

Our Ref: 24.42

Date: 26th November 2025

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Dear Sir/Madam,

Town & Country Planning Act 1990 (as amended)

Non-Material Amendment application to vary Condition 2 (List of Approved Plan) of planning permission Ref P2025/0314

Rhosafan Welsh Primary School, Marine Drive, Sandfields, Neath Port Talbot, SA12 7NN

Planning portal ref: PP-14520292

Asbri Planning is acting as agent on behalf of Morgan Sindall and Neath Port Talbot County Borough Council in respect of a Non-Material Amendment application to vary Condition 2 (List of Approved Plans) of planning permission P2025/0314 at Rhosafan Welsh Primary School, Marine Drive, Sandfields, Neath Port Talbot, SA12 7NN.

Background

The site benefits from an extant planning permission P2025/0314 for the following development:

'Demolition of the existing primary school and Tir Morfa Centre and construction of a new school incorporating Tir Morfa with sports pitch, multi-use games area, play facilities, highway and access works, plant, substation, sprinkler tank system, surface water drainage scheme, hard and soft landscaping, boundary treatment of varying heights up to a maximum height of 7.4m, cycle store and relocation of existing community garden, cabins and poly tunnel and associated engineering works.'

Planning History

The following planning history is relevant to the proposals:

Application ref.	Description	Decision
P2025/0698	Details to be agreed in association with condition 7 (construction noise monitoring, vibration and dust suppression assessment) of planning application P2025/0314 determined on 06/08/2025.	Awaiting Decision
P2025/0611	Non-Material Amendment application to amend the wording of conditions 4 (site investigation) and 5 (remediation strategy) of planning consent P2025/0314 granted on 6th August 2025	Approved 17 Sep 2025
P2025/0610	Details to be agreed in association with condition 3 (notice of commencement), condition 6 (road safety audit) and condition 8 (tree protection scheme) of planning application P2025/0314 determined on 06/08/2025.	Approved 16 Oct 2025
P2025/0314	Demolition of the existing primary school and Tir Morfa Centre and construction of a new school incorporating Tir Morfa with sports pitch, multi-use games area, play facilities, highway and access	Approved 06 Aug 2025

	works, plant, substation, sprinkler tank system, surface water drainage scheme, hard and soft landscaping, boundary treatment of varying heights up to a maximum height of 7.4m, cycle store and relocation of existing community garden, cabins and poly tunnel and associated engineering works.	
P2021/0818	Non material amendment to application P2020/0023 to vary condition 2 in respect of reduction in size of high-level windows and minor internal floor plan amendments and removal of Condition 6 (external materials).	Approved 24 Aug 2021
P2020/0474	Details pursuant to conditions 3 and 4 (Land Contamination) of Planning Application P2020/0023 granted on March 2nd 2020	Approved 20 Jul 2020
P2020/0023	FOUR CLASSROOM EXTENSION TO EXISTING SCHOOL	Approved 02 Mar 2020
P2018/0803	Demountable building, means of enclosure and associated works.	Approved 13 Nov 2018
P2010/1181	Erection of a 2.4-2.7m high front boundary fence and gates.	Approved 04 Jan 2011

The Proposal

The proposal involves the variation of Condition 2 (List of Approved Plans) to allow amendments to the Demolition Plan (26CC04-ARC-30-ZZ-D-A-100002-P4) and Construction Environmental Management Plan, as seen below. The revised CEMP and Demolition Plan updates the proposed construction and demolition methodology including the proposed areas for early demolition of the existing school. The updated phasing of the demolition ensures that when the new building is handed over for use it will have sufficient facilities to be able to operate effectively including an area of car parking being available.

