shall be submitted to and approved in writing by the Local Planning Authority. All waste shall be treated in accordance with the agreed waste plan. The plan shall be implemented as approved

Reason:

To ensure the appropriate disposal of any waste arising from the development in terms of protection of the environment and to ensure the sustainability principles are adopted during development and complies with Policy W3 of the Neath Port Talbot Local Development Plan.

- 7 As part of the first reserved matters application an Energy Assessment which shall include, but not be limited to proposed methods of energy production and generation, including renewable energy, together with passive methods to be implemented to achieve energy reduction shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the scheme as approved.

Reason:

In the interest of sustainability and to comply with the requirements of Policy RE2 of the Neath Port Talbot Local Development Plan.

- 8 As part of the first reserved matters application, a plan subdividing the overall site area into phased development areas together with strategic infrastructure phases and temporary works, including any temporary car parking, to substantially accord with the concept masterplan hereby approved, and the parameters of development shall be submitted to and approved in writing by the Local Planning Authority This phasing plan shall include details of any temporary access

arrangements required in connection with site investigations (together with any associated details of surface water and ecological mitigation relating to such temporary works), timing of delivery of the development and a breakdown of the floor space of development by land use and the delivery of the on-site play area. The development shall be carried out in accordance with these approved details.

Phase one of the development must include the development and completion of the raised footway linking this site to Llandarcy village

Reason:

To allow the sub division of the overall site into coherent areas of land and the submission of reserved matters pursuant to each development area and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 9 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:
- a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) Storage facilities for all fuels, oils and chemicals
 - e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f) wheel washing facilities;
 - g) measures to control the emission of dust and dirt during demolition and construction; and
 - h) a scheme for recycling/disposing of waste resulting from demolition and construction works.
 - i) Details on any water features on the site and how they will be protected.
 - j) Full details of how any watercourses will be crossed or confirmation that this is not applicable.

- k) Any sources of pollution (including silt), potential pathways for that pollution to enter any watercourses within the vicinity of the site and appropriate pollution control measures to be implemented on site.
- l) Details of the nature, type and quantity of materials to be imported on to the site.
- m) Details on waste types that will be produced and how they will be managed.
- n) Details on any invasive species on site and how they will be managed.
- o) Identification of any buried services, such as foul sewers, so that they are protected.
- p) Details of emergency contacts, for example Natural Resources Wales' Pollution hotline 0800 807 060.

The Method Statement should then be efficiently communicated to all contractors and sub-contractors (for example via toolbox talks) and any deficiencies rectified immediately.

Reason:

In the interest of highway and pedestrian safety, the environment, and the amenity of residents, and to ensure accordance with Policies BE1 and TR2 of the adopted Neath Port Talbot Local Development Plan.

10 No development shall take place on any phase of development until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority for that phase. These details shall include:

- a) statement setting out the design objectives and how these will be delivered;
- b) earthworks showing existing and proposed finished levels or contours;
- c) means of enclosure and retaining structures;
- d) other vehicle and pedestrian access and circulation areas;
- e) hard surfacing materials;
- f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, etc.), and
- g) water features.

Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work where relevant).

The landscaping works shall be carried out in accordance with the approved details during the first planting season immediately following completion of that phase of development or an agreed implementation program. The completed scheme shall thereafter be managed and maintained in accordance with an approved scheme of management and maintenance.

Reason:

In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 11 As part of the first reserved matters application an assessment of the nature and extent of contamination affecting the application site area shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

(iii) an assessment of the potential risks to:

- human health,
- groundwater and surface waters
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- ecological systems,
- archaeological sites and ancient monuments; and- any other receptors identified at (i)

(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 12 No development shall commence on site until a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historic environment shall be prepared and submitted to and approved 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 unacceptable risks to workers, neighbours and other offsite receptors, and to ensure

compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 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 12 shall have been submitted to and approved in writing by 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 offsite receptors and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 14 If necessary, and approved as part of the remediation strategy, reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.'

- 15 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason:

There is an increased potential for pollution of controlled waters from inappropriate methods of piling.

- 16 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, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 17 Any topsoil (natural or manufactured), or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the Welsh Local Government Association guidance 'Requirements for the Chemical Testing of Imported Materials for Various End Uses'. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with the approved scheme.

Reason:

To ensure that risks from topsoil or subsoil to be imported to the site 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 offsite receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 18 As part of the first reserved matters application a report of findings arising from the intrusive site investigations and any remedial measures necessary, including the submission of a layout plan which identifies appropriate zones of influence (if the suspected mine entry within the northern part of the site is found present), and the definition of suitable 'no-build' zones; shall be submitted to and approved in writing by the Local Planning Authority. The development proposals shall strictly adhere to the recommendations as set out within this report, and any mitigation measures recommended.

Reason

To ensure that any coal mining legacy or land stability issues are robustly addressed in accordance with Policy EN8 of the Neath Port Talbot Local Development Plan.

- 19 As part of the first reserved matters construction details relating to the upgrading of Tank Farm Road shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be designed to include:
- the provision/upgrading of drainage
 - street lighting
 - highway construction and alignment of the carriageway with road narrowing and widening up to 7.3 metres
 - Provision of footways.
 - Implementation/provision of elevated footway around the 'Post office' building
 - Visibility splays to be annotated on the plan for any access junction onto this section of highway
 - Traffic calming measures

Reason

In the interests of Highway and Pedestrian safety.

- 20 As part of the first reserved matters application, a comprehensive drainage strategy for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of land, surface and foul water flows and thereafter implemented in accordance with the approved details and any phasing approved prior to the occupation of the development, and retained as such thereafter.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

- 21 As part of the first reserved matters application details of the proposed siting, design and finish of all proposed means of enclosure to all property boundaries shall be submitted to and approved in writing with the Local Planning Authority. The means of enclosure shall be erected in accordance with the approved details prior to the occupation of the proposed development and retained as such thereafter.

Reason:

In the interest of visual amenity and to ensure compliance with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 22 No development shall commence until a scheme for the provision of affordable housing as part of the development has been 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 housing units/bed spaces;
- (ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

- (iii) 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 occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason:

In order to secure an appropriate level of affordable housing in accordance with Policy AH1 of the Neath Port Talbot Local Development Plan.

- 23 The recommendations of the Preliminary Ecological Assessment by Hawkeswood Ecology 2018 shall be adhered to, and an updated ecological statement submitted to and approved in writing by the Local Planning Authority setting out the adherence to these recommendations as part of the first reserved matters application.

Reason

In the interests of ecology and biodiversity, and to accord with Policy EN6 and EN7 of the Neath Port Talbot Local Development Plan.