

**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 Bowen
Plas Farm
Cilybebyll
Pontardawe
Swansea
SA8 3JQ
United Kingdom

DATE REGISTERED: 26 April 2022

APPLICATION NO: P2022/0366

LOCATION: Concrete Farm Building, Plas Farm , Lane From Church Road
To Plas Farm, Rhos, Pontardawe, SA8 3JQ

PROPOSAL: Listed building consent for a new single storey side extension, replacement of existing roof, rainwater goods, windows, doors, handrail to external stair (and new tread grates) together with replacement of existing ground and first floor structures (including all necessary waterproofing and insulation), repair and recoating of the external wall finishes, internal lining of the external walls to include insulation, in addition to placement of new windows and doors within existing unframed openings together with works to accommodate bat roosting within the new roof design (works proposed to accommodate a change of use of existing building to a 1 bed holiday flat at first floor and communal facilities at ground floor for use by occupiers of holiday residences at Swansea Valley Holiday Cottages)

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 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 accordance with the following approved plans and documents:

Drawing Number: 09000 Rev A (Existing Ownership plan)

Drawing Number (09001 Site Location plan)

Drawing Number 09002 (Existing site plan)

Drawing Number 09003 (Proposed site plan)

Drawing Number 02010 RevA (Building 1 existing elevations)

Drawing Number 47001 Rev A (Building 1 Proposed roof plan)

Drawing Number 1 Revision A 02000 (Building 1 proposed elevations sheet 1)

Drawing Number Revision A 02001 (Building 1 proposed elevations sheet 2)

Drawing Number 21000 Rev 6 (Building 1 construction details)

Barn rebuild- conversion engineering section 110721 (ateb Consult) dated 7/7/21

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 The development hereby permitted shall not commence until a detailed schedule of bat mitigation measures including a timeframe of works, has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation measures shall thereafter be implemented in full.

Reason:

In the interest of Biodiversity and visual amenity, and to mitigate the loss of bird nesting/foraging habitats under the Habitats Regulations (amended 2012) and to accord with Policy SP15 and BE1 of the adopted Neath Port Talbot Local Development Plan.

Action Conditions

- 4 Prior to commencement of any masonry work, details of the method, extent, materials (including concrete 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, having particular regard for its special architectural interest as an extremely rare example of a mass concrete building from the C19 pioneering phase of the use of concrete for building construction and to comply with Policy SP21 of the Neath Port Talbot Local Development Plan.

- 5 Prior commencement of any masonry work, sample panel(s) of all new repointing shall be provided on site showing the proposed concrete mix and final surface texture. The development shall be carried out in strict accordance with the agreed details.

Reason:

In the interest of protection of the Listed Building, having particular regard for its special architectural interest as an extremely rare example of a mass concrete building from the C19 pioneering phase of the use of concrete for building construction and to comply with Policy SP21 of the Neath Port Talbot Local Development Plan.

- 6 Prior to their use in the construction of the development hereby permitted, details of the materials to be used in the construction of the development of the development shall have been submitted to and approved in writing by the Local Planning Authority. Material details shall be provided for the following items:

- External walls and roof covering
- rainwater goods
- windows and doors
- recoating of the external wall finishes.
- Internal lining of the external walls to include insulation.
- handrail to external stair.

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.

- 7 (4) Notwithstanding the submitted plans and information, prior to their installation on site, full details of new and replacement windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme only.

Reason

In the interest of visual amenity and preservation of the historic character of the building.

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 proposal will, on balance, strike an acceptable compromise between rigid retention of the present form and character of the building and alterations and extensions needed to ensure their practical use. The alterations and conversion would introduce a contemporary approach to design, which is also supported by national and development plan policy. It is considered the proposal would not have an unacceptable impact on the character and appearance of the building concerned and would sit well within the surrounding buildings. On balance, it is concluded it would be in accordance with the aims of the relevant development plan policies.

Signed: 

Ceri Morris – Head of Planning & Public Protection

Date: 30 June 2023

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: .

(6) Welsh Water Dwr Cymru advise that the planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water Industry Act 1991.

Please note, in accordance with Construction and Design Management (CDM) Regulations, it is the applicant's responsibility to ensure that any proposed works within their curtilage do not conflict with any underground services and is recommended they review their land registry title deeds for any legal covenants. For Sewers or Watermains that may be present and affected by your proposals, you are advised to contact Dwr Cymru Welsh Water who will be able to explain whether your proposed works will be acceptable as well as any consent required. Prior to commencing works, it is also recommend the applicant review the information and guidance on Building Over Sewers

available on Welsh Water's website at

The applicant is also advised that some public sewers and lateral drains may not be recorded on Welsh Water 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.

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/pes .
- (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.