

**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 Terence Cooper
11 Hilary Avenue
Mitcham
Surrey
CR4 2LA
United Kingdom

Name and address of the agent

Mr Mike Woods
The Forum Business Centre
3 Brecon Road
Ystradgynlais
SA9 1HE
United Kingdom

DATE REGISTERED: 1 October 2020

APPLICATION NO: P2020/0866

LOCATION: Land Adjacent To, 22 Gnoll Road, Godre'r Graig, SA9 2PA

PROPOSAL: Variation of condition 1 of planning permission P2014/0495 (Four No. detached split level dwellings, garages, car parking and associated engineering operations) approved on 02.10.2014 to extend the period of time for commencement of development for a further 5 years.

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:

Drawing No. - 02.162.02 - Site Layout - Rev M (493516)

Drawing No. - 02.162.10 B Location Plan (483815)

Drawing No. - 02.162.01 - House plans and elevations - Rev A (449777)

Drawing No. - 02.162.03 - Plot 4 plans and elevations (449778)

Drawing No. - 100/13 Survey

Drawing No. - 02.162.07 - Footpath, Bus Stop and Boundary Wall details - Rev A

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 Notwithstanding the submitted plans and information, no development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction and Demolition Method Statement shall be implemented throughout the demolition and construction phase of the development and as may be approved and shall address the following matters:
- i. How all activities associated with the construction of the development shall be carried out in accordance with British Standard 5228, 2009: Code of Practice for Noise and Vibration Control on Construction and Open Sites - Part 1 - Noise, Part 2 - Vibration. 2
 - ii. Predicted daily traffic flow and movements for all vehicles during the construction and any demolition phase of the development.
 - iii. Details of the nature, type and quantity of materials to be imported on site for fill operation and its suitability in respect of the impact it can generate in terms of short / long term (made up) ground settlement, the existing ground bearing capacity, the lower ground stability, retaining walls design and the type of suitable foundations for the properties to be adopted and the method for compaction of materials
 - iv. Methodology covering how fill materials are to be imported to the site
 - v. Details of the timing and duration of works (including the demolition works and fill operation)
 - vi. The timing of construction traffic movements during the demolition, fill and construction period
 - vii. The proposed construction route(s)
 - viii. Dust management.
 - ix. A scheme for recycling / disposing of any demolition or other waste resulting from construction and demolition works.
 - X. loading and unloading of plant and materials
 - xi. Wheel washing facilities to prevent deposition of material onto any hard surface road.
 - xii. Measures to prevent stacking of vehicles onto the public highway.
 - xiii. A scheme for the erection of temporary/semi temporary signage warning drivers of the presence of children and speed restrictions.
 - xiv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate

Reason:

In the interest of highway and pedestrian safety, the environment, and the amenity of residents, and to ensure accordance with Policies BE1 and TR2 of the adopted Neath Port Talbot Local Development Plan.

- 4 Notwithstanding the submitted plans and information, no development shall commence on site until an assessment of the nature and extent of contamination affecting the garden areas of each property has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

(iii) an assessment of the potential risks to:

- human health,
- groundwater and surface waters
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,- ecological systems,
- archaeological sites and ancient monuments; and
- any other receptors identified at (i)

(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, particularly as the submitted report states further testing must be completed in the garden areas of the properties and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 5 Prior to the commencement of development, a scheme of Ecological Enhancement Measures and an Implementation Timetable shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Enhancement Measures shall be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development.

Reason:

In the interests of biodiversity and to provide Ecological Enhancement Measures on site in accordance with Policy 9 of Future Wales and so as to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

- 6 Notwithstanding the submitted plans and information, no development approved by this permission shall be commenced until a Method Statement detailing all necessary pollution prevention measures for the construction (Including the fill and ground works) and any demolition phase of the development is submitted to and approved in writing by the Local Planning Authority. The pollution prevention measures shall be implemented and carried out as approved by this condition.

Reason:

In the interest of the environment, and the amenity of residents, and to ensure accordance with Policies BE1 of the adopted Neath Port Talbot Local Development Plan.

- 7 If a remediation scheme is required by condition 4, no development shall commence on site until a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historic environment shall be prepared and submitted to and approved in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 8 Notwithstanding the submitted plans and prior to the commencement of development on site, a revised parking layout for plot 4, which shall provide for three off-street parking spaces, shall be submitted to and approved in writing by the Local Planning Authority. The approved parking layout shall be retained open and free for such use thereafter.

