

**Date:** 29<sup>th</sup> September 2020

**Our Ref:** 19.131

Nicola Lake  
Neath Port Talbot County Borough Council  
Development Control Section  
The Quays, Brunel Way  
Neath  
SA11 2HZ

Unit 9 Oak Tree Court  
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Cardiff Gate Business Park  
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CF23 8RS

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Dear Nicola,

**Town and Country Planning Permission Act 1990 (as amended)**  
**Non-Material Amendment application for the variation of condition 2 (approved plans) of**  
**planning consent P2019/5237 granted on 25<sup>th</sup> September 2019**  
**Plaza Cinema, Talbot Road, Port Talbot, Neath Port Talbot, SA13 1DH**  
**Planning Portal Reference: PP-09110578**

Asbri Planning Ltd is appointed as planning agent to Neath Port Talbot County Borough Council in respect of the above non-material amendment application. The application seeks to amend condition 2 of the above consent to allow for the substitution of the approved plans at Plaza Cinema, Talbot Road, Port Talbot, Neath Port Talbot, SA13 1DH.

Condition 2 of planning permission P2019/5237 refers to the approved plans. The condition states:

*"The development shall be carried out in accordance with the following approved plans and documents:*

- *Site Location Plan PPT-GWP-01-00-DR-A-(PA)-0001 Rev. 02*
- *Existing Site Plan PPT-GWP-01-00-DR-A-(PA)-0002 Rev. 02*
- *Topographical Survey PPT-GWP-XX-00-DR-A-(PA)-0003 Rev. 02*
- *Existing Ground Floor Plan PPT-GWP-01-00-DR-A-(PA)-0010 Rev. 03*
- *Existing First Floor Plan PPT-GWP-01-00-DR-A-(PA)-0011 Rev. 02*
- *Existing Second Floor Plan PPT-GWP-02-00-DR-A-(PA)-0012 Rev. 02*
- *Existing South & West Elevations PPT-GWP-XX-00-DR-A-(PA)-0014 Rev. 02*
- *Existing North & East Elevations PPT-GWP-XX-00-DR-A-(PA)-0015 Rev. 02*
- *Ground Floor Demolition Plan PPT-GWP-GF-00-DR-A-(PA)-0020 Rev. 04*
- *First & Second floor Demolition Plan PPT-GWP-01-00-DR-A-(PA)-0021 Rev.04*
- *Roof Demolition Plan PPT-GWP-02-00-DR-A-(PA)-0022 Rev. 02*
- *Topographical Survey - External Levels Demolition PPT-GWP-XX-00-DR-A- (PA)-0023 Rev. 02*
- *Demolition Elevations (South & West) PPT-GWP-XX-00-DR-A-(PA)-0024*
- *Demolition Elevations (North & East) PPT-GWP-XX-00-DR-A-(PA)-0025*
- *Proposed External Works & Sections PPT-GWP-01-00-DR-A-(PA)-0029 Rev.05*
- *Proposed External Works PPT-GWP-XX-00-DR-A-(PA)-0030 Rev. 07*
- ***Proposed Ground Floor GA Plan PPT-GWP-GF-00-DR-A-(PA)-0031 Rev. 09***
- ***Proposed First Floor GA Plan PPT-GWP-01-00-DR-A-(PA)-0032 Rev. 09***
- ***Proposed Second Floor GA Plan PPT-GWP-02-00-DR-A-(PA)-0033 Rev. 08***
- ***Proposed Roof GA Plan PPT-GWP-03-00-DR-A-(PA)-0034 Rev. 08***
- ***Proposed North & East Elevations PPT-GWP-01-XX-DR-A-(PA)-0035 Rev.09***
- ***Proposed South & West Elevations PPT-GWP-01-XX-DR-A-(PA)-0036 Rev.08***
- *Proposed Sections S-01 & S-02 PPT-GWP-01-XX-DR-A-(PA)-0037 Rev. 04*
- *Proposed Sections S-03 & S-04 PPT-GWP-01-XX-DR-A-(PA)-0038 Rev. 04*