List of Approved Plans

2. The development shall be carried out in accordance with the following approved plans and documents:

Site Location Plan 26CC04-ARC-30-ZZ-D-A-100000-P4
Existing Site Plan 26CC04-ARC-30-ZZ-D-A-100001-P4
Demolition Plan 26CC04-ARC-30-ZZ-D-A-100002-P4
Proposed Site Block Plan 26CC04-ARC-30-ZZ-D-A-100101-P5
Proposed Ground and First Floor Plan 26CC04-ARC-31-ZZ-D-A-200000-P11
Proposed Roof Plan 26CC04-ARC-31-ZZ-D-A-200001-P11
Planning Elevations 26CC04-ARC-32-ZZ-D-A-200500-P5
Planning Sections 26CC04-ARC-33-ZZ-D-A-200600-P3
Detailed Planting Plan 26CC04-FRL-30-XX-D-L-1030
Proposed Landscape Layout 26CC04-FRL-30-XX-D-L-1500
Proposed Winter Garden Layout 26CC04-FRL-30-XX-D-L-1501
Boundary Plan 26CC04-FRL-30-XX-D-L-1503 P07
Landscape Detail 26CC04-FRL-30-XX-D-L-1504 P03
Bin and Compound Elevations 26CC04-FRL-30-XX-D-L-1505P02
Site Sections 26CC04-FRL-30-XX-D-L-1800 P03
Green Infrastructure Strategy 26CC04-FRL-30-XX-D-L-2020
Furniture and Feature Plan 26CC04-FRL-30-XX-D-L-2021
Sprinkler Tank Details 26CC04-CFS-XX-XX-D-OH-0006
Drainage Layout 26CC04-HYD-52-XX-D-CS-3000-P07
Substation Elevations EKV0014 / EKV0015

Proposed Levels and Contours Plan 6CC04-HYD-50-XX-D-CS-1100 -P06
 Existing & Proposed Site Sections-Sheet 1 26CC04-HYD-50-XX-D-CS-1600_P02
 Existing & Proposed Site Sections-Sheet 2 26CC04-HYD-50-XX-D-CS-1610_P02
 Active Travel Link T24.119.CAD.D17
 Active Travel Raised Plateau T24.119.CAD.D17
 Alumasc Roofing Proposed Specification SP147588-S1
 PAC Report
 Design and Access Statement 26CC04-ARC-10-XX-T-A-000003_P04
 Planning Statement Rev B
 Topographical Survey Gwalia Surveyors
 Baseline Noise Survey P1293 P02 March 2025
 Bat Survey October 2024 V2
Construction Environmental Management Plan
 Drainage Strategy Report
 Energy Statement_P01
 Green Infrastructure Statement
 Ground Investigation Report
 Preliminary Ecological Assessment
 Transport Assessment
 Travel Plan
 Tree Report ArbTS
 Topography Survey
 Flood Consequence Assessment by Stantec dated 19/06/25 ref. 33209-HYD-XX-XX-RP-WENV-0001.

Reason: In the interests of clarity.

The Demolition Plan (26CC04-ARC-30-ZZ-D-A-100002-P4) and Construction Environmental Management Plan are set to be replaced with the plans below to show the additional areas for early demolition.

Approved	Proposed
Demolition Plan 26CC04-ARC-30-ZZ-D-A-100002-P4	26CC04-ARC-30-ZZ-D-A-100002-P5-Demolition Plan
Construction Environmental Management Plan	CMS and CEMP – November 2025

Alongside planning condition 2 the proposals will impact conditions 4 and 5. The changes are set out below:

Approved wording	Proposed wording
Condition 4 Prior to the commencement of works on the implementation of the landscaping, community garden and outdoor play and sports areas on site, (excluding the construction of the new school building), an assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall	Condition 4 Prior to the commencement of works on the implementation of the landscaping, community garden and outdoor play and sports areas on site, (excluding the construction of the new school building), an assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall

include: (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages; (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study; (iii) an assessment of the potential risks to: - human health, - groundwater and surface waters - adjoining land, - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,- ecological systems, - archaeological sites and ancient monuments; and - any other receptors identified at (i) (iv) an appraisal of remedial options, and justification for the preferred remedial option(s). Prior to the demolition of the existing school building, excluding the area marked in blue on the Demolition Plan 26CC04-ARC-30-ZZ-D-A-100004 Rev P4 plan, an asbestos-containing materials (ACMs) survey shall be undertaken. Following the demolition of the existing school building, a further submission of the above specified information but in relation to the ground area beneath the existing main school building (marked Green on the Demolition Plan 26CC04-ARC-30-ZZ-D-A-100004 Rev P4) shall be submitted to and approved in writing by the Local Planning Authority following the completion of demolition of the existing main school building, and prior to the start of construction works of the hereby approved development that is to be built over this area. Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.	include: (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages; (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study; (iii) an assessment of the potential risks to: - human health, - groundwater and surface waters - adjoining land, - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,- ecological systems, - archaeological sites and ancient monuments; and - any other receptors identified at (i) (iv) an appraisal of remedial options, and justification for the preferred remedial option(s). Prior to the demolition of the existing school building, excluding the area marked in blue on the Demolition Plan 26CC04-ARC-30-ZZ-D-A-100004 Rev P5 plan, an asbestos-containing materials (ACMs) survey shall be undertaken. Following the demolition of the existing school building, a further submission of the above specified information but in relation to the ground area beneath the existing main school building (marked Green on the Demolition Plan 26CC04-ARC-30-ZZ-D-A-100004 Rev P5) shall be submitted to and approved in writing by the Local Planning Authority following the completion of demolition of the existing main school building, and prior to the start of construction works of the hereby approved development that is to be built over this area. Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.
Condition 5 If identified as being required by the approved details of condition 4, prior to the commencement of works	Condition 5 If identified as being required by the approved details of condition 4, prior to the commencement of works

on the implementation of the landscaping, community garden, outdoor play and sports areas (excluding the construction of the new school building), a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historic environment shall be prepared and submitted to and approved in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works. If required by the approved details of condition 4, a further submission of a remediation scheme shall take place following demolition of the main original school building (marked green on the Demolition Plan 26CC04-ARC-30-ZZ-D-A-100004 Rev P4), to bring the area beneath the original school building to a condition suitable for the intended use and prior to the start of any construction works on the area marked green on the Demolition Plan 26CC04-ARC-30-ZZ-D-A-100004 Rev P4. The measures proposed within the remediation scheme shall be fully implemented on site in accordance with an agreed programme of works. Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.	on the implementation of the landscaping, community garden, outdoor play and sports areas (excluding the construction of the new school building), a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historic environment shall be prepared and submitted to and approved in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works. If required by the approved details of condition 4, a further submission of a remediation scheme shall take place following demolition of the main original school building (marked green on the Demolition Plan 26CC04-ARC-30-ZZ-D-A-100004 Rev P5), to bring the area beneath the original school building to a condition suitable for the intended use and prior to the start of any construction works on the area marked green on the Demolition Plan 26CC04-ARC-30-ZZ-D-A-100004 Rev P5. The measures proposed within the remediation scheme shall be fully implemented on site in accordance with an agreed programme of works. Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.
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Appraisal

Section 96a of the Town & Country Planning Act 1990 allows non-material amendments to be made to an existing planning permission. This was brought into effect on the 1st September 2014. The Welsh Government has produced a guidance note entitled 'Approving Non-material 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.

It is, therefore, necessary to assess the proposed amendment against the four tests in turn:

(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?

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

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

(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 proposal will not result in any changes to the scale of the originally approved development scheme as relates only to an updated construction and demolition methodology.

(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 any changes visually to the originally approved development scheme. The proposals involve an update to the construction and demolition methodology. The principles of good working practices are maintained in the documents protection the amenity of locals. The proposed alteration to the phasing of the demolition will allow a more complete development to be handed over to the school for operation to allow the existing building to be decanted and demolished.

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

As above the principles of good working practices are maintained in the documents protection the amenity of locals and therefore it is clear that 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

The proposed amendments do not conflict with national or development plan policies given its minor nature.

In light of the above, it is respectfully requested that Neath Port Talbot County Borough Council grant approval of the Non-Material Amendment application to vary Condition 2 (List of Approved Plans) of planning permission at Rhosafan Welsh Primary School, Marine Drive, Sandfields, Neath Port Talbot, SA12 7NN.

I trust this, and the enclosed is satisfactory in order to determine the application. If you require any further information please do not hesitate to contact.

Yours Sincerely,

Liam Griffiths-Downing

Principal Planner