

11th January 2023
Our Ref: S21.156

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Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

LAND NORTH OF BEVIN AVENUE SANDFIELDS PORT TALBOT SA12 6JU

**PROPOSED NON-MATERIAL AMENDMENT APPLICATION FOR ALTERATION TO THE WORDING OF
CONDITION 10 AND THE APPROVED PLANS ATTACHED TO PLANNING PERMISSION P2022/0481**

PLANNING PORTAL REFERENCE: PP-11835760

Asbri Planning Ltd have been instructed by Tai Tarian to submit an application on their behalf for a Non-Material Amendment to Planning Permission P2022/0481. The permission allowed for the Refurbishment of the existing 69no. 2 bed flats, conversion of 3no. 2 bed flats to 3no. new 1 bed flats and the construction of an additional 1no. 2 bed and 54no. 1 bed flats, with associated car parking, landscaping and infrastructure works.

The application is submitted via the Planning Portal and is supported by the following documents:

- Covering Letter;
- Completed Application Forms;
- Site Location Plan;
- Bin Store Plans & Elevations (ref: N297-A019 Rev C);
- Bin Store Plans & Elevations (ref: N297-A020 Rev C); and,
- Application fee of £115.

Construction is currently ongoing for phase one of the County Flats scheme, and Hale (the project contractor) have encountered a major issue in regard to the bin storage areas. At present, the shape of some of the bin stores is causing problems with buildability, especially in relation to the circular buildings. The amended bin storage drawings have therefore squared off the circular bin stores to match the other bin stores on site which are either square or rectangular. The proposed amendment has been run past the case officer, Mr. Griffiths, who has confirmed that the amendments are acceptable and constitute a non-material change, given that the scale of the bin stores will not be altered. It is therefore considered that the amendments are necessary as a result of the issues that have been encountered during construction of the site.

The proposed amendment of the wording of Condition 10 comes as a result of the above. To ensure that a consistent drawing revision for the Bin Storage and Elevation Plans is stated across the decision notice, the wording of Condition 10 is proposed to be amended as follows (additions are in **bold**):

*"The bin stores, cycle storage and mobility scooter storage as shown on drawings Bin Store Plans & Elevations Sheet 1 REV **C** (ref: N927 - A019) and Bin Store Plans & Elevations Sheet 2 REV **C** (ref: N927 - A020), shall be provided prior to the first beneficial use each phase of the development (as defined under approved phasing plan N297-A122 Approved Site Phases) and retained as such thereafter. Notwithstanding the approved plans the stores shall not cause obstruction to either vehicular or pedestrian visibility with no doors allowed to open out over the public highway. Unless otherwise agreed in writing materials shall be in accordance with those agreed for Phase 1 as shown on approved drawings (N297-A119; N297-A120 and N297-A121)".*

It is clear that the proposal can be dealt with by way of a Non-Material Amendment. Notwithstanding, in the interests of completeness, Section 96A of the Act sets out the following criteria to confirm whether amendments to a scheme can be considered non-material. An assessment against the criteria is outlined below:

a) (i) is the proposed change significant in terms of its scale in relation to the original approved development scheme?

The proposed amendments are minor in their nature and therefore will have a negligible impact upon the scale of the overall development.

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

The proposed alterations will be minor and in turn will have no detrimental impact either visually or in term of local amenity.

b) Would the interests of any third party or body who participated in or were informed of the original decision be disadvantaged in any way?

It is not considered that the minor amendments proposed will have any adverse impact on the interest of any third parties and as such no parties would be disadvantaged in any way as a result of the revisions to the approved scheme, as they are minor in nature and will not impact the spirit of the approved development.

c) Would the development change conflict with national or development plan policies?

The development proposed under the existing planning permission complies with national and development plan policy. It is not considered the changes proposed are of a scale to alter the developments accordance with policy.

As such it is considered that the existing scheme cannot be said to be materially impacted by the proposed amendments.

In this respect, it is considered that the proposed amendments comply with the relevant criteria outlined above and therefore can be considered as a Non-Material Amendment to planning permission P2022/0481.

I trust the above information is sufficient and of assistance. I look forward to receiving confirmation in relation to the details submitted in due course. Should you have any queries or need further assistance, please do not hesitate to contact me.

Yours Sincerely,



Daniel Lemon - Planner
Asbri Planning Ltd