Reason:

In the interest of highway and pedestrian safety, and the amenity of residents, and to ensure accordance with Policies BE1 and TR2 of the adopted Neath Port Talbot Local Development Plan.

Action Conditions

- 9 The development hereby approved shall be connected to the mains sewerage system prior to the first beneficial use of the dwelling(s) and retained as such thereafter.

Reason:

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.

- 10 Prior to their use in the construction of the development hereby permitted, details of the materials to be used in the construction of the external surfaces of the development shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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.

- 11 Prior to any building works commencing, the Fallopia Japonica (Japanese Knotweed) that is located on the site shall be treated and eradicated in accordance with the Natural Resources Wales Knotweed Code of Practice.

Reason

In the interests of amenity, and to ensure that the treatment is carried out in accordance with recognised good practice and to ensure accordance with Policies BE1 of the adopted Neath Port Talbot Local Development Plan.

- 12 If required as a result of the findings of condition 4, prior to beneficial use of the proposed development commencing, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in accordance with condition 8 shall have been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 13 Prior to occupation of the dwelling, each dwelling shall be provided with a minimum of three off street parking spaces in accordance with drawing number 02.162.02 which shall be retained open and free for such use thereafter.

Reason:

In the interest of highway and pedestrian safety and the amenity of residents, and to ensure accordance with Policies BE1 and TR2 of the adopted Neath Port Talbot Local Development Plan.

- 14 Notwithstanding the submitted plans, pedestrian vision splays of 2.4 metres by 2.4 metres (measured back from back of footway) shall be provided prior to occupation of any of the dwellings and maintained in perpetuity each side of each access within which nothing over 600 mm in height shall be erected or allowed to grow.

Reason:

In the interest of highway and pedestrian safety and the amenity of residents, and to ensure accordance with Policies BE1 and TR2 of the adopted Neath Port Talbot Local Development Plan.

- 15 Notwithstanding the submitted plans / information, prior to the commencement of the construction of any retaining wall, full details including construction details, structural calculations, specifications, materials and landscaping scheme for any retaining structures that may be required (including highway retaining walls) and a detailed method statement detailing how the works are to be carried out shall be submitted to and approved in writing by the Local Planning Authority. Any retaining walls shall be constructed in accordance with the agreed details.

Reason:

In the interests of public safety and to ensure the development is carried out in accordance with Policy EN8 of the Neath Port Talbot Local Development Plan.

- 16 Notwithstanding the submitted plans and prior to the occupation of any dwelling the forecourt boundary walls for each plot shall be set back 2 metres from kerbline and the extra width shall be made up as footway construction in accordance with a scheme (specification) which shall be submitted to and approved in writing by the Local Planning Authority and shall be retained open and free for public use thereafter.

Reason:

In the interest of highway and pedestrian safety, and the amenity of residents, and to ensure accordance with Policies BE1 and TR2 of the adopted Neath Port Talbot Local Development Plan.

- 17 Notwithstanding the details submitted, prior to the first beneficial use of the dwelling hereby approved, the windows[s] on the ground floor side elevation serving the bathroom shall be fitted with obscured glazing, and any part of the window/s 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/ies, and to ensure accordance with Policy BE1 of the adopted Neath Port Talbot Local Development Plan.

- 18 Prior to the first use of the parking / driveway areas, they shall be hard surfaced in a porous material such as asphalt or permeable block paving (not an unbound material) or provision shall be made to direct run-off water from the hard standing areas to a permeable or porous area within the curtilage of the dwelling house. The parking / driveway shall be drained so that no surface water flows out onto the public highway and does not connect directly or indirectly into the highway network. The parking / driveway areas shall be constructed to a maximum gradient of 1 in 9. The parking / driveway areas shall be permanently maintained as such thereafter.

Reason

To ensure adequate drainage and construction of the site and in the interest of highway and pedestrian safety, and the amenity of residents, and to ensure accordance with Policies BE1 and TR2 of the adopted Neath Port Talbot Local Development Plan.

- 19 Prior to first use of any driveway, the applicant shall construct a vehicular footway crossing to Highway Authority specification and design which shall be retained and maintained as such thereafter.

Reason

In the interest of highway and pedestrian safety, and the amenity of residents, and to ensure accordance with Policies BE1 and TR2 of the adopted Neath Port Talbot Local Development Plan.

- 20 Any gates shall be of a type which open inwards only, can be seen through and shall be maintained as such thereafter.

