

**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 Sonny Robinson
St Patricks House, Fourth Floor
17 Penarth Road
Butetown
Cardiff
CF10 5ZA

DATE REGISTERED: 3 September 2021

APPLICATION NO: P2021/0912

LOCATION: River Neath Swing Underbridge

PROPOSAL:

Listed Building Consent for repairs, strengthening, refurbishment and replacements to river Neath swing bridge including steelwork repairs and replacement (including the replacement of bracing members; cutting back the corroded sections to sound material and over plating and replacing pin headed and missing rivets and replacement of overhead bracing of the swing bridge), bearing repairs, steelwork surface preparation and repainting, masonry repairs and repointing to all embankments and abutments, waterproofing of the swing span (span 4) and like for like replacement of corroded spigots beyond repair and missing downpipes

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:

This decision notice is REVISION NUMBER 2 issued on 29/03/2023

Conditions:-

Time Limit Conditions

- 1 The works permitted shall begin no later than five years from the date of this consent.

Reason:

In accordance with the provisions of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

List of Approved Plans

- 2 The development shall be carried out in strict accordance with the following approved plans and documents and in the case of the EcoVigour Preliminary Ecological Appraisal (PEA) 11/2021 its recommendations shall be implemented as approved:

- EcoVigour Preliminary Ecological Appraisal (PEA) dated 11/2021
- Topographical Survey 152093-ARC-DRG-ECV-000001 Revision ref. A03
- Existing General Arrangement (1 of 2) 152093-ARC-DRG-ECV-000002 Revision ref. A03
- Existing General Arrangement (2 of 2) 152093-ARC-DRG-ECV-000003 Revision ref. A03
- Top Deck Defects 152093-ARC-DRG-ECV-000004 Revision ref. A03
- Soffit Plan Defects 152093-ARC-DRG-ECV-000005 Revision ref. A03
- Span 1 Defects 152093-ARC-DRG-ECV-000006 Revision ref. A03
- Truss Defect (Span 4) 1 of 3 152093-ARC-DRG-ECV-000007 Revision ref. A03
- Truss Defects (Span 4) 2 of 3 152093-ARC-DRG-ECV-000008 Revision ref. A03
- Truss Defects (Span 4) 3 of 3 152093-ARC-DRG-ECV-000009 Revision ref. A03
- Pier Defects (IS1 and IS2) 152093-ARC-DRG-ECV-000010 Revision ref. A03
- Pier Defects (IS3 and IS5) 152093-ARC-DRG-ECV-000011 Revision ref. A03
- Pier Defects (IS4) 152093-ARC-DRG-ECV-000012 Revision ref. A03
- Pier IS6 and Abutment Defects 152093-ARC-DRG-ECV-000013 Revision ref. A03
- Existing Repair Details (Swing Span 4) 152093-ARC-DRG-ECV-000014 Revision ref. A03
- Strengthening of Reduced Sections (Span 4) 1 of 2 152093-ARC-DRG-ECV-000015 Revision ref. A02
- Strengthening of Reduced Sections (Span 4) Sheet 2 of 2 152093-ARC-DRG-ECV-000016 Revision ref. A02
- Strengthening of Truss Verticals and Diagonals (As Built Sections) 152093-ARC-DRG-ECV-000017 Revision ref. A01
- Strengthening of Truss Booms and Cross Girders (As Built Sections) 152093-ARC-DRG-ECV-000018 Revision ref. A01
- Elevation Details of Strengthening Works 1 of 2 152093-ARC-DRG-ECV-000019 Revision ref. A01
- Elevation Details of Strengthening Works 2 of 2 152093-ARC-DRG-ECV-000020 Revision ref. A01
- Proposed Bracing Replacement 152093-ARC-DRG-ECV-000021 Revision ref. A01
- Swing Span 4 Table of Strengthening 152093-ARC-DRG-ECV-000022 Revision ref. A02
- General Notes 152093-ARC-DRG-ECV-000023 Revision ref. A01
- Waterproof and Drainage Details (Swing Span 4) 152093-ARC-DRG-ECV-000024 Revision ref. A02
- Bearing Repair Details (Swing Span) 152093-ARC-DRG-ECV-000025 Revision ref. A01
- Proposed General Arrangement Span 4 152093-ARC-DRG-ECV-000026 Revision ref. A01

