

**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

Head Of Property And Regeneration For
Neath Port Talbot CBC
The Quays
Brunel Way
Baglan Energy Park
Neath
SA11 2GG
United Kingdom

Name and address of the agent

Mr Iwan Rowlands
Asbri Planning
Suite D
1st floor
220 High Street
Swansea
SA1 1NW
United Kingdom

DATE REGISTERED: 28 September 2023

APPLICATION NO: P2023/0732

LOCATION: Gnoll House And Cellar Remains, Gnoll Estate Country Park,
Fairylane, Neath, Neath Port Talbot,

PROPOSAL: Consolidation and repair works to Gnoll House ruins and
creation of education interpretation centre in Gnoll House
cellars

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:-

Time Limit Conditions

- 1 The development shall begin no later than five years from the date of this decision.

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:

Green Infrastructure Statement
GI Plan - Zone 01 Gnoll Ruins
Stage1 Coal Mining Risk Assessment
Ground Conditions Assessment Report
Measured Building Survey
Historic Environment Desk Based Assessment
Historic Building Recording v2
Building Survey Written Scheme of Investigation
Non-Mains Drainage Assessment
Construction Environmental Management Plan
Bat Survey & Addendum Report
Tree Survey & Arboricultural Constraints Report
Tree Survey Plan
Proposed Soft Landscaping Plan
Topographical Survey
Drainage Layout Plan
Drainage Strategy
Drainage Technical Note
PAC Report
Planning Statement
Lighting Strategy
PSY424 LED - bollards and pathway luminaires
Lighting Plan 2080-01-MCP-E-DR-9100
Project Context Statement
Design and Access Statement with Heritage Impact Assessment
Site Location Plan
Existing Site Plan 2080-01-HIR-A-DR-00020-S2-P1
Existing Site Plan 2080-01-HIR-A-DR-00021-S2-P2
Proposed Site Plan 2080-01-HIR-A-DR-00210-S2-P3
Existing Basement Plan 2080-01-HIR-A-DR-01030-S2-P2
Existing Ground Floor Plan (1 of 2) 2080-01-HIR-A-DR-01031-S2-P2
Existing Ground Floor Plan (2 of 2) 2080-01-HIR-A-DR-01032-S2-P2
Existing Roof Plan 2080-01-HIR-A-DR-01039-S2-P2
Repairs Site Plan 2080-01-HIR-A-DR-01120-S2-P1
Repairs Basement Plan 2080-01-HIR-A-DR-01130-S2-P3
Repairs Ground Floor Plan (1 of 2) 2080-01-HIR-A-DR-01131-S2-P3
Repairs Ground Floor Plan (2 of 2) 2080-01-HIR-A-DR-01132-S2-P3
Roof Plan Demolition 2080-01-HIR-A-DR-01139-S2-P3
Demolitions and Repairs to North and South Elevations 2080-01-HIR-A-DR-01140-S2-P2
Demolitions and Repairs to East and West Elevations 2080-01-HIR-A-DR-01141-S2-P2
Sections AA and BB Repairs 2080-01-HIR-A-DR-01150-S2-P1
Sections CC and DD Repairs 2080-01-HIR-A-DR-01151-S2-P1
Sections EE and FF Repairs 2080-01-HIR-A-DR-01152-S2-P1
Proposed Basement Plan 2080-01-HIR-A-DR-01300-S2-P4
Proposed Ground Floor Plan (1 of 2) 2080-01-HIR-A-DR-01310-S2-P4
Proposed Ground Floor Plan (2 of 2) 2080-01-HIR-A-DR-01311-S2-P4
Proposed Stair Detail 2080-01-HIR-A-DR-01710-S2-P1

Existing North and South Elevations 2080-01-HIR-A-DR-03040-S2-P1
 Existing East and West Elevations 2080-01-HIR-A-DR-03041-S2-P1
 Existing Sections AA and BB 2080-01-HIR-A-DR-03050-S2-P1
 Existing Sections CC and DD 2080-01-HIR-A-DR-03051-S2-P1
 Existing Sections EE and FF 2080-01-HIR-A-DR-03052-S2-P1
 Proposed Sections AA and BB 2080-01-HIR-A-DR-03500-S2-P4
 Proposed Sections CC and DD 2080-01-HIR-A-DR-03501-S2-P5
 Proposed Sections EE and FF 2080-01-HIR-A-DR-03502-S2-P5
 Proposed Sections GG, HH and II 2080-01-HIR-A-DR-03503-S2-P2
 Proposed Section Detail - Ruin Wall and Floor 2080-01-HIR-A-DR-03780-S2-P1
 Proposed Section Detail - Ruin Wall and Floor 2080-01-HIR-A-DR-03781-S2-P1
 Proposed Oak Infill Wall Detail 2080-01-HIR-A-DR-03782-S2-P1
 Proposed Oak Infill Wall Detail 2080-01-HIR-A-DR-03783-S2-P1

Reason:

In the interests of clarity.

