

Our Ref: S25.115

Date: 7th February 2025

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Dear Sir or Madam,

Town and Country Planning Act 1990

Proposed Non-Material Amendment Application to Planning Permission P2023/0369 for the demolition of existing structure and construction of 43 no. residential dwellings with associated infrastructure works at Land at Heol Crwys, Cwmafan, Port Talbot, SA12 9NT

The proposed NMA seeks to remove Condition 29 (Surface Water)

Planning Portal Reference : PP-13756004

Asbri Planning is appointed as planning agent to CJ Construction Wales Ltd in respect of the above Non-Material Amendment (NMA) submission to Planning Permission reference P2023/0369 at Land at Heol Crwys, Cwmafan, Port Talbot, SA12 9NT.

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

- Covering Letter;
- Completed Application Form;
- Site Location Plan;
- Email conversation between the applicant and DCWW
- Application fee of £115.

The full planning permission was granted on 16th February 2024 and the applicant is currently finalising the S106 agreement under Water Industry Act 1991 in relation to new sewer connections. It is noted that due to levels and topographical & layout constraints it is not feasible to discharge runoff from the eastern part of the site (Plot 30-39). Hence it is therefore proposed to discharge surface water from the said plots to the existing combined sewer with flow controls. The proposal has gained DCWW's prior agreement in principle.

However, Condition 29 (Surface Water) restricts the surface water to be discharged to the combined sewer system, which creates a conflict with the ongoing S106 application. Condition 29 reads as below:

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network including any increase in the roof area of the building / or impermeable surfaces within the curtilage.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and to and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

DCWW therefore advised the applicant to seek removal of the said condition or seek written confirmation from the LPA that discharging the surface water to the combined sewer will not breach any planning conditions.

In light of the above, this NMA is therefore submitted and seek removal of condition 29 as per requested has been discussed with the case officer of the original planning application, Ms Jessica King, and DCWW. We were

advised to submit a non-material amendment to remove the said condition and DCWW will support this through planning if required.

Since the proposed amendments are minor in nature and only seek to remove condition 29 as per advised by DCWW, this NMA is therefore not considered to raise any material concerns to the proposal going forward. In the interest 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 merely seek to remove Condition 29 as per advised by DCWW. As such, the proposed change will therefore not be significant in terms of the scale of the development.

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

This application does not involve amendments on the approved plans. It is therefore considered that the proposed change will not lead to a 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?

No third parties who participated in or were informed of the original decision will be disadvantaged in any way of the application.

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

This application does not involve amendments on the approved plans. It is therefore considered that this application will not result in conflicts with national and local planning policy.

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 Full Planning Permission P2023/0369.

I trust the above information is sufficient and is 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,

Glenn Lee
Planner
Asbri Planning Ltd.