- Bridge Proposed General Arrangements 152093-ARC-DRG-ECV-000027 Revision ref. A01
- Proposed Repairs Schedule (Span 4) 1 of 3 152093-ARC-DRG-ECV-000028 Revision ref. A02
- Proposed Repairs Schedule (Span 4) 2 of 3 152093-ARC-DRG-ECV-000029 Revision ref. A02
- Proposed Repairs Schedule (Span 4) 3 of 3 152093-ARC-DRG-ECV-000030 Revision ref. A02
- Proposed Repair Schedule Spans 1, 2, 3, 5, and 6 (1 of 2) 152093-ARC-DRG-ECV-000031 Revision ref. A02
- Proposed Repair Schedule Spans 1, 2, 3, 5, and 6 (2 of 2) 152093-ARC-DRG-ECV-000032 Revision ref. A02
- Span 1 Proposed General Arrangement 152093-ARC-DRG-ECV-000033 Revision ref. A01
- Span 2 Proposed General Arrangement 152093-ARC-DRG-ECV-000034 Revision ref. A01
- Span 3 Proposed general Arrangement 152093-ARC-DRG-ECV-000035 Revision ref. A01
- Span 5 Proposed General Arrangement 152093-ARC-DRG-ECV-000036 Revision ref. A01
- Span 6 Proposed General Arrangement 152093-ARC-DRG-ECV-000037 Revision ref. A01
- Proposed Access Staircase 152093-ARC-DRG-ECV-000038 Revision ref. A02
- Swing Span Proposed Repair and Strengthening 152093-ARC-DRG-ECV-000039 Revision ref. A02
- Swing Span Substructure Repairs 152093-ARC-DRG-ECV-000040 Revision ref. A01
- Inspection Report 152093-ARC-REP-ECV-000001
- Heritage Impact Assessment and Access Statement (Revision 2, dated September 2021)
- Site Location plan dated 02.09.21 (Network Rail - Scale 1,2500)

Reason:
In the interests of clarity.

Action Conditions

- 3 Prior to commencement of any masonry work or repointing, details of the method, extent, materials (including mortar sample analysis) to be used and exact location of such works shall be approved in writing with the Local Planning Authority. The development shall be carried out in strict accordance with the agreed 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.

Details in respect of the above condition were approved by planning permission ref. P2023/0237 on the 29/03/2023

- 4 Prior commencement of any repointing work, sample panel(s) of all new repointing shall be provided on site showing the proposed mortar mix and final surface texture, details of which shall be submitted to and approved in writing with the Local Planning Authority prior to commencement of any repointing work. The development shall be carried out in strict accordance with the agreed 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.

Details in respect of the above condition were approved by planning permission ref. P2023/0237 on the 29/03/2023

- 5 Notwithstanding the submitted plans and information, prior to the commencement of any paintwork, details of the method, extent and exact location of any paintwork proposed together with paint colour details (including RAL colour) and finish shall be approved in writing with the Local Planning Authority. The development shall be carried out in strict accordance with the agreed 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.

Details in respect of the above condition were approved by planning permission ref. P2022/0360 on the 09/06/2022

- 6 Notwithstanding the submitted plans and information, prior to the commencement of any work to replace spigots or downpipes, a schedule of the exact location and extent of any such works, together with a specification for the replacement spigots or downpipes shall be submitted to and agreed in writing with the local planning authority. The development shall be carried out in strict accordance with the agreed 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.

Details in respect of the above condition were approved by planning permission ref. P2022/0360 on the 09/06/2022

- 7 In the event that any additional steelwork repairs are identified at any time when carrying out the approved development that were not previously identified, a schedule of the exact location and extent of any such works, together with a specification for the proposed works shall be submitted to and agreed in writing by the local planning authority prior to any of the identified additional steelwork repairs being undertaken. The development shall be carried out in strict accordance with the agreed 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.

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: 22 December 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 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.