- Condition Repair Proposals to front portion (elevations) PPT-GWP-01-XXDR-A-(PA)-0039
- Condition Repair Proposals to front portion (walls) PPT-GWP-01-XX-DR-A-(PA)-0040
- Condition Repair Proposals to front portion (floors) PPT-GWP-01-XX-DR-A-(PA)-0041
- Condition Repair Proposals to front portion (ceilings) PPT-GWP-01-XX-DRA-(PA)-0042
- External Works 01 PPT-GWP-01-00-DR-A-(SK)-0061
- Proposed Levels PPT-HYD-XX-XX-DR-C-0500
- Proposed Drainage Strategy and Constraints Plan PPT-HYD-XX-XX-DR-C-0600
- Proposed Surfacing and Kerbing Layout PPT-HYD-XX-XX-DR-C-0700
- Proposed Site Clearance PPT-HYD-XX-XX-DR-C-1200
- Design and Access Statement GWP Architecture
- Planning Statement Asbri Planning
- PAC Report Asbri Planning
- Heritage Impact Statement GWP
- Transport Statement Hydrock
- Framework Travel Plan Hydrock
- Drainage Strategy Hydrock
- Energy and Sustainability Statement Hydrock
- Lighting Impact Assessment Hydrock
- Flood Consequence Assessment Hydrock
- Bat Survey Rob Colley Associates
- Phase One Ecology Survey (2016) NPTCBC
- Phase One Ecology Survey (2018) NPTCBC
- Noise Planning Report Hydrock
- Outline Demolition Plan/Method Statement BAM Construction
- Waste Management Plan BAM Construction
- Land Contamination Preliminary Risk Assessment NPTCBC

*Reason: In the interests of clarity."*

It is proposed under this application to amend the above condition to the following (amendments in bold):

*"The development shall be carried out in accordance with the following approved plans and documents:*

- Site Location Plan PPT-GWP-01-00-DR-A-(PA)-0001 Rev. 02
- Existing Site Plan PPT-GWP-01-00-DR-A-(PA)-0002 Rev. 02
- Topographical Survey PPT-GWP-XX-00-DR-A-(PA)-0003 Rev. 02
- Existing Ground Floor Plan PPT-GWP-01-00-DR-A-(PA)-0010 Rev. 03
- Existing First Floor Plan PPT-GWP-01-00-DR-A-(PA)-0011 Rev. 02
- Existing Second Floor Plan PPT-GWP-02-00-DR-A-(PA)-0012 Rev. 02
- Existing South & West Elevations PPT-GWP-XX-00-DR-A-(PA)-0014 Rev. 02
- Existing North & East Elevations PPT-GWP-XX-00-DR-A-(PA)-0015 Rev. 02
- Ground Floor Demolition Plan PPT-GWP-GF-00-DR-A-(PA)-0020 Rev. 04
- First & Second floor Demolition Plan PPT-GWP-01-00-DR-A-(PA)-0021 Rev.04
- Roof Demolition Plan PPT-GWP-02-00-DR-A-(PA)-0022 Rev. 02
- Topographical Survey - External Levels Demolition PPT-GWP-XX-00-DR-A-(PA)-0023 Rev. 02
- Demolition Elevations (South & West) PPT-GWP-XX-00-DR-A-(PA)-0024
- Demolition Elevations (North & East) PPT-GWP-XX-00-DR-A-(PA)-0025
- Proposed External Works & Sections PPT-GWP-01-00-DR-A-(PA)-0029 Rev.05
- Proposed External Works PPT-GWP-XX-00-DR-A-(PA)-0030 Rev. 07
- **Proposed Ground Floor GA Plan PPT-GWP-01-GF-DR-A-(00)-0001 Rev.C02**
- **Proposed First Floor GA Plan PPT-GWP-01-01-DR-A-(00)-0002 Rev.C01**
- **Proposed Second Floor GA Plan PPT-GWP-01-02-DR-A-(00)-0003Rev.C01**
- **Proposed Roof GA Plan PPT-GWP-01-03-DR-A-(00)-0004 Rev.C01**
- **Proposed North & East Elevations PPT-GWP-01-XX-DR-A-(00)-0005 Rev.C01**

