

**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 And Mrs. Jason And Susie Davies
Cilmaengwyn Uchaf Farm
Maen Gwyn
Cilmaengwyn
Pontardawe
SA8 4TX

Name and address of the agent

Mr Huw Griffiths
Huw Griffiths Architects Ltd
North Hill,
7 St James Crescent
Swansea
SA1 6DP

DATE REGISTERED: 17 November 2021

APPLICATION NO: P2021/1054

LOCATION: Cilmaengwyn Uchaf Farm , Maen Gwyn, Cilmaengwyn,
Pontardawe, SA8 4TX

PROPOSAL: Proposed demolition of Dutch-barn to include conversion and
extension of existing barn to create separate holiday
accommodation

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:

This is Revision 2 issued 17th May 2022

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:

2021-11-05 HG-20-30-10 Rev 01
HG-20-30 - 11 - Ground Floor PROPOSED(1)
HG-20-30 - 12 - Roof Plan PROPOSED(1)
HG-20-30 - 13 - East Elevation PROPOSED(1)
HG-20-30 - 14 - North Elevation PROPOSED(1)
HG-20-30 - 15 - West Elevation PROPOSED(1)
HG-20-30 - 16 - South Elevation PROPOSED(1)
HG-20-30 - 18 - Roof Void PROPOSED(1)

Reason: In the interests of clarity

Non Material Amendment Application P2022/0312 approved on 17th May 2022

Pre-Commencement Conditions

- 3 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

Details in respect of the above condition were approved by Planning Permission ref. P2022/0266 on 17th May /2022

Action Conditions

- 4 A replacement bat roost will be incorporated into the building in line with the submitted plans (roof void) and recommendations in the Just Mammals report dated August 2021 as illustrated in the approved plans (HG-20-30 - 14 - North Elevation PROPOSED(1), HG-20-30 - 18 - Roof Void PROPOSED(1), HG-20-30 - 13 - East Elevation PROPOSED(1) and HG-20-30 - 15 - West Elevation PROPOSED(1))
Reason: In the interest of biodiversity and protected species and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.
- 5 Notwithstanding the details submitted, prior to the first beneficial use of the development hereby approved, the windows on the side North and East elevation serving the bathroom, W/C or utility shall be fitted with obscured glazing, Privacy Level 5, and any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained as such thereafter.
Reason: In the interest of the amenities of the adjoining property, and to ensure accordance with Policy BE1 of the adopted Neath Port Talbot Local Development Plan

Regulatory Conditions

- 6 The materials to be used in the construction of development hereby approved shall be those explicitly shown on the approved plans unless otherwise agreed in writing with the Local Planning Authority.
Reason: In the interest of visual impact on the host building and Special Landscape Area in accordance with Policies BE1 and EN2 of the NPT Local Development Plan
- 7 The development hereby approved shall be occupied as holiday accommodation only, and shall not be occupied as a person's sole or main place of residence or by any person. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.
Reason: In order to ensure that the accommodation is utilised for tourist holiday accommodation only and in order to ensure compliance with Policy TO1 and SC1 of the Neath Port Talbot Local Development Plan

Informatives:

1 Warning: A European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/when-you-need-to-apply-for-a-protected-species-licence/?lang=en>.

2 The archaeological work must be undertaken to the Chartered Institute for Archaeologists (CIfA), "Standard and Guidance for Building Recording" (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 an accredited Member. A list of archaeological contractors who have indicated their availability to work in Wales is available from <http://www.archaeologists.net/ro>

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 upon residential amenity, highways and pedestrian safety and would not amount to visual harm upon the application site or on the Special Landscape Area. Accordingly, the proposed development is in accordance with Policies SP15, SP20, SP21, EN2, TR2, BE1 and TO1 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.

A handwritten signature in black ink, appearing to read 'Ceri Morris', written over a horizontal line.

Signed:

Ceri Morris – Head of Planning & Public Protection

Date: 28 January 2022

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 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.