

**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 Alan Thomas
Mount Elim Evangelical Church
Nant Arian
40A Derwen Road
Alltwen
Pontardawe
SA8 3AY

Name and address of the agent

Mr Paul Clement
PCC Home Improvement Design
27 Fford Brynheulog
Pontardawe
Swansea
SA8 4JG

DATE REGISTERED: 5 October 2020

APPLICATION NO: P2020/0727

LOCATION: Land Adjacent To, Dan Y Bryn Residential Home, Brecon Road, Pontardawe, Swansea, SA8 4PD

PROPOSAL: New community church building (Class D1), car parking and associated works (Amended and additional information received 25-2-21)

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:-

THIS DECISION NOTICE IS REVISION NUMER 2 ISSUED ON 27/02/2023

Time Limit Conditions

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

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:

Location Plan

Brecon Road Visibility Plan - C1502-C-SKO5

Layout Planning Engineering Drawing - C1502-C-001

Sectional Drawing (16/9/20)

Proposed floor and elevational plan - (2/1/20)

Block Plan (16/9/20)

Cut & Fill Layout Plan -C1502-C-003

Layout Plan Drainage - C002

Existing Block Plan

Streetscene Plan 70A/19

Building Use Report

Supporting Information (9/11/20)

Design and Access Statement (July 2020)

Residential Mining Report

Acer Ecology -Preliminary Ecological Appraisal (June 2020)

Reptile Survey -June 2020

Reptile Removal Report

Tree Survey Report

Reason

In the interest of clarity.

Pre-Commencement Conditions

- 3 No development shall commence until a foul water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The position of the public sewer that crosses the site shall be accurately located and marked out on site before works commence. The scheme shall then demonstrate that the existing foul sewer does not conflict with the proposed development and its private drainage systems. The scheme shall be implemented in accordance with the approved details prior to the occupation of the development, and retained as such thereafter.

Reason

To protect the integrity of the public sewer and avoid damage thereto, and to prevent hydraulic overloading of the public sewerage system, to protect public health and the safety of existing residents and to ensure no pollution of or detriment to the environment, and ensure the development complies with Policy SP16 and BE1 of the adopted Neath Port Talbot Local Development Plan.

Details in respect of the above Condition were approved under Planning Application ref P2022/0950 issued on 27/02/2023

- 4 No development shall take place to construct of the highway or dwellings until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:
- the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development

- d. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- e. wheel washing facilities
- f. measures to control the emission of dust and dirt during construction
- g. a scheme for recycling/disposing of waste resulting from demolition and construction works
- h. scheme for the erection of temporary/semi temporary signage warning drivers of the presence of children and speed restrictions.
- i. The Construction Method Statement shall be signed by a competent person(s).

The approved Statement shall be adhered to throughout the construction period.
Reason

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

Details in respect of the above Condition were approved under Planning Application ref P2022/0950 issued on 27/02/2023

- 5 No development or site clearance shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 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 species.

Reason:

In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

Details in respect of the above Condition were approved under Planning Application ref P2022/0950 issued on 27/02/2023

- 6 Prior to commencement of the development hereby permitted, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall identify all potential noisy activities to be carried out within the approved scheme and include details of all management and soundproofing measures to be implemented on site to prevent noise and nuisance to adjoining noise sensitive receptors. The development shall then be undertaken in full compliance with these approved details. Any updates to the Noise Management Plan, including additional

activities not previously identified, shall be subject to written approval from the Local Planning Authority.

Reason

To protect the amenity of nearby residential properties and in accordance with policy EN8 of the adopted Neath Port Talbot Local Development Plan.

Details in respect of the above Condition were approved under Planning Application ref P2022/0950 issued on *****

- 7 Prior to the commencement of development a reptile translocation scheme (excluding monitoring regime) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

Reason

In the interest of biodiversity, and to accord with Policy SP15 of the Neath Port Talbot Local Development Plan.

Details in respect of the above Condition were approved under Planning Application ref P2022/0576, issued on 24/08/2022.

Action Conditions

- 8 Prior to the erection of any lighting, a lighting scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate best practice guidance to ensure the retention of dark corridors for the movement of bats with no direct lighting of vegetation, details of the location and intensity of illumination of all external lighting. The scheme shall be implemented and retained in accordance with the approved details.

Reason

To prevent unacceptable light spillage and in the interest of biodiversity and protected species, and to ensure compliance with Policies SP15 and EN5 of the adopted Neath Port Talbot Local Development Plan.

