

**Date:** 4<sup>th</sup> August 2023

**Our Ref:** S22.189

Environment and Regeneration  
The Quays  
Brunel Way  
Baglan Energy Park  
Neath  
SA11 2GG

Dear Sir or Madam,

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**Town and Country Planning Permission Act 1990 (as amended)**  
**Non-Material Amendment application for the rewording of Condition 5 (Gating) subject to planning permission P2022/0981**  
**Ynysmeudwy Arms, 168 Ynysmeudwy Road, Ynysmeudwy, Pontardawe, SA8 4QJ.**  
**Planning Portal Reference: PP-12288580**

Asbri Planning are acting as agent to Mr Leigh Dineen in the submission of a Non-Material Amendment application to planning consent P2022/0981. The proposed amendment relates to a change to the wording of Condition 5 (Gating), in order to maintain the existing gates situated across the property's drive. At present, the existing gates across the property's entrance open inwards, in accordance with the imposed condition, but cannot be seen through.

For ease of reference, the table below includes the approved wording with the right-hand column including You will note that any wording to be removed is shown as ~~struck through~~ for ease of reference.

| Current wording included within the Decision Notice for P2022/0981                                                                                                                                                                                                                                                                                                               | Amended wording to be agreed via Non-Material Amendment application                                                                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>Condition 5 - Gating</u></b></p> <p><i>"Any gates provided across the access drive(s) shall be of a type which open inward and can be seen through, and shall be retained as such thereafter.</i></p> <p><i>Reason: In the interest of highway and pedestrian safety and to ensure compliance with Policy TR2 of the Neath Port Talbot Local Development Plan."</i></p> | <p><b><u>Condition 5 - Gating</u></b></p> <p><i>"Any gates provided across the access drive(s) shall be of a type which open inward <del>and can be seen through</del>, and shall be retained as such thereafter.</i></p> |

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 Nonmaterial 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. The proposed amendment is assessed against each of the four tests in turn below:

***(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 change involves an amendment to the visual appearance of the access gate of Ynysmeudwy House. As such, there is no change to the scale of development.

***(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. There will be no changes in this regard.

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

Similarly to the points discussed under point (a), the proposed amendments will not increase overlooking in the vicinity of the property. 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 the minor nature of the proposed amendment, there is unquestionably no conflict with planning policy on any scale.

It is for these reasons that Neath Port Talbot's Local Planning Authority is respectfully requested to grant approval of the non-material amendment to amend working of Condition 5 (Gating) of planning permission P2022/0918.

We therefore trust that the application for a non-material amendment can be approved accordingly, but should you require any further information, please don't hesitate to get in touch.

Yours sincerely,



**George Milburn**  
Planner