- **Proposed South & West Elevations PPT-GWP-01-XX-DR-A-(00)-0006 Rev.C01**
- *Proposed Sections S-01 & S-02 PPT-GWP-01-XX-DR-A-(PA)-0037 Rev. 04*
- *Proposed Sections S-03 & S-04 PPT-GWP-01-XX-DR-A-(PA)-0038 Rev. 04*
- *Condition Repair Proposals to front portion (elevations) PPT-GWP-01-XXDR-A-(PA)-0039*
- *Condition Repair Proposals to front portion (walls) PPT-GWP-01-XX-DR-A-(PA)-0040*
- *Condition Repair Proposals to front portion (floors) PPT-GWP-01-XX-DR-A-(PA)-0041*
- *Condition Repair Proposals to front portion (ceilings) PPT-GWP-01-XX-DRA-(PA)-0042*
- *External Works 01 PPT-GWP-01-00-DR-A-(SK)-0061*
- *Proposed Levels PPT-HYD-XX-XX-DR-C-0500*
- *Proposed Drainage Strategy and Constraints Plan PPT-HYD-XX-XX-DR-C-0600*
- *Proposed Surfacing and Kerbing Layout PPT-HYD-XX-XX-DR-C-0700*
- *Proposed Site Clearance PPT-HYD-XX-XX-DR-C-1200*
- *Design and Access Statement GWP Architecture*
- *Planning Statement Asbri Planning*
- *PAC Report Asbri Planning*
- *Heritage Impact Statement GWP*
- *Transport Statement Hydrock*
- *Framework Travel Plan Hydrock*
- *Drainage Strategy Hydrock*
- *Energy and Sustainability Statement Hydrock*
- *Lighting Impact Assessment Hydrock*
- *Flood Consequence Assessment Hydrock*
- *Bat Survey Rob Colley Associates*
- *Phase One Ecology Survey (2016) NPTCBC*
- *Phase One Ecology Survey (2018) NPTCBC*
- *Noise Planning Report Hydrock*
- *Outline Demolition Plan/Method Statement BAM Construction*
- *Waste Management Plan BAM Construction*
- *Land Contamination Preliminary Risk Assessment NPTCBC*

*Reason: In the interests of clarity."*

The above revised drawings indicate the change from projecting brick piers to flush soldier coursed brick 'piers' to the surrounding hall at the rear of the development and the omission of one of the louvred plant room doors to the plant room, to be replaced with louvred cladding on Eagle Street. The amendments are proposed for the functionality of the building.

The amendments have been discussed with CADW as alongside the planning permission a listed building consent has also been acquired. The discussions confirmed that I can confirm there is no need for a new Listed Building Consent (LBC) application, with regard to the design changes. An email from the CADW inspector has been received and is submitted in support of this NMA.

Section 96a of the Town & Country Planning Act 1990 allows non-material amendments to be made to an existing planning permission. This was brought into effect on the 1st September 2014. The Welsh Government has produced a guidance note entitled 'Approving Non-material Amendments to an Existing Planning Permission' which sets out four tests to be considered in determining whether an application qualifies as a non-material amendment.

It is, therefore, necessary to assess the proposed amendment against the four tests in turn:

- (a)(i) is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme; and,***
- (a)(ii) would the proposed change result in a detrimental impact either visually or in terms of local amenity?***
- (b) would the interests of any third party or body be disadvantaged in planning terms; or,***

***(c) would the proposed change conflict with national or development plan policies?***

***(a)(i) is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme?***

The proposed amendments involve a small change to the appearance of the building. This comprises changing of projecting brick piers to flush soldier coursed brick 'piers' to the surrounding the hall at the rear of the development and omission of one of the louvered plant room doors to the plant room, replaced with louvered cladding on Eagle Street. The amendments to the elevations only result in a minor visual change to the building and as such in relation to scale do not cause an impact different to that caused by the originally approved development.

***(a)(ii) would the proposed change result in a detrimental impact either visually or in terms of local amenity?***

As above, the proposed amendment will result in a minimal change to the elevations. The amendments have been proposed for the functionality of the building, therefore, the impact from the proposed change on visual and local amenity will not be wholly different to that originally consented as part of the planning application.

***(b) would the interests of any third party or body be disadvantaged in planning terms;***

Similar to the points discussed under point (a), the proposed amendment will not increase overlooking and will not alter the scale or location of the proposal. The proposed change will not result in any overlooking or loss of privacy. Therefore, no third-party bodies, statutory or otherwise, who maintain an interest in this application, would be disadvantaged by the amendments in planning terms.

***(c) would the proposed change conflict with national or development plan policies?***

Given that the proposed amendment results in no changes, there is unquestionably no conflict with planning policy on any scale.

It is for these reasons that Neath Port Talbot Council's Local Planning Authority is respectfully requested to grant approval of the non-material amendment to amend condition 2 of planning consent P2019/5237 at Plaza Cinema, Talbot Road, Port Talbot, Neath Port Talbot.

The application fee of £115.00 to support the application will be paid online/by card.

Yours Sincerely,



**Liam Griffiths**  
**Graduate Planner**