Reason

In the interests of highways and pedestrian safety

- 21 Prior to first beneficial occupation of any of the dwellings hereby approved, a scheme for landscaping, which shall include (but not be limited to) details of the long term management and maintenance of all areas falling outside of defined residential curtilage, shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees or plants which within a period of five years 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, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990 and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 22 Notwithstanding the submitted plans, prior to the first occupation of the dwelling hereby permitted, details of the proposed design and finish of all proposed means of enclosures shall be submitted to and agreed in writing with the Local Planning Authority. The approved means of enclosure shall be erected on site in accordance with the agreed details prior to the first occupation of the dwelling, and retaining as such thereafter.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act 1990 and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 23 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the

effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 24 Safe pedestrian access shall be maintained at all times along the adjacent public right of way (PROW) linking Graig Road to Gnoll Road at the North East boundary of the proposed development site. The Public Right of Way shall be protected at all times and any damage caused to the Right of Way shall be rectified to the satisfaction of this authority. No alteration or change of condition to the PROW is to be undertaken without consultation with the Countryside Team.

Reason

In the interest of highway and pedestrian safety, and the amenity of residents, and to ensure accordance with Policies BE1 and TR2 of the adopted Neath Port Talbot Local Development Plan.

- 25 All retained trees that may be directly affected by the proposed development, including encroachment into Root Protection Areas, shall be adequately protected as specified in Figure 2 (page 20) BS5837:2012 'Trees in relation to Construction' by the provision of root zone protection (protective fencing). The erection of fencing for the protection of any retained tree shall be undertaken before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason

To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 26 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 also having regard for the potential contamination land at the application site and to accord with Policies BE1, EN8 and SC1 of the Neath Port Talbot Local Development Plan.

- 27 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 garages or outbuildings having regard to the particular layout and design of the development, residential amenity, and also having regard for the potential contamination land at the application site and to accord with Policies BE1, EN8 and SC1 of the Neath Port Talbot Local Development Plan.

- 28 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.

Informatives:

1. 1. SAB approval will be required prior to any work commencing. To commence work is a breach of SAB approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby legal action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018. Guidance and applications can be found on <https://www.npt.gov.uk/sab>
2. Should any springs or ground water seepage be encountered the on site works in that area shall cease until a scheme for collection and disposal of the water has been submitted to and approved in writing by the Local Planning Authority. No ground water shall ever be discharged into the proposed drainage scheme.
3. There must be no interference, alteration or diversion of any ditch, watercourse, stream or culvert crossing or bordering the site, without prior consultation and agreement with the Authority.
4. The foul water and surface water discharges shall be drained separately from the site.
5. No surface water or Land drainage run-off shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing

by the Local Planning Authority.6. Adequate provision shall be made for the drainage of the site, to ensure that the drainage of any adjoining land is not interrupted or otherwise adversely effected by the development during the course of construction phases.

2 NOTE TO APPLICANT

Please note that from 7th January 2019, all new developments of more than 1 house, or where a construction area is of 100m² or more, plus if the SAB authority believe that any redevelopment of land has significant surface water drainage implications. This will require sustainable drainage - built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers - to manage on-site surface water. More information is available in Schedule 3 of the Flood & Water Management Act 2010. These systems must be approved by the Council's Highway Development Control service acting in its SuDS Approving Body (SAB) role before construction work begins. In this respect it is essential that a developer of any such project gain SAB approval of its surface water drainage alongside any relevant planning permission. You will not be allowed to start construction until both permissions have been approved. If you have not done so already, and your development would not fall into any of the relevant exceptions, you are therefore strongly encouraged to request further advice from the SAB. Involving the SAB Officers in pre-application discussions will allow for SuDS drainage matters (to ensure suitability of proposed SuDS design in line with national standards and adequate site layout) to be considered alongside the assessment of planning merits. There is an additional charge of £250 for this service. This can be as part of any agreed further pre-application submissions with the Planning Authority (recommended) or independently/ direct with the SAB. You are advised, however, that failing to engage in joint pre-application discussions has the potential to lead to delays and, most notably, the potential need to obtain further planning permission should any agreed SuDS design not be compliant with any relevant planning permission. Further details are available at www.npt.gov.uk/sab.

3 The developer is advised to investigate ground conditions prior to commencement of any development given that there are known land stability issues within the vicinity of the application site - any such issues at the application site may have implications for construction and slope design, for example.

4 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:www.gov.uk/government/organisations/the-coal-authority

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 proposed development would not have a detrimental impact upon residential amenity or upon the character and appearance of the surrounding area/open countryside, and there would be no adverse impact upon highway and pedestrian safety. Hence, the proposed development would be in accordance with SC1, TR2, BE1 and EN8 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: 14 September 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.