Pre-Commencement Conditions

- 3 Notwithstanding any other details which may be given in the Construction and Environmental Management Plan ('CEMP') hereby approved, no development shall commence, including any works of demolition, until an amended CEMP has first been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - (a) Construction methods: details of the extent and phasing of development; details for the storage and management of plant and materials used in constructing the development.
 - (b) Drainage: Details of drainage measures during construction phases to ensure that the drainage of any adjoining land, and land downstream is not interrupted or otherwise adversely affected by the development. This should include drawings that highlight the methods to control surface water flows, and be site specific.
 - (c) General Site Management: details of the construction programme including timetable; details of site clearance; details for erection and maintenance of security hoarding including decorative displays and facilities for public viewing.
 - (d) Traffic Management:
 - Internal traffic management scheme should be provided for once the materials are at site compound, and needing to be transported to the construction area. This is required to be discussed due to possible high volume of pedestrians within the park's grounds.
 - A scheme should be provided to ensure that multiple delivery vehicles are not passing on the access off Rockwood Close. This is ensure pedestrian safety along the access route. Also to include a safe turning area to ensure all vehicles leave the compound in a forward gear.
 - Details for the loading and unloading of plant and materials; details for the parking of vehicles of site operatives and visitors, is there to be parking facilities at site setup B.
 - (e) Responsible Persons: details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details, the CEMP must also be signed by the responsible person.
 - (f) Hours of working on site, including specified hours for deliveries; details of restrictions to be applied during construction and demolition works (including timing, duration and frequency of works) to prevent noise or nuisance amenity issues to

surrounding properties. The delivery times would need to be adjusted to ensure no deliveries during school pick up and drop off times - 8am to 9.30am and 2.30pm to 4pm.

Reason:

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

- 4 No development shall commence until a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity and the findings have been submitted to and approved in writing by the Local Planning Authority.

Furthermore, no part of the development shall be brought into use until any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be identified as necessary by the above investigations, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

Action Conditions

- 5 If any additional features within the tree to be felled, that could be used by bats (crack, crevices, gaps, loose bark etc) are identified during the works then the branches shall be section felled, lowered carefully and left on the ground for a minimum of 24 hours to allow any wildlife, such as bats, to escape if present.

Reason:

In the interests of ecology and biodiversity and as Bats are European protected species and are afforded protection under the Conservation of Habitats and Species Regulations 2010 and by the Wildlife and Countryside Act 1981 (as amended), and to accord with Policy SP15 of the adopted Neath Port Talbot Local Development Plan.

- 6 All works are to be carried out in accordance with section 4 'Recommendations for Mitigation' of the Bat Survey Report hereby approved.

Reason:

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

- 7 The biodiversity enhancement(s) as set out in the Green Infrastructure Plan - Zone 01 Gnoll Ruins - hereby approved, shall be fully implemented on site in accordance with the approved details prior to the first beneficial use of the development and thereafter maintained in perpetuity.

Reason:

In the interest of biodiversity, and to mitigate to loss of bird nesting/foraging habitats and to accord with Policy 9 of Future Wales and Policy SP15 of the Neath Port Talbot Local Development Plan.

- 8 All works are to be carried out in line with the Tree Survey and Arboricultural Constraints Report (updated August 2023) hereby approved.
All the trees/hedges shown on the approved plans to be retained and/or any trees whose canopies overhang the site shall be protected by strong fencing which must be erected prior to the start of any works and all working practises followed in accordance with BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations' which must be followed throughout all phases of this development.

The protective fencing shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

Reason:

To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 9 Prior to the first beneficial use of the development hereby approved, a management and maintenance plan for the house ruins site, to include the soft landscaping as well as the historic structures on site, shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be implemented and adhered to in accordance with the approved details thereafter.

Reason:

In the interest of visual amenity, to ensure the long term management and maintenance of all landscaped areas and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 10 The programme of work must be carried out fully in accordance with the requirements and standards of the Written Scheme of Investigation: Project No: FS23-010 hereby approved including the historic environment mitigation measures. The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority and shall allow him/her to observe the excavations and record items of interest and finds.

Reason:

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource and comply with Policy SP21 of the Neath Port Talbot Local Development Plan..

- 11 Prior to the development being brought into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason:

To ensure that risks from past coal mining activity to the future users of the land and neighbouring land are minimised and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

Informatives:

1 Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission to enter or disturb our property will result in the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

2 In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities. To check your site for coal mining features on or near to the surface the Coal Authority interactive map viewer allows you to

view selected coal mining information in your browser graphically. To check a particular location either enter a post code or use your mouse to zoom in to view the surrounding area.

3 Warning: A Protected Species Licence is required for this development. This planning permission does not provide consent to undertake works that requires a Protected Species Licence. It is an offence to deliberately capture, kill or disturb Protected Species or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales.

4 The archaeological work must be undertaken to the appropriate Standard and Guidance set by the Chartered Institute of Archaeologists (CIFA), and it is recommended that it is carried out either by CIFA Organisation or an accredited Member.

5 Please note that SAB approval will be required prior to any work commencing. It is a breach of approval required under Paragraph 7 (1) Schedule 3 of the Flood and Water Management Act 2010 whereby action will be taken by the Authority under The Sustainable Drainage (Enforcement) (Wales) Order 2018.

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 heritage assets, the amenity of the area, ecology, ground stability, highways and drainage considerations. Accordingly, the proposed development is in accordance with Policies T01, EN3, EN6, 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: 23 May 2024

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.

(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

<https://developers.dwrcymru.com/en/applications/planning/build-over-or-near-to-sewers>

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.