- 9 Prior to the occupation of the building hereby approved a scheme indicating the position, height, design, materials and type of boundary treatment to be erected to all boundaries shall be submitted to and approved in writing by the Local Planning Authority . The boundary treatment shall be completed, as approved, prior to first beneficial use of the building and retained as such thereafter.

Reason

In the interest of visual amenity and to ensure compliance with Policy BE1 of the adopted Neath Port Talbot Local Development Plan.

- 10 Prior to commencement of works on the construction of any retaining wall a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the position, height, materials of any retaining walls including full structural calculations for any walls 1.5 metres or higher. The approved retaining walls shall be fully implemented on site prior to the first beneficial occupation of the building, and retained as such thereafter.

Reason

In the interest of visual amenity, residential amenity and land stability, and to ensure compliance with Policy BE1 of the adopted Neath Port Talbot Local Development Plan.

- 11 Notwithstanding the submitted details and prior to their use in the construction of the development hereby permitted, details and/or samples 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.

- 12 The new access and associated visibility splays as shown on Drawing No C-001 Rev F shall be constructed prior to the first beneficial occupation of any part of the development and shall be retained for as long as the development remains in existence.

Reason

In the interest of highway and pedestrian safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Development Plan.

- 13 The new junction arrangement and associated visibility splays from Coedcae on to Brecon Road as shown on Drawing No C-001 Rev F shall be constructed prior to the first beneficial occupation of any part of the development.

Reason

In the interest of highway and pedestrian safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Development Plan.

- 14 The car parking spaces as shown on Drawing No C-001 Rev F shall be provided prior to the first beneficial occupation of any part of the development and shall remain available for such use in perpetuity.

Reason

In the interest of highway and pedestrian safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Development Plan.

- 15 Prior to first beneficial occupation of the building all works including the installation of 3 bird boxes shall be carried out in accordance with the recommendations in the Preliminary Ecological Appraisal (June 2020, Acer Ecology P1673) section 5.6.1 and retained as such thereafter.

Reason

In the interest of biodiversity, and to mitigate the loss of bird nesting/foraging habitats under the Habitats Regulations (amended 2012) and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

- 16 Prior to the completion of the building and as detailed in the Preliminary Ecological Appraisal (June 2020, Acer Ecology P1673) section 5.6.2 two bat bricks shall be installed on the new church and retained as such thereafter.

Reason

In the interest of biodiversity, and to accord with Policy SP15 of the Neath Port Talbot Local Development Plan.

- 17 All works to be constructed on the public highway shall be subject to Road Safety Audits, stages 1 to 4 in accordance with HD19/03 of the Design Manual for Roads and Bridges. Each stage of the Road Safety Audit shall be submitted for approval in writing by the Local Planning Authority. All issues highlighted at each stage shall be addressed to the written approval of the Local Planning Authority within 3 months of approval of that stage of the Road Safety Audit .

Reason

In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the adopted Neath Port Talbot Local Development Plan.

- 18 Prior to the storage of materials or plant machinery on the public highway to enable works to commence within the site, a condition survey of the existing highway shall be submitted to and approved in writing by the Local Planning Authority. Should any damage occur to the highway as a consequence of any works within the adjoining development, damage will be required to be made good by the developer to the satisfaction of the Highway Authority.

Reason

To safeguard the Authority and ensure the existing highway is not damaged and subsequently remediated, in the interests of highway and pedestrian safety in accordance with Policy TR2 of the adopted Neath Port Talbot Local Development Plan.

- 19 Prior to the first beneficial use of the development a scheme shall be submitted to and approved in writing detailing the feasibility and provision of Electric Vehicle Charging Points to serve the development. The scheme as agreed shall be fully implemented prior to the first beneficial use of the development and shall be retained for such use thereafter.

Reason

In the interest of highway and pedestrian safety and to ensure compliance with Planning Policy Wales 11, and Policies BE1 and TR1 of the adopted Neath Port Talbot Local Development Plan

- 20 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. The scheme shall be implemented as approved.

Reason

In the interest of satisfactory drainage of the site, and ensure the development complies with Policy SP16 and BE1 of the adopted Neath Port Talbot Local Development Plan.

- 21 Prior to first beneficial use a bin storage area and any associated screening shall be laid out in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority and shall be retained as such thereafter.

Reason

In the interests of visual amenity and to ensure compliance with Policy BE1 of the adopted Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 22 No surface water and/or land drainage run-off shall be allowed to connect directly or indirectly with the public sewerage network.

Reason

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure that no pollution of or detriment to the environment, and ensure the development complies with Policy SP16 and BE1 of the adopted Neath Port Talbot Local Development Plan.

