

**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

Mr Clive Barnard
Neath Port Talbot County Borough Council
Port Talbot Civic Centre
Access To Port Talbot Civic Centre
Port Talbot
Neath Port Talbot
SA13 1PJ

Name and address of the agent

Adam Thomas
The Urbanists
11 Womanby Street
Cardiff
CF10 1BR

DATE REGISTERED: 24 October 2024

APPLICATION NO: P2024/0685

LOCATION: Princess Royal Theatre, Port Talbot Civic Centre, Access To
Port Talbot Civic Centre, Port Talbot, Neath Port Talbot, SA13
1PJ

PROPOSAL: The refurbishment of the Princess Royal theatre and civic
square, including extension of the theatre.

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:

- oPRT Construction Environmental Management Plan, prepared by Morgan Sindall (dated 02/12/2024), as received on 02/12/2024;
- oPRT Planting Schedule, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00300-P04;
- oPRT Planting Plan 1 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00301-P04;
- oPRT Planting Plan 2 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00302-P04;
- oPRT Planting Plan 3 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00303-P04;
- oPRT Planting Plan 4 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00304-P04;
- oPRT Biodiversity Green Roof Plan, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00305-P01;
- oPRT Biodiverse Roof Details, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00521; as received on 25/11/2024.
- oPrincess Royal Theatre Flood Consequences Assessment, Version 1, prepared by Morgan Sindall (July 2024);
- oPRT Ground Investigation Report, Ref: 784-B046183, prepared by Tetra Tech (August 2024);
- oPRT Phase 1 Geoenvironmental Assessment Desk Top Study, Ref: 784-B046183, Prepared by Tetra Tech (August 2024);
- oArboricultural Impact Assessment, ArbTS_1869.2_PRINCESS ROYAL THEATRE & PUBLIC REALM, prepared by ArbTS, dated 21/10/2024; as received on 30/10/2024.
- oTechnical Note / Transport Statement, ref: 1776-ACS-ZZ-XX-RP-T-001-A TN, prepared by Acstro, dated 12/07/2024);
- oPreliminary Ecological Assessment, V1.0, prepared by Ecological Services Ltd, dated 12/04/2024;
- oPlanning Design Statement, Ref: 26CC03-AHR-10-TXX-T-A-04202 (October 2024);
- oBat Survey, V1.0, prepared by Ecological Services Ltd (October 2024);
- oFormant Stage 3 Acoustic Design Report, Report ref. 26CC03-FOR-10-XX-T-OJ-0003, Revision: P01, dated 29/08/2024;
- oPRT Landscape Planning Statement, Rev P01, The Urbanists, dated 21/10/2024;
- oPRT Proposed Basement, Drawing No. 26CC03-AHR-31-TB1-D-A-08209-P01;
- oPRT Proposed Ground Floor, Drawing No. 26CC03-AHR-31-T00-D-A-08210-P01;
- oPRT Proposed First Floor, Drawing No. 26CC03-AHR-31-T01-D-A-08211-P01;
- oPRT Proposed Second Floor, Drawing No. 26CC03-AHR-31-T02-D-A-08212-P01;
- oPRT Proposed Roof, Drawing No. 26CC03-AHR-31-TR1-D-A-08213-P01;
- oPRT Proposed Context Elevations, Drawing No. 26CC03-AHR-32-TZZ-D-A-08400-P01;
- oPRT Proposed Elevations 1 of 2, Drawing No. 26CC03-AHR-32-TZZ-D-A-08401-P01;
- oPRT Proposed Elevations 2 of 2, Drawing No. 26CC03-AHR-32-TZZ-D-A-08402-P01;
- oProposed Site Levels Layout Civic Square, Drawing No. 26cc03-HYD-50-CXX-D-C-00202-P02;
- oSite Constraints Plan Civic Square, Drawing No. 26CC03-HYD-50-CXX-D-C-00500-P06;
- oActive Travel Route Plan Civic Square, Drawing No. 26CC03-HYD-50-CXX-D-C-01000-P02;

- oVehicle Tracking Refuse Vehicle, Drawing No. 26CC03-HYD-50-CXX-D-C-01303-P04;
- oVehicle Tracking Fire Tender, Drawing No. 26CC03-HYD-50-CXX-D-C-01302-P07;
- oKerbing & Finishes Plan Civic Square, Drawing No. 26CC03-HYD-50-CXX-D-C-01400;
- oProposed Site Sections Civic Square, Drawing No. 26CC03-HYD-50-CXX-D-C-03400-P02;
- oPost-Development Catchment Plan Civic Square, Drawing No. 26CC03-HYD-50-CXX-D-C-04300-P04;
- oExceedance Plan Civic Square, Drawing No. 26CC03-HYD-50-CXX-D-C-04400-P01;
- oInformation & Communication Plan Civic Square, Drawing No. 26CC03-HYD-50-CXX-D-C-04900-P01;
- oProposed Drainage Plan Civic Square, Drawing No. 26CC03-HYD-52-CXX-D-C-03000-P08;
- oDrainage Construction Details Civic Square, Drawing No. 26CC03-HYD-53-CXX-D-C-05000-P01;
- oSUDS Construction Details Civic Square, Drawing No. 26CC03-HYD-53-CXX-D-C-06000-P02;
- oExternal Lighting & Lux Layout, Drawing No. 26CC03-HYD-55-CXX-D-E-55001-P01;
- oProposed External Services Layout, Drawing No. 26CC03-HYD-30-CXX-D-ME-30001-P01;
- oPRT Civic Square, Illustrative Masterplan, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00005-P04;
- oPRT Sheet Key Plan, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00006-P04;
- oPRT Redline Boundary Plan, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00010-P01;
- oPRT Green Infrastructure Assessment Plan, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00011-P01;
- oPRT Hard & Soft Landscaping Masterplan, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00012-P04;
- oPRT Red Line Boundary 1 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00101-P04;
- oPRT Red Line Boundary 2 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00102-P04;
- oPRT Red Line Boundary 3 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00103-P04;
- oPRT Red Line Boundary 4 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00104-P04;
- oPRT Landscape Enabling Works 1 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00105-P04;
- oPRT Landscape Enabling Works 2 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00106-P04;
- oPRT Landscape Enabling Works 3 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00107-P04;
- oPRT Landscape Enabling Works 4 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00108-P04;
- oPRT Vegetation Retention and Removal GA 1 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00109-P04;
- oPRT Vegetation Retention and Removal GA 2 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00110-P04;

- oPRT Vegetation Retention and Removal GA 3 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00111-P04;
- oPRT Vegetation Retention and Removal GA 4 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00112-P04;
- oPRT General Arrangement 1 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00201-P04;
- oPRT General Arrangement 2 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00202-P04;
- oPRT General Arrangement 3 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00203-P04;
- oPRT General Arrangement 4 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00204-P04;
- oProposed Hardscape GA 1 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00401-P04;
- oProposed Hardscape GA 2 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00402-P04;
- oProposed Hardscape GA 3 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00403-P04;
- oProposed Hardscape GA 4 of 4, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00404-P04;
- oPRT Cross Sections AA, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00601-P01;
- oPRT Cross-Sections BB, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00602-P01;
- oPRT Cross-Sections CC, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00603-P01;
- oPRT Cross Sections DD-EE, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00604-P01;
- oPRT Elevations AA, Drawing No. 26CC03-URB-XX-XX-DR-LA-XX-00605-P01;
- oPlanning Statement, prepared by the Urbanists, dated 22/10/2024;

All as received on 23/10/2024.

Reason: In the interests of clarity

Pre-Commencement Conditions

- 3 Prior to the start of development on site, the tree protective fencing as detailed within the Arboricultural Impact Assessment, Ref: Project Reference - ArbTS_1869.2_PRINCESS ROYAL THEATRE & PUBLIC REALM, prepared by ArbTS (dated 21st October 2024) and detailed on Tree Protection Plan, Drawing No. 1869.2 shall be fully implemented on site and the specifications of the fencing shall be in full compliance with BS5837: "Trees in Relation to Design, Demolition and Construction to Construction - Recommendations" (2012). The fencing shall be retained in situ for the duration of all construction operations on site.

Reason: In the interests of protecting retained trees on site in accordance with Policy EN7 of the Neath Port Talbot Local Development Plan.

Action Conditions

- 4 Prior to their use in the construction of development hereby permitted, full details and samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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.

The details have been agreed to satisfy planning Condition 04 under planning permission P2025/0582 (DOC - Discharge of Conditions) granted on 20.10.2025.

- 5 Prior to the first beneficial use of the development hereby approved, full details for the secure storage of cycles shall be submitted to and approved in writing by the Local Planning Authority, and such facilities shall thereafter be retained as approved at all times.

Reason: In the interest of highway safety and to ensure the development complies with Policy TR2 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.

Regulatory Conditions

- 7 Any bollards erected on site shall have a minimum spacing of 1.50m between it and any other bollard or the closest adjacent feature.

Reason: To comply with Welsh Governments Active Travel Act Guidance (July 2021) and Policy TR2 of the Neath Port Talbot Local Development Plan.

