



Llywodraeth Cymru
Welsh Government

Nicola Lake
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Neath Port Talbot County Borough Council

Email: n.lake@npt.gov.uk

Ein Cyf/Our ref: qA1448479
Eich Cyf/Your ref: P/2020/0275
Dyddiad/Date: 7 January 2021

Dear Nicola,

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (WALES)
REGULATIONS 2012.**

**LISTED BUILDING CONSENT FOR REMEDIAL WORKS TO TWO OUTLET
STRUCTURES ON FURZEMILL POND AT MARGAM COUNTRY PARK,
MARGAM, PORT TALBOT, SA13 2JT.
APPLICATION NO. P2020/0275**

1. Consideration has been given to the above application for Listed Building Consent by the Welsh Ministers in accordance with the provisions of regulation 9 of the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012.
2. I am authorised by the Minister for Housing and Local Government to determine your application.
3. The application seeks Listed Building Consent for remedial works to two outlet structures at Furzemill Pond, Margam Country Park, Port Talbot. The proposed works consist of:

Structure 1:

- Removal of the existing masonry overflow spillway; and
- New reinforced concrete spillway to be constructed, replacing the existing spillway.

Structure 2:

- Removal of 12" overflow pipe and replaced with a new reinforced concrete culvert and reinforced concrete headwalls with masonry facing on exposed faces where practicable.

Ground levels around both structures are also proposed to be reinstated to existing levels to maintain a similar visual appearance.

4. In considering an application for Listed Building Consent the decision maker is required by Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the structure or its setting or any feature of special architectural or historic interest which it possesses.
5. Policies relating to the conservation of the historic environment are set out in Chapter 6 'The Historic Environment' of Planning Policy Wales (Edition 10, December 2018). Paragraph 6.1.10 summarises the general presumption in favour of the preservation of listed buildings. Paragraph 6.1.13 requires applicants to demonstrate why alteration to or demolition of a listed building is desirable or necessary. This is supplemented by Technical Advice Note (TAN) 24: The Historic Environment (24 May 2017) and Chapter 5 provides detailed guidance on Listed Building Consent applications.
6. Section 3 of the Well-being of Future Generations (Wales) Act 2015 ("the WFG Act") places a duty on the Welsh Ministers, as a public body, to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle and aimed at achieving well-being goals, as defined in section 4 of the WFG Act. In order to act in that manner, I have taken into account the ways of working, set out in section 5 of the WFG Act and the associated statutory guidance (SPSF1: Core Guidance, Shared Purpose: Shared Future) as part of the procedures relating to applications for Listed Building Consent.
7. Cadw's Inspector of Historic Buildings has considered the information submitted with this application and has provided the following assessment in relation to the work proposed:

"The works are required to ensure the integrity of the Reservoir Embankment and to ensure that the safety of the structure would be maintained. Margam Country Park is a site of outstanding historical importance and has a variety of listed buildings and structures within. It is also listed grade I on the Register of Landscapes, Parks and Gardens of Special Historic Interest. Furzemill Pond is approximately 700m away from Margam Castle, in a south-easterly direction.

The proposal is for the current Water Management System and its features to be repaired/re-instated/replaced, as it is currently in a poor state of disrepair. Their replacement will help increase the efficiency of the water management of the Furzemill Pond. The Furzemill Pond forms part of a much wider network of ponds and watercourses that run throughout the Park and Garden areas of the Margam Estate. The proposal is also to ensure that the replacement structures will reinforce the integrity of the Reservoir Embankment itself, and thus help in maintaining the structure of the Furzemill Pond/Reservoir in its continued use, within the Margam Country Park Estate.

The proposed repairs are due to a lack of maintenance at property over the years and have now led to issues associated to Health and Safety which need to be addressed, as the property is open to the public. The repairs associated to the Furzemill Pond/Reservoir are needed to stabilise areas of the Masonry Overflow Spillway to structure/feature No.1, which is currently being

undermined by escaping water to beneath the spillway itself, and the replacement of the 12" Overflow Pipe at structure No.2, as this has already started to collapse. The proposed repair/re-instatement/replacement works are outlined below:

- **Structure No.1** - *Masonry Overflow Spillway: the removal of the existing masonry overflow spillway and the construction of a new concrete spillway – This will involve the new concrete structure/feature being re-clad with reclaimed masonry from the existing spillway, to all exposed faces of the concrete structure, to help retain the visual appearance of the new overflow spillway to the pond/reservoir.*
- **Structure No.2** – *Damaged 12" Overflow Pipe: this will involve the removal of the 12" overflow pipe and replaced with a new reinforced concrete culvert and reinforced concrete headwall, with reclaimed masonry facing, to exposed faces of the structure to maintain the visual appearance of the new structure, in keeping other feature within the Margam Park Estate.*
- *The ground levels around both structures will be reinstated to maintain the visual appearance of the pond/reservoir, within this area of the Estate.*

From the information submitted the proposed repairs/re-instatement and replacement of structural features No.1 and 2 will help prevent further deterioration of the curtilage structure of the Fuzemill Pond/reservoir, once undertaken. The proposed repairs/re-instatement and replacement work to the fabric of the main structures, have been addressed in the submitted Heritage Impact Assessment/ Statement. The proposed work will help enhance the view of this part of the Country Park Estate with the works being kept to a minimum, to achieve the best solution, to these curtilage listed structures.

