

Our Ref: S25.146
Date: 29th April 2025

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Dear Sir or Madam,

Town and Country Planning Act 1990
Proposed Minor Material Amendments for the Variation of Condition 2 (List of Approved Plans) of
Planning Permission P2023/0958 to Allow Introduction of Solar PV, Air-Source Heat Pump and Air
Condition Unit Associated with Minor Amendments to the Approved Plans
7 Ten Acre Wood, Margam, Port Talbot, Neath Port Talbot, SA13 2SU
Planning Portal Reference: PP-13899040

Asbri Planning is appointed as planning agent to Mr Andrew Hall in respect of the above Minor Material Amendments (S73 application) to vary the condition 2 (List of Approved Plans) of planning permission P2023/0958. The permission allowed for the demolition of the existing dwellinghouse and the development of a replacement dwellinghouse, with new vehicular access at 7 Ten Acre Wood, Margam, Port Talbot, Neath Port Talbot, SA13 2SU.

Minor Material Amendment Application

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

- Covering Letter;
- Completed Application Forms;
- Site Location & Block Plan (ref: 2658-(03)100)
- Site Layout – Setting Plan (ref: 2658-(03)103 Rev F)
- Elevational Materials Sheet 1 (ref: 2658-(03)E1)
- Elevation Materials Sheet 2 (ref: 2658-(03)E2)
- Acoustic Fence Detail (ref: 2658-(9)D2)
- Air Condition Data Sheet & specification
- PV Panel specification
- Air Source Heat Pump Specification
- Noise Impact Assessment prepared by Acoustic Consultants Ltd
- Application fee of £315 (including the service charge of the planning portal).

In the interest of clarity, the proposed S73 application comprises the following amendments:

- Introduction of Solar PV system
- Introduction of Air-source Heat Pump (ASHP)
- Introduction of Air Conditioning Unit (A/C)
- Addition of an external utility room (as shown on the side elevation 1)
- 400mm increase of rear opening (as shown as no. 7 at the rear elevation)
- Installation of acoustic fence at the north eastern elevation

Background

The submission of this S73 application follows the approval of full permission for the demolition of the existing dwellinghouse and the development of a replacement dwellinghouse, with new vehicular access at the site in

2024 (ref: P2023/0958). It is noted that it is the applicant's intention to improve the energy efficiency on site, which includes the introduction of Solar PV, ASHP and A/C associated with other minor amendments to the approved plan. The introduction of PV and ASHP has been discussed with the case officer of the full planning application, Ms Jessica King, and we were advised to submit a S73 application to amend the approved drawings.

Appraisal

The section of the letter will discuss the material considerations relevant to the proposed variation which are considered to be as follows:

- Acceptability of a S73 application to regularise the proposed changes; and
- Impact of the changes on design
- Impact on residential amenity

Acceptability of a Section 73 application to regularise the proposed changes

Given the nature of the changes, it is considered that a Section 73 application is the most appropriate mechanism to enact the amendments. The LPA also confirms that a Section 73 application was appropriate to regularise the proposed work during an informal email correspondence with the case officer for the previously approved application (ref: P2023/0958)

Paragraph 13.3.2 of the Development Management Manual states that Section 73 can be used to allow "minor material amendments" to planning Permissions. Paragraph 13.3.4 defines a minor material amendment as:

"One whose scale and nature results in a development which is not substantially different from that which has been approved. A section 73 application achieves this through the amendments of the plans condition imposed on a planning permission ..."

The proposed amendments seek to include PV, ASHP and A/C units associated minor changes on the approved plans but does not change the description of the proposal comprising the construction of a replacement dwelling. The proposed amendment should therefore be considered as "minor".

Impact of the changes on design

In terms of the Solar PV system, a built-in system has been chosen and it will be installed on the roof at the rear elevation. It is noted that the site is well screened by hedge growth along the boundary and therefore will not be clearly visible from the public viewpoint. It is therefore considered that the proposed PV system will have limited visual impact to the surrounding area and the Margam Special Landscape Area. In addition, LDP Policy RE2 (Renewable and Low Carbon Energy in New Development) states *"Schemes that connect to existing sources of renewable energy, district heating networks and incorporate on-site zero/low carbon technology (including microgeneration technologies) will be encouraged."* In this regard, the introduction of PV system should be considered acceptable.

In terms of the proposed ASHP and A/C units, they are proposed to be located at the side elevation, close to the ground level as shown in the submitted drawings. The proposed ASHP and A/C unit will not be visible from a public viewpoint and should therefore be considered as acceptable. In addition, similar to the proposed PV system, it will also be supported by LDP Policy RE2 as mentioned in the paragraph above.

In terms proposed utility room and the increased opening of the rear access for 400mm, which are considered minor in nature. The material used by the utility room will be same as the material used by the main replacement dwelling as approved under Condition 10 of the original planning approval (ref: P2024/0764). It is therefore considered that the proposed amendments will not lead to a detrimental visual concern going forward.

Lastly, an acoustic fence is proposed as per requested by the Noise Impact Assessment, which will be installed at the north eastern elevation. Similar to the plant, the proposed acoustic fence will be 1.2m in height as shown at the submitted detailed drawing and therefore will not be visible from a public viewpoint. It is therefore considered that the proposed acoustic fence will not lead to a detrimental impact visually but provide an overall improvement on the residential amenity which will be further explained in the next section.

In light of the above, the proposed amendments should be considered acceptable and is in accordance to LDP Policy BE1 (Design), RE2 (Renewable and Low Carbon Energy) and EN2 (Special Landscape Areas)

Impact of residential amenity

A Noise Impact Assessment prepared by Acoustic Consultants Ltd has been submitted to support the installation the ASHP and A/C unit. It is recommended that an acoustic fence is required at the north-eastern façade of the property to mitigate noise impacting the neighbouring residential units to the north, which has been implemented as shown on the submitted drawings. The assessment shows that the predicted rating noise level of plant is -13dB below the background sound level during the day period and -2dB below the background sound level during the night. It is therefore considered that the proposed amendments will not result in a detrimental impact on the residential amenity as the acoustic fence proposed will reduce the noise generated by the proposed plant.

In light of the above, it is therefore considered that the proposed installation of ASHP and A/C unit is unlikely to raise material concern going forward and is in accordance with LDP Policy BE1 (Design).

Conclusion

This letter has been prepared on behalf of Mr Andrew Hall to accompany a Minor Material Amendment (S73 application) for the variation of Condition 2 (List of Approved Plans) of planning permission P2023/0958 at 7 Ten Acre Wood, Margam, Port Talbot, Neath Port Talbot, SA13 2SU.

The letter has demonstrated that a S73 Application is the appropriate mechanism to enact the changes. The changes sought is to improve energy efficiency on site and as the result of detailed design progressing, and do not in any way compromise the high-quality design standard of the approved development. The letter has also identified that the proposed amendments will not result in an adverse impact in respect of design and residential amenity.

I trust that the submitted documents allow the application to be validated and look forward to receiving details of the application reference number and target determination date. In the meantime, if I can be of any further assistance, please do not hesitate to contact me.

Yours sincerely,



Glenn Lee - Planner
Asbri Planning Ltd