

**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

G Shell
The Old Swan
54-58 Gurnos Road
Ystalyfera
SA9 2HY

Name and address of the agent

Mr Robert Bowen
Robert Bowen Planning & Development LTD
7 Llys Sant Teilo
Llangyfelach
Swansea
SA5 7HQ
United Kingdom

DATE REGISTERED: 24 February 2021

APPLICATION NO: P2020/1099

LOCATION: The Old Swan, 54-58 Gurnos Road, Ystalyfera, Swansea,
Neath Port Talbot, SA9 2HY

PROPOSAL: Part Change of Use from Pub (Class A3) to mixed use of pub
(Class A3) and Hotel (Class C1), two storey rear extension with
external staircase and ancillary car park

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:

D7 Proposed Ground Floor Layout
D8 Proposed First Floor Layout
D9 RevA Proposed Elevations
D10 RevA Proposed Elevations
D11 Parking Layout Rev A
Proposed Landscaping Layout

Reason:
In the interests of clarity.

Action Conditions

- 3 Prior to first beneficial use details of the materials to be used in the construction of the car park shown on Drawing Number D11 Parking Layout Rev A, including levels, drainage and details of the finished surface have been submitted to and approved in writing by the Local Planning Authority. The car parking layout and access as shown on the approved plan, D11 Parking Layout Rev A, shall be constructed in accordance with these approved details and open for use prior to the first beneficial use of the development hereby permitted commencing, and shall thereafter be used solely for the benefit of the occupants of the hotel and public house of which it forms part and for no other purpose and permanently retained as such thereafter.

Reason: In the interest of highway safety and to ensure the development complies with Policy BE1 and TR2 of the Neath Port Talbot Local Development Plan.

- 4 Prior to their installation a scheme for the extraction and control of noise and cooking odours from the Kitchen shall be submitted to the Local Planning Authority. The scheme shall be designed in accordance with the DEFRA document "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems". Kitchen ventilation system stacks serving the approved Class A3 use should be positioned as far as possible from the nearest odour and noise sensitive property. The stack discharge shall be straight, vertical and terminate a minimum of 1000mm above the maximum roof height of the premises. Following approval of the scheme, the kitchen extraction shall be constructed and commissioned to the satisfaction of the Local Planning Authority prior to the first operation of the approved Class A3 use.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy BE1 and EN8 of the Neath Port Talbot Local Development Plan

- 5 Prior to the first beneficial occupation of the development, the landscaping scheme as shown on drawing 'Proposed Landscaping Layout' shall be implemented on site and retained and maintained as such thereafter

Reason: In the interest of visual impact and to ensure that the site remains presentable and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan

- 6 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.

- 7 Prior to the first beneficial use of the development hereby approved, 1x Schwegler 1WQ (or similar) bat box shall be affixed to the rear (southeast) of the new extension. To be affixed in an elevated position away from artificial light and potential predation and not above any windows or doors

Reason: In the interest of visual impact and residential amenity, and in the interest of biodiversity and protected species ensuring the proposal complies with Policies EN8 and BE1 of the Local Development Plan

- 8 The development hereby approved shall be connected to the mains sewerage system prior to the first beneficial use of the development hereby approved and retained as such thereafter. No surface water and/or land drainage 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 no pollution of or detriment to the environment, and to ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 9 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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.

- 10 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
Reason: To ensure no pollution of or detriment to the environment, and to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.
- 11 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.
Reason: To and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.
- 12 Adequate provision shall be made for the drainage of the site, to ensure that the drainage of any adjoining land is not interrupted or otherwise adversely effected by the development during the life time of construction.
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 .Prior to commencement of any works within a watercourse, hereby approved permanent and temporary under Section 23 of the Land Drainage Act 1991 must be obtained from the Authority. You are therefore advised to contact the

Development Management Engineer, Mr Justin Griffiths at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG (Tel.No.01639 686397 e-mail j.griffiths4@npt.gov.uk . Please note such consents can take up to 8 weeks to be processed after registration and early application is advised. Notwithstanding the necessary consent required under section 23 of the Land Drainage Act 1991. The applicant must note that any culverts/ditches/open watercourses that conveys water through their land are to remain free from obstruction at all times. All tributary watercourses (culverted or not) located within the applicants land would be riparian responsibilities whereby the responsibility to sustain the flow of watercourse would remain with the land owner and subsequently passed on to the respective landowners thereafter should the land be sold. For further information on riparian responsibilities please contact Mr Justin W. Griffiths Senior Engineer - Team Leader (Tel: 01639 686397 or email j.griffiths4@npt.gov.uk), alternatively you could access the riparian booklet online using the following web-link <https://www.npt.gov.uk/2867>

2 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, T_ " 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

CONCLUSION

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 visual impact or harmful impacts on residential amenities or highways safety. Accordingly, the proposed development is in accordance with Policies BE1, TR2 and EN7 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:

