



**To:** Mr David Glasson  
David Glasson Planning Ltd  
47 Cooper Road  
BRISTOL  
BS9 3QZ

## **APPLICATION FOR PLANNING PERMISSION**

Town and Country Planning Act 1990

**DECISION DATE: 17th February 2020**

### **NOTICE OF GRANT OF PLANNING PERMISSION**

**19/P/0082/FUL**

In pursuance of its powers under the above mentioned Act and Order, TORFAEN COUNTY BOROUGH COUNCIL (hereinafter called the Council) as Local Planning Authority hereby **PERMITS**:

**PROPOSAL:** Conversion and extension of barn to dwelling and associated works including demolition of lean to shed and provision of new gravelled access track

**AT:** Ty Dda Farm Penylan Fields Varteg

In accordance with the application registered by the Council on 15th February 2019

**SUBJECT TO THE FOLLOWING CONDITION(S) SPECIFIED HEREUNDER:**

#### **CONDITIONS:**

- 1 The development shall begin not later than five years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 Unless otherwise specified by another condition of this Notice, the development shall be carried out in accordance with the following approved plans and documents:

Received on 8 February 2019

Site Location Plan

Drawing no. [BD] 01 Existing Floor Plans and Elevations

Bat Assessment Report by Countryman Wildlife Consultancy



Mineral Sterilisation Assessment by SLR Consulting  
Structural Survey by Vale Consultancy  
Planning Statement by North and Letherby Surveyors

Received on 19 September 2019  
Drawing no.[BD] 02 Rev.C Proposed Floor Plans and Elevations  
Foundations Information by Vale Consultancy (dated 13/6/19)  
Justification by North and Letherby Surveyors (dated 19/9/19)

Received on 14 October 2019  
Preliminary Ecological Appraisal by AVA Ecology Ltd

Received on 4 December 2019  
Drawing no.[BD] 03 Rev.B Existing and Proposed Site Block Plans

Reason: To ensure the development is carried out in accordance with the approved details. Any material alteration to the approved details may have an impact that has not been assessed.

- 3 Notwithstanding the provisions of Schedule 2, Part 1 (Classes A, B, C and E) and Part 2 (Class A) of the Town and Country Planning (General permitted Development) Order 1995 (as amended in 2013 for Wales)(or any order revoking and re-enacting that order with or without modification), no extensions, enlargements, alterations to the roof, outbuildings or means of enclosure (other than those expressly authorised by this permission and shown on the approved plans) shall be constructed without the prior express planning permission of the Local Planning Authority.

Reason: To ensure any future modifications are sympathetic to the character and appearance of this building having regard to its gateway location and in the interests of visual amenity.

- 4 Notwithstanding any other details which may be given in the application/approved drawings, no development shall commence until a comprehensive surface water and foul drainage disposal scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the mains disposal of foul water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the drainage scheme shall be fully implemented in accordance with the approved details prior to the occupation of the development and thereafter maintained as such in perpetuity.

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.

- 5 Prior to commencement of the development, details and/or samples of the materials to be used in the construction of the external surfaces of the barn conversion (particularly the proposed roof covering, doors/windows and stonework including coursing details) shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out strictly in accordance with the approved details.



Reason: In the interests of visual amenity and the character and appearance of the original building.

- 6 No development shall commence, including any works of demolition, until a Demolition and Construction Environmental Method Statement has been submitted to and approved, in writing, by the Local Planning Authority. The approved statement shall be adhered to throughout the demolition and construction period. The statement shall provide for:
- a) a scheme for the protection of existing tree and hedgerow boundaries (identified as high value habitats within the ecology reports submitted as part of the application hereby approved);
  - b) bat transect surveys and static detector surveys of the hedgerows;
  - c) all necessary steps as required as a consequence of the surveys undertaken at b) above;
  - d) construction and size details for the proposed timber shed (NB there should be no excavations, footings or soil compaction within tree canopy and root protection zones); and
  - e) construction details for the proposed access and parking areas.

