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Development Management

Neath Port Talbot County Borough Council
Civic Centre,
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Dear Sir/ Madam,

LAND AT CRAMIC WAY, PORT TALBOT

NON-MATERIAL AMENDMENT TO ALTER THE WORDING OF CONDITION 16 (SURFACE WATER DRAINAGE STRATEGY) OF PLANNING PERMISSION P2020/0174 TO FACILITATE THE SUBMISSION OF REVISED SURFACE WATER DRAINAGE DRAWINGS

In regard to the above application, we wish to alter the wording of Condition 16 (Surface Water Drainage Strategy). We propose the following wording:

“Prior to first occupation of the buildings, details of the Surface Water Drainage Strategy will be submitted to and approved in writing with the Local Planning Authority. The approved scheme shall be implemented on site and retained as such thereafter”.

The reason for the above change is to facilitate the submission of the revised surface water drainage drawings which have received technical approval.

Effective from the 1st September 2014 Section 96a of the Town & Country Planning Act 1990 allows non-material amendments to be made to an existing planning permission.

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 amendments 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 scale of the proposed change is not great enough to cause an impact different to that caused by the original approved development scheme as it merely relates to minor alterations to the wording of a condition.

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

The proposal will not result in a detrimental impact either visually or in terms of local amenity given that the changes proposed are so minor from that of the originally approved.

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

The proposal will not result in increased overlooking and will not disadvantage, in planning terms, any third-party bodies, statutory or otherwise, who maintain an interest in this application.

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

Given the minor nature of the proposed amendment, there is unquestionably no conflict with planning policy on any scale.

It is considered that the above justification details the appropriateness of this non-material amendment of the wording of Condition 16 (Surface Water Drainage Strategy). For these reasons Neath Port Talbot Council are respectfully requested to grant approval of the Non-material Amendment application. I look forward to receiving details of the name of the case officer, application reference number and target determination date.

In the meantime, if you require any further information, please do not hesitate to get in touch.

Yours faithfully,

Ellena Hodges
Jehu Group