- 23 The development hereby permitted shall not be open to the public except between the hours of 08.00hrs and 21.00hrs Monday to Sunday.

Reason

To protect the amenity of nearby residential properties and in accordance with policy EN8 of the adopted Neath Port Talbot Local Development Plan (2011-2026).

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

Reason

In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the adopted Neath Port Talbot Local Development Plan.

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

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.

Informatives:

1 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. 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.

2 The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com. The applicant is also

advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

3 If the works are required within the highway, the written consent of the Highway Authority shall be sought; this includes the placement of any skips, scaffolding, hoarding or any traffic management on the highway. You should therefore contact the Highway Maintenance Unit of Neath Port Talbot County Borough Council at The Quays, Brunel Way, Baglan Energy Park, Neath SA11 2GG) for the attention Gary Thomas (tel: 01639 686327 or email: g.thomas3@npt.gov.uk to discuss any licences or approval required. This is required to be undertaken before any works commence on the Highway. For the implementation of the Traffic Regulation Orders you should contact the Project Manager - Engineering of Neath Port Talbot County Borough Council at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG. f.a.o Martin Brumby tel: 01639 686013 or email: m.brumby@npt.gov.uk who will advise you of the procedure for the implementation of the required Traffic Regulations Orders. * Please note this process can take up to 6 months - subject to the consultation process outcome. In order to ensure the road works you are required to undertake are carried out to the satisfaction of the Local Planning Authority and subsequently adopted if you so wish you are advised prior to commencing any work on these works to contact the Head of Engineering and Transport Services at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG (FAO Mr Justin Griffiths, telephone number (01639) 686397 or e-mail j.griffiths4@npt.gov.uk) to agree the specification, enter an adoption agreement and arrange onsite inspection of your works. Any agreement to adopt the roads relating to this development should be entered into with the Council prior to the commencement of development. Such an agreement will be under Section 38 of the Highways Act 1980 relating to the specification, timescale and subsequent adoption of the roads and a Bond to ensure that the Authority can complete the works if the Developer defaults on the roadworks. Prior to commencing any works on site the applicant will be required to enter into an agreement with the Authority under Section 278 of the Highway Act 1980 to carry out the works upon the existing public highway. You are advised prior to commencing any work on these works to contact the Head of Engineering and Transport Services at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG (FAO Mr Justin Griffiths, telephone number (01639) 686397 or e-mail j.griffiths4@npt.gov.uk) to agree the specification, enter the agreement and arrange on-site inspection of your works. Developers' attention is drawn to the provisions of Section 278 of the Highways Act, 1980 in cases where a development would require access or other works to be carried out within the existing highway. Where highway works to benefit a development require land adjacent to an existing highway to be constructed upon together with works on the existing public maintained highway, a hybrid S38/278 shall be used. Works that are to be undertaken within the existing public maintained highway only will require a S278 agreement. No Work shall be undertaken on the existing public maintained highway until the appropriate legal agreement has been entered into. Any works undertaken on the public highway without the appropriate legal agreement with the Highway Authority, the Highway Authority has the right to request the developer to remove and/or reinstate that part of the highway back to its original condition to the satisfaction of the Highway Authority. A plan detailing the differences between the existing and proposed highway shall be submitted to form part of the legal agreement, this should be made up of two colours, green for the proposed area to be adopted and brown for the existing highway.

Developers are reminded that consent under the Town and Country Planning Act, 1990/91, conveys no approval for works to be undertaken affecting any part of the public highway, including verges and footways. The Developer must:-(i) Obtain the approval of Neath Port Talbot County Borough Council as Highway Authority for the details of any works to be undertaken in the Public Highway.(ii) Indemnify the Authority against all claims arising from such works, including claims under the Land Compensation Act.(iii)

Give not less than 1 calendar months' notice in writing of the date of commencement of the works. As part of this process you are advised that any principle contractors and/or subcontractors that are on the Local Authority's framework approved list are permitted to undertake the works on the public highway, a list of these contractors are available from the Highway Authority's Highway Development Control Section on request.

Reason for decision

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 on visual amenity and the character of the area, the amenities of neighbouring properties, highway and pedestrian safety and the free flow of traffic, biodiversity, drainage, pollution including noise and contamination.

Accordingly, the proposed development is in accordance with Policies SP1, SP3, SP4, SP5, SP10, SP15, SP16, SP20, SP21, SC1, I1, EN7, EN8, TR2 and BE1 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: 13 August 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.