Reason: In the interests of ecology and biodiversity considerations.

- 7 The dwelling hereby permitted shall not be occupied or brought into beneficial use as such until the ecological enhancement measures shown on drawing no.[BD] 03 Rev.B hereby approved have been fully implemented on site in accordance with the approved details and thereafter maintained as such in perpetuity.

Reason: The development is required to provide a net for biodiversity in accordance with Planning Policy Wales 10 and the Council's statutory duties under The Environment (Wales) Act 2016.

- 8 Notwithstanding any other details that may be given on drawing no.[BD] 02 Rev.C hereby approved, the proposed conservation-style rooflight shown on the east elevation is only permitted if a natural slate roof covering is proposed in accordance with Condition 5 of this permission. If a metal sheet or other roof covering is proposed then no rooflight is permitted in accordance with this permission.

Reason: For the avoidance of doubt as to the development that is permitted and in the interests of visual amenity and the character and appearance of the original building.

#### **INFORMATIVES:**

- 1 Torfaen Local Development Plan covers Torfaen County Borough. The following policy/policies is/are relevant to the consideration of this application: S1, S2, S4, S7, BW1, C2, C4, M1 and M4.
- 2 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](http://www.gov.uk/government/organisations/the-coal-authority)



- 3 This notice does not give authority to destroy or damage a bat roost or disturb a bat. All 16 British bat species are protected under the Conservation of Habitat and Species Regulations 2010. It is a criminal offence to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you suspect that bats might roost in the building(s) for which demolition work is planned you should take further advice from the Natural Resources Wales, or an ecological consultant, before you start. If bats are discovered during the work you must stop immediately and contact the Natural Resources Wales for advice before continuing.
- 4 The developer is advised of the requirement for SAB approval of the surface water drainage details. The appropriate application form and guidance is available on the Council's website.

**LIST OF REVISIONS TO DECISION NOTICE (where applicable):**

Revision No: 1  
Reference No: 20/P/0241/CND  
Date of decision: 3/7/20  
Effect of the decision: DOC 5 (Materials)  
Decision made by: TCBC

Revision No: 2  
Reference No: 20/P/0242/CND  
Date of decision: 4/8/20  
Effect of the decision: DOC 6 Ecological (CEMP)  
Decision made by: TCBC

**Richard Lewis**

**PENNAETH CYNLLUNIO A DATBLYGU / HEAD OF PLANNING AND DEVELOPMENT**

**Ar gyfer Cyngor Bwrdeistref Sirol Torfaen / On behalf of Torfaen County Borough Council**

**IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE**



## **GUIDANCE NOTES FOR APPLICANTS**

### **APPEALS AGAINST THE DECISION OF THE LOCAL PLANNING AUTHORITY**

#### **Appeals to the Welsh Minister**

- If you are aggrieved by the decision of your local planning authority to refuse the permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Ministers under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within six months of the date of this notice (or within 28 days of the date of this notice if the decision relates to works to a protected tree). IF THE PERMISSION RELATES TO A HOUSEHOLDER OR MINOR COMMERCIAL APPLICATION YOU MUST APPEAL WITHIN 12 WEEKS OF THE DATE OF THIS NOTICE.
- Appeals must be made using a form which you can get from the Welsh Ministers, Planning Inspectorate at Crown Buildings, Cathays park, Cardiff CF10 3NQ, or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- The Welsh Minister can allow a longer period for the giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Welsh ministers need not consider an appeal if it appears that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Welsh Ministers do not refuse to consider appeals solely because the local planning authority based its decision on a direction given by them.

#### **Purchase Notices**

If either the LPA or Welsh ministers refuse permission to develop land or grant it subject to conditions, the owner may claim that they can neither put the land to reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the LPA in whose area the land is situated. This notice will require the local planning authority to purchase the owner's interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990. (The local planning authority may accept the notice and proceed to acquire the land; or reject the notice in which case they must refer the notice to the Welsh Ministers).