

**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 Leighton James
Site Of Former Stables & Workshops
Alltygrug Road
Ystalyfera

Name and address of the agent

Mr Chris Morgan
Cwm Planning And Design
30 Llwynceilyn Road
Tairgwaith
Ammanford
SA18 1UU

DATE REGISTERED: 29 June 2021

APPLICATION NO: P2021/0646

LOCATION: Site Of Former Stables & Workshops, Alltygrug Road,
Ystalyfera

PROPOSAL: Part retention and completion of two storey detached dwelling
with associated parking and engineering works

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

Proposed Site Plan
Proposed Elevations
Proposes Floor Plans (1 of 2)
Proposes Floor Plans (2 of 2)
004 - PROPOSED SECTIONS (1 of 2) - rev B
005 - PROPOSED SECTIONS (2 of 2) - rev B
ArbTS Arboricultural Report (Including Tree Protection Plan and AMS) (Dated 5 May 2017)

Reason:
In the interests of clarity.

Action Conditions

- 3 Notwithstanding the details submitted and prior to the occupation of the proposed dwelling the windows on the first and second floor south west facing elevation serving the dining area / kitchen and ensuite rooms shall be glazed with obscured glass and any opening vent shall be top hinged with the lowest part of the opening a minimum of 1.7 metres above the floor level of that room, and any replacement window or glazing shall be of a similar glazing and type.

Reason

In the interest of the amenities of the adjoining property and the safety of the occupiers of the applicant dwelling in compliance with Policy BE1 of the Neath Port Talbot LDP.

- 4 Prior to occupation of the dwelling three off-street parking spaces as shown on the approved plans shall be provided for the dwelling and retained and maintained as such thereafter.

Reason

In the interests of highways and pedestrian safety and in compliance with Policy TR2 of the Neath Port Talbot LDP.

- 5 All works to be undertaken in line with Appendix 1 - Tree Protection Plan of the Arboricultural Report dated 5th May 2017. The native hedge will be planted in the first planting season following construction to cover the area indicated in the above plan by the green line Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species.

Reason

In the interest of visual impact and biodiversity and to accord with Policies BE1 and EN7 of the Neath Port Talbot LDP.

- 6 Notwithstanding the submitted plans, no occupation of the proposed development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The agreed boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason

In the interest of residential amenity in accordance with Policy BE1 of the Neath Port Talbot LDP

- 7 The drive shall be a minimum length of 6.0 metres from back of footway to front of garage structure, constructed to a maximum gradient of no greater than 1 in 9 and no less than 1 in 150 and prior to first use of the dwelling shall be hard surfaced in porous asphalt or permeable block paving or a provision must be made to direct run-off water from the hard standing to a permeable or porous area within the curtilage of the dwelling house. The driveway shall be drained so that no surface water (including roof and yard) flows out onto the public highway or vice versa and must be maintained to ensure it complies with the above requirements. The surface water shall not drain directly into the highway drainage network.

Reason

In the interests of highway and pedestrian safety and to ensure the provision of a satisfactory drainage regime in accordance with Policy TR2 of the Neath Port Talbot LDP.

- 8 Prior to first occupation of the dwelling hereby approved, pedestrian vision splays of 2.4 metres by 2.4 metres (measured back from back of footway) shall be provided each side of each vehicular access within which nothing over 600mm in height shall be erected or allowed to grow. The pedestrian vision splays shall be retained and maintained as such thereafter.

Reason

In the interests of highways and pedestrian safety in accordance with Policy TR2 of the Neath Port Talbot LDP.

Regulatory Conditions

- 9 Foul water and surface water discharges shall be drained separately from the site.

Reason

In the interest of adequate drainage in accordance with Policy TR2 of the Neath Port Talbot LDP.

- 10 No surface water from within the curtilage of the dwelling shall be allowed to flow out onto the public highway or be connected into the highway drainage system.

Reason

In the interest of highway and pedestrian safety and adequate drainage in accordance with Policy TR2 of the Neath Port Talbot LDP.

- 11 Any gates fronting onto the highway shall be of a type which open inwards only, can be seen through and once implemented maintained and retained as such thereafter.

Reason

In the interests of highways and pedestrian safety in accordance with Policy TR2 of the Neath Port Talbot LDP

- 12 Notwithstanding the provisions of Schedule 2, Part 1, Class E 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 buildings shall be erected other than those expressly authorised by this permission and identified on the approved drawings.

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 garages or outbuildings having regard to the particular layout and design of the development, residential amenity, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 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), no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a highway, carriageway, shared driveway or footpath.

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 such enclosures having regard to the particular layout and design of the development, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 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), there shall be no extension or external alteration to any building forming part of the development hereby permitted 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 development and need to protect the amenity of nearby properties, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

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

Reason:

To ensure that adequate car parking provision is maintained within the curtilage of the dwelling in the interest of highway safety, and to ensure compliance with Policies TR2 and BE1 of the Neath Port Talbot Local Development Plan.

- 16 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 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 such additional ***doors / windows***, having regard to the particular layout and design of the development and need to protect the amenity of nearby properties, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 17 The dwelling hereby approved shall be constructed using materials as shown and written on the approved plans unless otherwise agreed in writing with the Local Planning Authority

Reason:

In the interest of visual impact upon the area and to ensure the development complies with Policy BE1 of the Neath Port Talbot LDP

Informatives:

1 Please note that SAB approval will be required prior to any work commencing. It is a breach of approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018.

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 Future Wales - the National Plan 2040 and 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 visual impact, no harmful impact on residential amenity or highways and pedestrian safety. Accordingly, the proposed development is in accordance with Policies SC1, BE1, TR2 and EN7 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040 and 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:



Ceri Morris – Head of Planning & Public Protection

Date: 30 September 2021

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.