

**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 & Mrs Hill
Oakfield House
Wern Alau
Cilfrew
Neath
SA10 8LX

Name and address of the agent

Mr Robert Needham
Volute Architects Limited
22 Merton Green
Caerwent
NP26 5AT

DATE REGISTERED: 6 June 2023

APPLICATION NO: P2023/0426

LOCATION: Moose Hall, Castle Street, Neath, Neath Port Talbot, SA11 3LU

PROPOSAL: Listed Building Consent for various internal and external alterations including the provision of a new external terrace/fire escape

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:

Heritage Impact Assessment - Revision A (13.07.2023)
Design and Access Statement (May 2023)
Building Inspection Report (Protected Species) (January 2022)
Bat Activity Survey - Addendum Report (August 2022)
Structural Survey Report (February 2021)
Asbestos Refurbishment Survey Report (December 2021)
Plan P02 - Proposed Kitchen Layout
17058- SK08 - Restaurant Staircase specification
17058 - SK02 -Steel Staircase specification
17058- SK03B - Steel Terrace specification
17058 - SK06 - SK07 - Terrace Connection and Section Details
17058 - SK01rA - GF Plan - Structure Over
21-1011-700-A - Schedule of Contemporary Material Removal
21-1011-700-A - Photograph Reference Plan
21-1011-308C Windows and Doors Detail as Proposed
21-1011-309 Proposed Wall Panelling
21-1011-304A Internal Stairs as Proposed (restaurant)
21-1011-303A Internal Stairs as Proposed (business units)
21-1011-301C New Gates/Wall/Piers as Proposed
21-1011-302B Restaurant Entrance as Proposed
21-1011-201F Ground Floor Plan as Proposed
21-1011-110 Historical Development - Ground Floor
21-1011-111 Historical Development - First Floor
21-1011-112A Demolition and Removals - Ground Floor
21-1011-113A Demolition and Removals - First Floor
21-1011-101B Ground Floor Plan as Existing
21-1011-102A First Floor Plan as Existing
21-1011-103B Elevations as Existing
21-1011-104B Elevations as Existing
21-1011-105A Sections as Existing
21-1011-200B Site/Roof Plan as Proposed
21-1011-202G First Floor Plan as Proposed
21-1011-203F Elevations as Proposed
21-1011-204F Elevations as Proposed
21-1011-205D Sections as Proposed
21-1011-305D Proposed External Escape Stairs
21-1011-306D Proposed External Terrace
Site Location Plan

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 Notwithstanding any other details that may be given in the application, and prior to being installed/applied to the building as part of the development hereby approved, details and/or samples (including manufacturers' product, design and colour) of the following materials/finishes shall be first submitted to and approved in writing by the Local Planning Authority:

(a) all new external surface materials (roofs, walls, vents, rainwater goods, hoppers and windows/doors);

- (b) all new external gates, walls, piers and railings;
- (c) all new external stairs and handrails;
- (d) all new means of enclosure/balustrade to external terrace area;
- (e) all new CCTV units; and
- (f) all new external lighting

Development shall thereafter only be carried out in accordance with the approved details.

Reason:

To preserve and enhance the special character and appearance of the listed building and Neath Town Centre Conservation Area.

- 4 Notwithstanding any other details that may be given in the application, no windows shall be installed, removed or replaced until 1:10 drawings with 1:5 sections detailing the design, joinery and finish details for all new and replacement windows have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise first agreed in writing to variation, the first floor arched window sections shall be glazed, not panelled, with details of the new glazing to be included in the 1:10 and 1:5 drawings detailed above.
The development shall thereafter only proceed in accordance with the approved details.

Reason:

The submitted window drawings require further detail to ensure the development preserves the special character and appearance of the listed building and Neath Town Centre Conservation Area.

Action Conditions

- 5 All new external works and finishes and works of making good shall match the existing original work adjacent in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved or as required by any condition(s) attached to this consent.

Reason:

To preserve the special character and appearance of the listed building.

Informatives:

1 Bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building in which bats are roosting, Natural Resources Wales must be contacted. If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work shall cease and NRW should be contacted immediately. Where bats or their roosts are present, no works of site clearance, demolition or construction shall take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. NRW can be contacted at:-Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000Bat Conservation Trust can be contacted at:-5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0345 1300228

The proposal has been considered against the legal duty placed on the Local Planning Authority in respect to listed buildings as set out in 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. Consideration has also been given to Cadw's Conservation Principles and Managing Change Guidance.

It is considered that the works would not adversely affect the historical and architectural character and appearance of the Listed Building. As such, the proposed development would be in accordance with Policies SC1, SP21 and BE1 of the Neath Port Talbot Local Development Plan.

Signed:

A handwritten signature in black ink, appearing to read 'Ceri Morris', is placed over a black rectangular background.

Ceri Morris – Head of Planning & Public Protection

Date: 3 October 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 & Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ – Tel 0300 060 4400, or online at <https://planningcasework.service.gov.wales/>.
- (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.