The proposed works will have a minor effect on the character of these curtilage structures of the Masonry Overflow Spillway and the 12" Overflow Pipe and will have a minor effect on the appearance of the existing Margam Country Park Estate and listed Grade 1 Margam Castle. I do not think that these changes will adversely affect the view of the overall historical architectural character of the listed buildings, or the wider Registered Historic Park and Gardens, but will hopefully help to enhance and improve the current state of the Margam Country Park Estate itself. The proposed repair work will not have an adverse or detrimental effect on the listed buildings or the wider Historic Park and Gardens. I have looked at the proposed work, along with the information provided and I am content with the proposed alterations."

8. The primary consideration in this case is the statutory duty to have special regard to the desirability of preserving the structures or its setting or any features of special architectural or historical interest which is possessed. Your submissions indicate the works are necessary to ensure the integrity of the reservoir embankment to maintain its safety.

9. I have considered the relevant submissions with the application and I can find nothing in the information before me to lead me to disagree with Cadw's assessment in respect of the effect of the works on the listed structure. I conclude the works would not have any significant visual impact on the Grade II Listed structure.
10. For the reasons given above, and in exercise of the authority referred to in paragraph 2, I hereby grant Listed Building Consent, as set out in application P/2020/0275, subject to the following conditions:
- i. The works to which this consent relates shall be begun not later than 5 years from the date of this letter;
 - ii. The works shall be undertaken in accordance with the following approved plans:
 - Furzemill Reservoir – Location Plan, Drawing No: MCR6075_150_D001, Revision 0;
 - Furzemill Reservoir – Proposed Spillway & Culvert Site Plan (General Arrangement), Drawing No: MCR6075_150_D002, Revision 0;
 - Furzemill Reservoir – Proposed Overview of Spillway, Drawing No: MCR6075_150_D003, Revision 0;
 - Furzemill Reservoir – Overview of Culvert Design, Drawing No: MCR6075_150_D004, Revision 0;
 - Furzemill Reservoir – Top Water Level Sheet 1 of 2, Drawing No: MCR6075_100_D005, Revision 0;
 - Furzemill Reservoir – Top Water Level Sheet 2 of 2, Drawing No: MCR6075_100_D005, Revision 0;
 - Furzemill Reservoir – Spillway General Arrangement, Drawing No: MCR6075_500_D001, Revision 2;
 - Furzemill Reservoir – Details of Spillway Design, Drawing No: MCR6075_500_D002, Revision 2;
 - Furzemill Reservoir – General Arrangement of Culvert, Drawing No: MCR6075_600_D001, Revision 2;
 - Furzemill Reservoir – Details of Culvert Design and Installation, Drawing No: MCR6075_600_D002, Revision 2;
 - iii. Prior to the commencement of the works hereby approved, a sample panel of 1mSq of the proposed new stonework and repointing shall be submitted to and approved in writing by the Welsh Ministers. The works shall be undertaken in accordance with the approved sample.
 - iv. Prior to the commencement of the works hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Welsh Ministers. The CEMP shall include:
 - Details of how any waste generated will be managed;
 - Details of the construction programme including timetable, site clearance, site construction drainage, a site set-up plan detailing how

sensitive receptors will be protected from harm and any watercourse or surface drain;

- Details of topsoil strip, storage and amelioration for re-use;
- Details of restrictions to be applied during construction including timing, duration and frequency of work;
- Details of how pollution prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan; and
- Details of the persons and bodies responsible for activities set out in the Construction Environmental Management Plan and emergency contact details.

- v. 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 the Written Scheme of Investigation prepared by the Glamorgan-Gwent Archaeological Trust Ltd (Furzemill Pond, Margam Park, Neath Port Talbot, October 2019 – Report No: 2019/048).
- vi. The works hereby approved shall be undertaken in accordance with recommendations identified in the 'Furzemill Reservoir Walkover Survey' – Biodiversity Consultation Response (6 October 2020).

11. In reaching this decision, I have considered the well-being duty under section 3 of the WFG Act. In considering the relevant Welsh Government well-being objectives, this decision will 'promote and enhance the culture and heritage of Wales' by safeguarding the Historic Structure for the long term. I consider the decision accords with the sustainable development principle and is aimed at achieving the well-being objectives.
12. This letter does not convey any approval or consent which may be required under any enactment, bye law, order or regulation other than Section 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Yours sincerely



Owain Williams
Planning Manager – Decisions
Planning Directorate

Arwyddwyd o dan awdurdod Y Gweinidog Tai a Llywodraeth Lleol, un o Weinidogion Cymru.
Signed under authority of the Minister for Housing and Local Government; one of the Welsh Ministers.

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

NOTE

(This note does not form part of the consent)

Where a condition requires or refers to the approval of the Welsh Ministers, you are advised to contact Cadw (the Welsh Government's historic environment division) in connection with any matter relating to the approval. You can contact Cadw by writing to Cadw, Plas Carew, Unit 5/7 Cefn Coed Parc, Nantgarw, Cardiff CF15 7QQ or contact Rhodri Kelly email at Rhodri.Kelly@gov.wales or telephone him on 03000256003.

Ble mae amod yn gofyn neu gyfeirio at ganmoliaeth Gweinidogion Cymru, dylech chi gysylltu â Cadw (Cyfarwyddiaeth Amgylchedd Hanesyddol Llywodraeth Cymru) ynglŷn a unrhyw fater yn gysylltiedig â'r caniatâd. Gallwch gysylltu â Cadw drwy ysgrifennu at Cadw, Plas Carew, Uned 5/7 Cefn Coed Parc, Nantgarw, Caerdydd, CF15 7QQ neu gysylltu â Rhodri Kelly drwy e-bost: Rhodri.Kelly@gov.wales neu ei ffonio ar 03000256003.