

Superseded

**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

Miss Irene Maggs
29 Cadoxton Terrace
Main Road
Cadoxton
SA10 8BR

Name and address of the agent

Miss Lorraine O'Connor
LOAD
46 Ffordd Ty Unnos
Heath
Cardiff
CF14 4NJ

DATE REGISTERED: 7 September 2021

APPLICATION NO: P2021/0888

LOCATION: 29 Cadoxton Terrace , Main Road, Cadoxton, SA10 8BR

PROPOSAL: Single storey side and rear extension, the works for which would include the demolition of an existing single storey rear extension, setting back an existing retaining wall to extend the existing patio area, plus the installation of a 1.3m high flue projecting from the rear roof space of the single storey extension to facilitate a log burner

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

Superseded

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

-Proposed Floor Plan, Block Plan, Roof Plan and 3D Visuals, drawing no. 210607-PL03, dated August 2021, received 08-SEP-2021.

-Proposed Elevations and Section, drawing no. 210607-PL04, dated August 2021, received 08-SEP-2021.

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 Notwithstanding the details submitted prior to the installation of the log burner and associated flue, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing how the proposed log burner and relevant appliances, including the flue, will be installed in accordance with HM Government's 'Approved Document J - Combustion appliances and fuel storage systems 2010 edition' and the DEFA guidance for exempt appliances. This shall include details of the location and height of any external flue, with evidence supporting its height and design. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with the approved details for as long as the use continues.

Reason: In the interests of visual and residential amenity, and to ensure that the appliances accord with current building regulations, and Policies BE1 and EN8 of the Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 4 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those referenced within drawing no. '210607-PL04'.

Reason:

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

- 5 If installed the proposed log burner and associated appliances shall be installed and certified by a registered member of HETAS.

Reason:

To ensure that the appliances work safely and efficiently, and to ensure accordance with Policies BE1 and EN8 of the Neath Port Talbot Local Development Plan.

Informatives:

- 1 To establish if the appliance meets these requirements the applicant can search on the DEFRA for Wales website where a list of appliances are given. Here is the link to that page: <https://smokecontrol.defra.gov.uk/appliances.php?country=wales>

Superseded

2 The HETAS 'Find Installer' search, accessible via the following link: <https://www.hetas.co.uk/find-installer/> makes it easy to find your nearest HETAS Installer of solid fuel, wood and biomass appliances. This search will provide results for consumers in Wales. To make sure appliances work safely and efficiently, it's important that installation and servicing is carried out by a properly trained and registered competent person. Consumers using a HETAS registered installer:-Can be safe in the knowledge that their installer has been trained and assessed to carry out compliant work-Will save both time and money and ensure your appliance works safely and efficiently-Receive a certificate of compliance following the completion of the installation (Wales only)-Ability to choose a range of installations covered by the scheme including biomass boiler systems, dry appliances, appliances with boilers, hot water and heating systems along with re-lining chimneys and system flues Ensure your installer is registered with HETAS and always ask your installer for identification, your HETAS installer will be able to produce a HETAS ID card with their HETAS registration competences displayed on the reverse. Please note that installers might hold a range of competences with HETAS, ensure the installer you choose is registered for the work you are looking to have carried out. Use the search box above to find your local HETAS installer and always ask to see the ID of any installer you choose to employ for any installation work. Through the HETAS website you can also search for your nearest Retailer, Chimney Sweep, Service Engineer, Appliance and Fuels. Any installation work that requires work on a gas system must be carried out by a Gas Safe registered installer. For further information about the Gas Safe Register please visit www.gassaferegister.co.uk

3 Please note, the scheme relating to how the log burner and relevant appliances, including the flue will be installed will be assessed in terms of its impact on visual and residential amenity, as well as its accordance with HM Government's 'Approved Document J - Combustion appliances and fuel storage systems 2010 edition' and the DEFA guidance for exempt appliances. If the flue must be increased in height or altered in design to the extent that it would be considered to have a detrimental impact on visual or residential amenity, it may be refused.

Reason for granting planning permission.

The extension represents an appropriate form of development that would have no unacceptable impact on the amenities of neighbouring residents, visual amenity of the area or highway and pedestrian safety. Whilst as it stands the flue is considered acceptable in terms of its visual impact, it is acknowledged that in order to alleviate any potential impact on the residential amenity of the neighbouring properties and to ensure that it complies with the relevant guidance in terms of its operation, a number of conditions have been attached to this consent, which may alter the visual appearance of the flue. Provided the conditions attached to this decision are adhered to, the proposal would be in accordance with Policies BE1 (Design), TR2 (Design and Access of New Development) and Policy EN8 (Pollution and Land Stability) of the Neath Port Talbot Local Development Plan.

Signed:



Ceri Morris – Head of Planning & Public Protection

Date: 19 November 2021

Superseded

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.

Superseded

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

Superseded

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 686820 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.