

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT**

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS)
REGULATIONS 1990**

LISTED BUILDING CONSENT (EXECUTE WORKS)

Name and address of the applicant

Mr Richard Morgan
Oak Cottage
High Street
Pontardawe
Swansea
Neath Port Talbot
SA8 4JN

Name and address of the agent

Mr Trevor Francis
Trevor J. Francis Chartered Surveyor /
Historic Consultant
12 Dulais Fach Road
Tonna
Neath
Neath Port Talbot
SA11 3JW

DATE REGISTERED: 16 March 2022

APPLICATION NO: P2022/0247

LOCATION: Oak Cottage, High Street, Pontardawe, Swansea, Neath Port Talbot, SA8 4JN

PROPOSAL: Listed Building Consent for re-instatement of porch together with replacement roof light to south west facing roof plane

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL as the Local Planning Authority in pursuance of its power under the above mentioned Act and Regulations hereby **GRANTS LISTED BUILDING (EXECUTE WORKS) CONSENT** in accordance with the application and the plans submitted therewith, subject to compliance with the following conditions:

Conditions:-

Time Limit Conditions

- 1 The development hereby approved, including the porch and replacement roof light shall be implemented and completed within 6 months of the date of this listed building consent and retained as such thereafter.
Reason:
To accord with the provisions of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the porch is reinstated and a more sympathetic roof light is used in the interest of the protection of the Listed Building and to comply with Policy SP21 of the Neath Port Talbot Local Development Plan.

List of Approved Plans

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

- Drawing Number: TJF/RG/3/13 (left elevation West existing)
- Drawing Number: TJF/RG/4/13 A (2022) (left hand side elevation proposed)
- Drawing Number: TJF/RG/5/13 (front elevation existing)
- Drawing Number: TJF/RG/6/13 (front elevation proposed)
- Drawing Number: TJF/RG/7/13 (rear elevation proposed)
- Drawing Number: TJF/RG/8/13 (rear elevation existing)
- Drawing Number: TJF/RG/9/13 (ground and first floor plan - existing and proposed)
- Drawing Number: TJF/RG/11/13 (Site plan proposed/existing)
- Drawing Number: TJF/RG/2/13 A (rebuild porch north /south)
- Drawing Number: TJF/RG/12/23 (roof plan proposed)
- Drawing Number: TJF/RG/1/13 (A) (existing plinth to porch and proposed front elevation)
- Drawing Number: TJF/RG/13/13 (roof plan existing)
- Location plan - ordnance survey dated (13.04.2013)

Reason:

In the interests of clarity.

- 3 Notwithstanding the submitted plans and information, prior to commencement of development hereby permitted, details of the materials to be used in the construction of the porch as well as the paint finish (including RAL number) 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 protection of the Listed Building and to comply with Policy SP21 of the Neath Port Talbot Local Development Plan.

- 4 Prior to commencement of any work, sample panel(s) of all new re-pointing shall be provided on site showing the proposed mortar mix and final surface texture, and the materials and methods approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the approved sample panel(s) shall be retained on site until the work is completed and the condition is discharged.

Reason:

In the interest of protection of the Listed Building and to comply with Policy SP21 of the Neath Port Talbot Local Development Plan.

Action Conditions

- 5 Notwithstanding the submitted plans and information, prior to the roof light hereby granted consent is installed, a detailed specification shall be submitted to and agreed in writing with the Local Planning Authority. The works shall only be carried out in accordance with the approved details. The rooflight specification shall include details of:

- Size;
- Material;
- Colour;

- Method of opening;
- Method of fixing
- Appearance
- Extent of upstand from the roof (which shall be no greater than 25mm)

Reason:

In the interest of protection of the Listed Building and to comply with Policy SP21 of the Neath Port Talbot Local Development Plan.

Informatives:

1 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

2 CADW are advised that the press advert on this application does not expire until the expiry of 21 days from the date of the advert (The press advert was posted on 09.08.22).

The proposal was considered against the legal duty placed on the Authority in respect to listed buildings as set out in Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and the policies of the Neath Port Talbot Local Development Plan (2011-2026) adopted January 2016. The Authority has also taken into account Cadw's Conservation Principles.

The LPA considers that the works would not adversely affect the character and appearance of the Listed Structure. As such, the proposed development is considered to be in accordance with Policies SC1, SP21 and BE1 of the Neath Port Talbot Local Development Plan.

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.