



Date: 20th April 2023
Our Ref: RJ/23.103

Nicola Lake
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Planning Division
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The Quays
Brunel Way
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Dear Nicola,

**Town and Country Planning Act 1990 (as amended)
S96a Application**

Amendment to industrial building previously approved under P2022/0470 to regularise refinements during detailed design, including rationalise administration block to measure 80000mm (length) x 9000mm (depth); glazing to wrap around the corner of the administration block; louvered parapet to the administration block measuring 2030mm; proposed curtain wall system glazing on the administration block; glazing of administration block to measure 9640mm on the east elevation; opaque panel introduced to conceal sliding door mechanisms and ceiling lid which form draught lobby; floor to floor height of the administration block increased by 340mm to accommodate services; openable vents added; glazing dimensions of administration block increased to 9640mm; glazing of light tunnel to measure 8000mm; roller doors height amended to 5020mm on north and south elevation; roller doors height amended to 3020mm on west elevation; fire doors to measure single width; general doors, roller doors, fire exit doors arrangement updated to meet end user requirements; fixed ladder added on western elevation to provide access to plant roof and alternative means of escape from main roof; louvers relocated and added on the western elevation; parapet height of plant and services block reduced to 12230mm; plant screening omitted on the main roof; and parapet height of building reduced by 450mm to measure 17300mm.

**Land at Baglan Way, Port Talbot
Planning Portal reference PP-11985936**

On behalf of the applicant, Glass Systems Ltd, please find enclosed a Non-Material Amendment application in respect of changes proposed to planning permission P2022/0470. The fee of £115 associated with this submission, will be paid separately by the applicant.

The Non-Material Amendment seeks the approval to amend the approved drawings in order to rationalise the design of the building following technical review for construction. The proposed

amendments seek to consolidate the office spaces and partitions within the office block taking cognisance of use and occupancy levels with the proposed office block slightly reduced in scale. Additionally, during the detailed design the architect identified a number of minor amendments that are required to meet the specification of the client. The changes are listed below:

East elevation (administration block)

- Administration block size rationalised.
- Glazing proposed in lieu of the approved composite cladding panels at the two ends of the office block.
- Louvered parapet added to screen the rooftop plant of the administration block in lieu of composite cladding to supplement the glass ends of the office block.
- A curtain wall system glazing is proposed instead of planar glazing to assist ventilation.
- Opaque panel introduced to conceal sliding door mechanisms and ceiling lid which form draught lobby.
- Floor to floor height increased by 340mm to accommodate services.
- Openable vents added.
- Glazing dimensions increased to meet UK specification sizes.

East elevation (main building)

- Light tunnel glazing dimensions reduced to meet UK specification sizes.
- Fire escape doors reduced to a single width instead of double doors.
- One fire exit door relocated.
- One fire escape door added.

North elevation

- Roller doors arrangement updated to meet end user requirements.
- Roller door sizes increased to suit design specification.
- Westernmost roller door omitted.
- Additional roller door included.
- Door arrangement updated to meet end user requirements.
- Fire escape doors reduced to a single width instead of double doors.
- Two fire escape doors added.

South elevation

- Roller doors arrangement updated to meet end user requirements.
- Roller door height increased to suit design specification.
- Fire escape doors reduced to a single width instead of double doors.
- Fire escape door relocated to suit internal layout.
- Westernmost roller door omitted.
- Fire escape doors reduced to a single width instead of double doors.

West elevation (plant and services)

- Roller doors arrangement updated to meet end user requirements.
- Roller door sizes reduced to suit design specification.
- One roller door omitted.
- One roller door relocated.
- Parapet level reduced due to excessive internal head room.



West elevation.

- Fixed ladder added to provide access to plant roof and alternative means of escape from main roof.
- Fixed ladder added to provide alternative means of escape from main roof.
- Fire escape doors reduced to a single width instead of double doors.
- Two fire escape doors relocated.
- One fire escape door added.
- Louvres relocated following services and layout coordination.
- Louvres added following developments with M&E design.

Roof

- Plant screening omitted because it is not visible from ground level.
- Parapet height reduced.

The changes to specific dimensions of the building are listed below, and a bespoke elevation drawing highlighting the changes is submitted for comparative purposes.

Element	Approved (mm)	Proposed (mm)
Administration unit – length	85000	80000
Administration unit – depth	11000	9000
Administration unit – depth at entrance lobby	11000	12800
Louvered parapet	1690	2030
Roller door – height (north and south elevation)	4480	5020
Roller door – height (west elevation)	4450	3020
Glazing administration unit – height	9300	9640
Glazing light tunnel – height	9300	8000
Plant and services parapet – height	13500	12230

The application is submitted following an email exchange between the Authority and LRM Planning, acting as agent to the applicant. Whilst the number of changes appear extensive, LRM Planning took the opportunity to explain that the majority of the changes were minor in nature and many offered a design betterment in comparison to the originally approved drawings. Overall, taken as a cumulative series of changes, the proposed amendments do not increase the height or footprint of the building and do not fundamentally alter the nature of the building approved. In conclusion, it was agreed that the proposed amendments, in principle, are non-material in nature.

