

**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

Mr Wayne Hopkins
NPTCBC
The Quays
Brunel Way
Baglan Energy Park
SA11 2GG

DATE REGISTERED: 6 August 2019

APPLICATION NO: P2019/5217

LOCATION: 8 Wind Street, Neath, Neath Port Talbot, SA11 3EH

PROPOSAL: Demolition of two storey and single storey rear extensions, temporary office building, and roofs to three storey extension. The erection of a 3 storey rear extension incorporating a pitched roof over the existing 3 storey rear extension and internal refurbishments works to the main building. The creation of a new vehicle access and a parking area to the rear plus associated works for use as Offices.

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 shall begin no later than five years from the date of this decision.
Reason:
To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

List of Approved Plans

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

A1103-01 SITE LOCATION PLAN
A1103-02 EXTG ROOF PLAN
A1103-03 PROP ROOF PLAN
A1103-04 Existing Plans
A1103-05 BASEMENT Proposed Plan
A1103-06 'C' Existing & Proposed plan current GF Proposed Plans
A1103-07 'B' Existing & Proposed plan current FF Proposed Plans
A1103-08 'B' Existing & Proposed plan current SF Proposed Plans
A1103-09 TYPICAL DETAILS SHEET 1
A1103-10 'A' Typical Details sheet 2
A1103-11 'A' EXISTING ELEVS
A1103-12 'A' PROPOSED ELEVS
A1103-13 Proposed Section thro' Extg Building

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 Notwithstanding the submitted information, no development shall commence (including any site clearance), until a Demolition & Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The Demolition and Construction method statement shall be made in accordance with the requirements of British Standard BS5228-1:2009 - "Code of practice for noise and vibration control on construction and open sites". The approved Statement shall be adhered to throughout the demolition and construction phases. The Statement shall provide for:
- a) the parking of vehicles of site operatives and visitors
 - b) loading and unloading of plant and materials
 - c) Routes of vehicles, plus delivery and construction times, taking into account the proximity of residential dwellings, and a primary school.
 - d) storage of plant and materials used in constructing the development
 - e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - f) wheel washing facilities to prevent deposition of material onto any hard surface road.
 - g) measures to control the emission of dust and dirt during construction (Dust impact assessment and Dust management plan)
 - h) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - i) scheme for the erection of temporary/semi temporary signage warning drivers of the presence of children and speed restrictions.
 - J) The frequency and size of vehicles used to transport the waste material arising from the demolition works
 - k) The frequency and size of vehicles used to transport the waste material arising from the demolition works.
 - l) Measures to prevent stacking of vehicles onto the public highway.

m) Identification of the significant construction and demolition noise sources, detailing the physical and operational management controls necessary to mitigate emissions from these noise sources, as well as noise complaint investigation procedures. (noise impact assessment and management plan)

n) Hours of working on site, and specified hours for deliveries and any elements of the demolition or construction that could lead to amenity issues from noise and disturbance to adjoining properties, local school and church.

The Construction Method Statement shall be signed by a competent person(s).

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Local Planning Policy and in the interest of highway and pedestrian safety

Details in respect of the above Condition were discharged by Planning Permission ref. P2020/0374 on 19/06/20.

- 4 No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority

Reason: As the building is of architectural and cultural significance the specified records are required to mitigate impact as required by Planning Policy Wales and Policy SP21 of the Neath Port Talbot Local Development Plan.

Details in respect of the above Condition were partially discharged by Planning Permission ref. P2020/0374 on 19/06/20.

- 5 No works to which this consent relates shall commence until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

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 resource, as required by Planning Policy Wales and Policy SP21 of the Neath Port Talbot Local Development Plan.

Details in respect of the above Condition were partially discharged by Planning Permission ref. P2020/0374 on 19/06/20.

Action Conditions

- 6 The parking layout as shown on drawing titled 'Proposed Plans - Ground Floor' No: A1103-06 Rev A shall be constructed in its entirety prior to first beneficial use of the building.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.

- 7 No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) statement setting out the design objectives and how these will be delivered;
- b) existing and proposed levels
- c) means of enclosure and retaining structures;
- d) other vehicle and pedestrian access and circulation areas;
- e) hard surfacing materials (including samples);
- f) minor artefacts and structures (e.g. furniture,, refuse store , signs, etc.),

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 the development and retained as such thereafter.

Reason:

In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the listed building, landscape and biodiversity value and to ensure the development complies with Policies SP15, SP21 and BE1 of the Neath Port Talbot Local Development Plan.

Details in respect of the above Condition were discharged by Planning Permission ref. P2020/0374 on 19/06/20.

Regulatory Conditions

- 8 No deliveries or works vehicles in excess of 7.5 tonnes shall access or leave the site during the hours of 8:15am to 9:15am and 2:45pm to 3:45pm Monday to Friday during school term times.
Reason:
In the interest of highway safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.
- 9 Construction operations shall be limited to 08:00-18:00 Mon-Fri, 08:00-13:00 Saturday, and no construction operations shall take place on Sunday and Public Holidays without the prior approval of the Local Planning Authority.
Reason:
To protect the amenity of the locality, especially for people living and/or working nearby, and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.
- 10 The premises shall be used for Offices and for no other purpose (including any other purpose in class A2 or B1 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).
Reason:
In the interest of clarity and to ensure that other changes of use can be assessed in the interests of amenity and to accord with Policies SC1 and TR2 of the Neath Port Talbot Local Development Plan.
- 11 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

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 in the interest of satisfactory drainage of the site, and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

Informatives:

1 The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

2 The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or a MCIfA level accredited Member.

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. Special regard has also been had in accordance with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

While the proposal would involve the demolition of the rear extensions of this Grade II listed building, it is considered that the repair and refurbishment of the building's detailed frontage that fronts the main shopping street, and the sensitive extension to the rear, would represent an appropriate form of development that would help to secure the future

of the listed building which has been unused for a number of years and whose condition continues to deteriorate. The proposal would also have no unacceptable impact on the character or appearance of the immediate and wider conservation area, upon the residential amenity of the occupiers of any nearby residential properties, upon highway and pedestrian safety. Accordingly, the proposed development is in accordance with Policies SP1, SP2, SP3, SP5, SP11, SP15, SP16, SP20, SP21, SC1,CCRS1/1, H1/7, R1/1,R2/1,R2/3,EN7,EN8, 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.

Signed: 

Nicola Pearce – Head of Planning & Public Protection

Date: 27 September 2019

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):-

(1) Planning Permission (with the exception of Minor Commercial and Householder applications – see below)	Within 6 Months
(2) Householder Appeal see endnote i	Within 12 weeks
(3) Minor Commercial Appeal see endnote i	Within 12 weeks
(4) Listed Building or Conservation Area Consent appeals	Within 6 months
(5) Tree Preservation Order (TPO) Consent	Within 28 days
(6) Advertisement Consent	Within 8 weeks
(7) Certificate of Lawfulness of Existing (Section 191) or Proposed (Section 192) Use or Development	Within 6 months
(8) 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 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.