- 8 Any external lighting shall be installed in accordance with the details on Drawing No. 26CC03-HYD-55-CXX-D-E-55001-P01, External Lighting Layout & Lux, Civic Centre as received on 23/10/2024.

Reason: In the interest of visual amenity and biodiversity and in accordance with Policy SP15 and EN6 of the Neath Port Talbot Local Development Plan.

- 9 Prior to the first beneficial use of the development hereby permitted, the biodiversity enhancement measures shall be provided in accordance with: Princess Royal Theatre and Civic Square, Green Infrastructure Statement, ref: 2264-URB-XX-XX-RP-PL -XX-001 (21/10/2024); PRT Green Infrastructure Assessment Plan, Drawing No. 26CC03-

URB-XX-XX-DR-LA-XX-00011-P01; and Bat Survey, V1.0, prepared by Ecological Services Ltd and dated October 2024 and shall be retained as such thereafter.

Reason: In the interest of providing artificial nesting habitats to secure a net benefit for biodiversity in accordance with Planning Policy Wales (Ed. 12).

- 10 Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Monday to Friday, 08:00 to 13:30 on Saturdays and no works on Sundays or Bank Holidays.

Reason: In the interest of residential amenity and to ensure the development complies with Policy BE1 and EN8 of the Neath Port Talbot Local Development Plan.

- 11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise alternative species is agreed in writing with the Local Planning Authority.

Reason: In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation, and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 12 The development, hereby approved shall be completed in accordance with the Construction Environmental Management Plan (CEMP), prepared by Morgan Sindall (dated 02/12/2024)....

Reason: In the interests of biodiversity and the amenity of the area as a whole and to ensure the development complies with Policy EN7 of the Neath Port Talbot Local Development Plan.

Informatives:

1 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.

2 Unless temporary approval has been given for diversion or closure, the Public Rights of Way shall remain open at all times, any damage caused to the Rights of Way shall be rectified to the satisfaction of this authority immediately.

3 Protection of habitats: No removal of trees/scrub/hedges shall be carried out on site between 1st March and 31st August inclusive in any year. The applicant is reminded that,

under the Wildlife and Countryside Act 1981 (as amended) section 1, it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

4 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 3000 Bat Conservation Trust can be contacted at:-5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0345 1300228

5 The proposed development is bordered/crossed by a number of trunk/distribution watermains and service reservoirs, the approximate positions being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. We have Conditions for Development near Watermain(s). It may be possible for watermains to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The proposed development will entail bioretention areas and SuDS features directly above and within the protection zone of the 100mm and 300mm public trunk watermains, measured 3 and 6 metres either side of the centreline respectively. The developer must consult Dwr Cymru Welsh Water before any development commences: contact the Plan and Protect team (PlanandProtect@dwrcymru.com) to carry out a survey to verify the location of these assets to establish their distance and relationship to the proposed development.

6 The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com 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 Welsh Water 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.

7 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:www.gov.uk/government/organisations/the-coal-authority

8 The developer is advised that this consent does not relate to the displaying of advertisements, and separate Advertisement Consent may be required.

9 Flood Zones: The application site falls within Flood Zone C1 (Served by significant infrastructure, including flood defences) as identified within TAN 15: Development and Flood Risk (2004), Development Advice Map (DAM). The application site also falls under NRW's Flood Map for Planning (FMfP) Flood Zones 2, 3 (Rivers) and Flood Zone 3 (Seas). The Princess Royal Theatre and Civic Square lie to the northwest of the River Afan. In areas at risk of flooding, we recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels.

10 Mid and West Wales Fire and Rescue Service: Please ensure that the proposal meets the requirements of Approved Document B(Wales) 2020 B5 Access and Facilities for the Fire and Rescue Service: Section 16 Fire mains and Hydrants Section 17 Vehicle Access for Fire appliances Section 18 Access to building for firefighting personnel Section 19 Venting of heat and smoke from basements. The developer should consider the need to provide adequate water supplies and vehicle access for firefighting purposes on the site and general guidance on this matter via the following links: <https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of-water-for-firefighting-3rd-edition-jan-2007/> <https://www.ukfrs.com/index.php/promos/16847>. Furthermore, the applicant should be advised to contact the appropriate Authority responsible for ensuring safety and compliance for these types of developments i.e., Health & Safety Executive / Local Authority Building Control.

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 visual, residential or highway amenity. Accordingly, the proposed development is in accordance with Policies SC1, SP3, SP5, SP10, SP20, SP21, R2, TR2, EN6, EN7, EN8, BE1, BE2 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040, specifically Policies 2, 3, 6, 8 and 9 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: 17 December 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.