The following drawings, prepared by Lawray Architects, are submitted in support of the non-material amendment:



Drawing	New reference
Proposed Site Plan	GSB-LAW-EX-XX-DR-A-069001-S4-P8
Proposed Ground Floor Plan	GSB-LAW-01-GF-DR-A-061001-S4-P10
Proposed First Floor Plan	GSB-LAW-01-FF-DR-A-061002-S4-P7
Proposed Roof Plan	GSB-LAW-01-RF-DR-A-069001-S4-P7
Proposed Elevations	GSB-LAW-01-XX-DR-A-062001-S4-P9
Proposed Building Envelope Finishes	GSB-LAW-01-XX-DR-A-062101-P0
Planning Approved Elevation Comparison	GSB-LAW-EX-XX-DR-A-062901-P0

The approved drawings prepared by James & Nicholas LLP that would be superseded by the proposed changes submitted herein are listed below:

Drawing	Reference
Proposed Site Plan	2149-A03-Rev.J
General Arrangement Plan – Ground Floor	2149-A04-Rev.D
General Arrangement Plan – First Floor	2149-A05-Rev.D
General Arrangement Plan – Ground and First Floor Administration and Staff Accommodation	2149-A07-Rev.D
General Arrangement Sections – Sheet 01	2149-A08
General Arrangement Sections – Sheet 02	2149-A09
Elevations	2149-A10-Rev.D
3D Captures Drawings	

Justification for Determination Under S96a of The Town and Country Planning Act 1990

With regard to section 96A of the Town & Country Planning Act 1990, which 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*’. This sets out a series of tests to be considered in determining whether or not an application qualifies as a non-material amendment.

Paragraph 2.4 of this guidance states the following:

“There is no statutory definition of a ‘non-material amendment’. This is because it depends on a number of factors such as the context of the overall scheme, the amendments being sought to the original planning permission, the specific circumstances of the site and surrounding areas, which will vary from one application to another. What may be non-material in one context may be material in another.”

Paragraph 2.6 further states:



“In deciding whether or not a proposed change is non-material consideration should be given to the effect of the change, together with any previous changes made to the original planning permission.”

When assessing and determining whether or not a proposed change would qualify as a non-material amendment the tests set out below apply. For clarity, I have outlined against each of the tests in the guidance note why the proposed amendments to planning permission 21/00401/MJR can be deemed non-material.

**Tests 1 & 2 - (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?**

The reduction in the scale of the administration block is a result of the office spaces being rationalised in their size and use. The rationalisation results in additional internal partitions. These partitions abut areas of the front glazing. A planar glass system, which are fixed large glass panes, is not suitable in this scenario; the internal wall abutments would be visible externally which reduce the aesthetic appeal of the building. In addition, the end user has a desire to have openable window vents to all external offices / spaces, as in their experience the employees much prefer this to avoid a ‘glass box’ feeling within the office spaces where no natural fresh air is possible. These opening vents cannot be achieved with a planar glazing system currently approved. Therefore, a curtain walling system is proposed, this will also take cognisance of screening developed structural and MEP members e.g. columns and ceiling void requirements for services. The openable window vents allow for a much-improved workplace environment whilst maintaining the pleasing aesthetic.

The rationalisation of the administration block results in its footprint being marginally smaller and offset slightly from the edge of the main production factory. These proposed changes reduce the scale and are therefore not great enough to cause an impact different to that caused by the original approved development scheme.

The approved planning elevations include cladding panels to the two ends of the office block (around the escape stairs) and above the office block creating a parapet. They also include separate isolated plant screens to both the office roof space and also the main roof. However, the industrial nature of the cladding panels does not reflect the status the applicant is seeking for the building, as a UK headquarters and instead two feature staircases at each end of the administration block are proposed with large glass panes to showcase the purpose of the building. The glass panes wrapping the corner of the building are consistent with the main elevation of the office building and will therefore not have a detrimental impact on the proposed development, and in fact could be considered an improvement on the approved scheme.

A louvered parapet is proposed to replace the cladded parapet, which lends itself better to the materials palette of the building particularly the large areas of glazing. Further, the louvered parapet will screen all rooftop plant mitigating the need for isolated rooftop plant screens currently proposed. The change creates a more logical appearance to the building.

In terms of the main building, the changes to the doors are as a resultant of a design review process with detailed design being finalised to meet the needs to the end user. The impact of the changes is considered negligible, especially considering the scale of the proposed building.



A drawing highlighting the amendments from the approved and proposed elevations is submitted for comparative purposes.

Cumulatively, the proposed changes to the administration block, as well as the alteration to the positioning of the doors and other features on the elevation of the building does not cause an impact different to that caused by the original approved development scheme, nor would it result in a detrimental impact either visually or in terms of local amenity.

Test 3 -(b) would the interests of any third party or body be disadvantaged in planning terms?

The changes proposed will not increase the scale parameters of the approved development and will therefore not have a detrimental impact on the interests of any third party or body in planning terms, over those matters previously considered.

Test 4- (c) would the proposed change conflict with national or development plan policies?

The original consented scheme was designed in accordance with the relevant national and development plan policies. The proposed amendments do not result in a scheme which is materially different from that already approved and therefore the amended scheme does not result in a conflict with national or development plan policies. Introducing solar panels could be considered a positive as it improves the environmental sustainability of the development.

On this basis it is considered that the proposed changes are non-material and thus the application can be determined under S96a of the Town and County Planning Act.

I look forward to receiving confirmation of the registration of this application. I trust the above is clear, but should you have any queries, please do not hesitate to contact me.

Yours sincerely,

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cc Client

Enc.

