

**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

DR & MRS TEMBLETT
C/O AGENT

Name and address of the agent

MR CRAIG JONES -JCR PLANNING LTD
UNIT 2, CROSS HANDS BUSINESS
WORKSHOP
HEOL PARC MAWR
CROSS HANDS
SA14 6RE

DATE REGISTERED: Monday, 17 July 2017

APPLICATION NO: P2016/0878

LOCATION: NANT Y GASEG UCHAF FARM PONTARDAWE ROAD
PONTARDAWE SWANSEA

PROPOSAL: Conversion of agricultural outbuilding to self-contained holiday accommodation unit, demolition of single storey extension and construction of two no. single storey extensions and external alterations

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:-

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.

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Approved Plans

(2) The development shall be carried out in accordance with the following approved drawings Numbers:

-A102 Rev C Proposed plans and elevations dated 11/11/2016

-A101 Existing plans and elevations dated 01/12/2014

-GENPL/001A (Block plan and location plan) Dated 2016

Reason

In the interests of clarity

Pre-Commencement Conditions

(3) Notwithstanding the submitted plans and information, no development shall take place until a detailed structural survey carried out by a suitability qualified engineer has been submitted to and agreed in writing with the local planning authority. The structural survey shall demonstrate that the existing building is structurally sound, is capable of conversion and capable of accommodating the proposed works including the additional loads imposed through the introduction of another floor level, without substantial major external alteration or reconstruction. It shall also, if necessary, provide details of a methodology for the proposed works. The development shall be carried out in accordance with the agreed details.

Reason

To ensure that the building is structurally sound and capable of accommodating the proposed works

(4) Notwithstanding the submitted plans, no development shall commence until details of a scheme for the disposal of foul (including septic tank design and location) and surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the first use of the development and retained in perpetuity.

Reason

In order to ensure adequate foul and surface water drainage to serve the development

Action Conditions

(5) From the date of this decision, the operator shall maintain records of the names of visitors and their dates of occupation and shall make them available to the local planning authority at any time upon request.

Reason

In order to ensure that the accommodation is utilised for tourist holiday accommodation only.

(6) Samples of the materials to be used in the construction of the external surfaces 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.

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(7) Adequate provision shall be made for the drainage of the site, to ensure that the drainage of any adjoining land is not interrupted or otherwise adversely affected by the development.

Reason

To ensure adequate drainage of the site, development and adjoining land

(8) The development shall be carried out in accordance with section 7 (Recommendations) of the Bat Survey Report (issue 1, version A) dated June 2017

Reason

In the interests of ecology and clarity

Regulatory Conditions

(9) Notwithstanding the Town and Country Planning Use Classes Order 1987 (or any order revoking or reenacting the order) the development hereby permitted shall be used for tourist holiday accommodation only. Occupation of the holiday accommodation hereby approved shall be restricted to a maximum of twelve weeks within a twelve month period for any individual.

Reason

To ensure that the accommodation is utilised for tourist accommodation

(10) No surface water and land drainage run-off shall be allowed to connect/discharge (either directly or indirectly) to the public sewerage system.

Reason

To ensure adequate drainage of the site and development

(11) Foul water and Surface water discharges must be drained separately from the site.

Reason

In the interests of the adequate drainage of the site and the development

(12) 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.

Reason

To ensure adequate drainage of the site and development

(13) 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), there shall be no extension or external alteration to any building forming part of the development hereby permitted (including the erection of a detached garage) without the prior grant of planning permission in that behalf.

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 extensions, having regard to the particular layout and design of the estate.

(14) 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.

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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.

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

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 (1) adopted January 2016.

It is considered that the proposal represents an appropriate form of development that has had no have no unacceptable impact on the amenities of neighbouring residents, visual amenity of the area or highway and pedestrian safety. Accordingly, the proposed development is in accordance with Policies SC1, SP13, TO1, SP14, EN5, SP15, M1, SP16, SP21, BE1, TR2 and EN2 of the Neath Port Talbot Local Development Plan.

NOTES TO DEVELOPER:

(1) The developer is advised that planning permission is granted on the basis that the junction improvements at the Perthigwynion access road (from the A474 Pontardawe Road) and the Nant y Gaseg Uchaf farm track (shown on drawing number 301 - Rev 01) have been implemented and will be retained in perpetuity.

Were the improvement works referred to above to be removed, altered or reinstated to their former condition, this may impact upon the developers ability to safely operate the approved development in terms of highways and pedestrian safety (i.e. lack of vision splays etc.), furthermore, the developer may also not be able to implement their planning permission and lawfully carry out the development in accordance with the details submitted details.

(2) Natural Resources Wales notes to developer:

Licence

Prior to commencement of development, the applicant will need to obtain a licence pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations (2010) from Natural Resources Wales authorizing the specified activity/development to go ahead.

We may wish to discuss aspects of the proposed mitigation in more detail with the applicant at the licence application stage. Please note that any changes to plans

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between planning consent and the licence application may affect the outcome of the licence application.

Foul Drainage

We note it is intended that the foul sewage for the holiday accommodation will be disposed of via a septic tank. In addition to planning permission and building regulations approval, a permit or registration as exemption from the requirement for a permit under the Environmental Permitting (England and Wales) (Amendment) Regulations 2015 may be required from Natural Resources Wales. Further guidance is available via the following website; <http://naturalresources.wales/permits-andpermissions/?lang=en>.

(3) NPTCBC Drainage notes to developer:

1. The applicant should note that any soakaway must be designed, constructed and located in accordance with the requirements and criteria contained within the Building Regulations. This will ensure no nuisance is created to any lower lying, vulnerable land or the public highway. If ground conditions should prove to be unsatisfactory for a soakaway drainage then the applicant must provide alternative suitable proposals for dealing with surface water run-off.

2. The applicant may wish to consider providing and installing a simple water “butt” or “butts” to collect run-off water from the roof areas.

3. Prior to commencement of any works hereby approved permanent and temporary works consents under Section 23 of the Land Drainage Act 1991 must be obtained from the Authority. You are therefore advised to contact the Senior Development Management Engineer Mr. Justin Griffiths at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG (Tel.No.01639 686396 e-mail j.griffiths4@npt.gov.uk). Please note such consents can take up to 8 weeks to be processed after registration and early application is advised.

(4) NPTCBC BIODIVERSITY NOTE TO DEVELOPER

European Protected species licence

Where any species listed under Schedules 2 or 4 of The Conservation of Habitats and Species Regulations 2010 is present on the site [or other identified part] in respect of which this permission is hereby granted, no works of site clearance, demolition or construction should take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the local planning authority.

(5) The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Signed : 
Nicola Pearce – Head of Planning & Public Protection

Date: 07/09/2017

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 .

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 5938, 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

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.