

Date: 23rd January 2026

Our Ref: S24.118

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Dear Sir/Madam,

Town and Country Planning Act 1990 (As Amended)

Proposed Non-Material Amendment application to planning permission P2023/0369 for the demolition of existing structures and construction of 43 no. residential dwellings with associated infrastructure works at the land at Heol Crwys, Cwmafan, Port Talbot, SA12 9NT

The proposed NMA seeks to remove Condition 19 (Gas Protection Verification Report)

Planning Portal Reference: PP-14646630

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 for the demolition of existing structures and construction of 43 no. residential dwellings with associated infrastructure works at the 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;
- Outline Remediation Strategy Report prepared by Integral Geotechnique
- Supplementary Site Investigation Report prepared by Integral Geotechnique

The full planning permission was granted on the 16th February 2024 and the applicant is currently seeking to discharge the pre-commencement conditions to proceed with the development work. Condition 19 (Gas Protection Verification Report) which is required to be discharged prior to the occupation of the development, notes the follows:

Prior to occupation of the dwellings hereby approved a Verification Report demonstrating that the gas protection has been installed in accordance with the scheme as approved under condition number 18 and in accordance with CIRIA C735 - 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases', shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of human health and to accord with Policy EN8 of the Local Development Plan

The Supplementary Site Investigation Report (ref. 14023/LW/24/SSI/RevD) and Outline Remediation Strategy Report (ref. 14023/LW/24/ORS/REVB) were previously submitted for Phase 2 discharge of condition 18 (Mine Gas Risk Assessment) which was later approved on the 12th September 2025 under application reference P2025/0302. The reports include information which satisfies the requirements of condition 19, as seen below:

Section 9.3, p. 47 of the Supplementary Site Investigation Report states:

"As part of the supplemental site investigation, a programme of gas monitoring has been undertaken and the results as previously discussed, indicate a maximum methane concentration of <0.5% and a maximum carbon dioxide concentration of 1.4%. A maximum gas flow rate of <0.3l/hr was measured during the gas monitoring programme."

Based on the results of the gas monitoring programme, no ground gas protection measures are required."

Similarly, Section 2.7, p.13 of the submitted Outline Remediation Strategy Report states:

"In accordance with BS8485:2015:2019 and based on the results of the gas monitoring with the site being classified as Characteristic Situation 1 (CS1), for Development Types A and B (private and private with building management control, respectively), the minimum gas protection score required is zero and therefore no specific gas protection measures are required."

With regard to the information above, In light of the above, a Gas Protection Verification Report is not considered necessary given that there are no gas protection measures installed in accordance to the approved remediation strategy. This NMA is therefore submitted to seek removal of Condition 19 given that it is no longer relevant to the proposed development.

The proposed removal of condition 19 has been discussed with the case officer of the original planning application, Ms Jessica King. We were advised to submit a non-material amendment to remove the said condition.

Since the proposed amendments are minor in nature and only seek to remove condition 19 which is no longer required as demonstrated above, 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 19 which is no longer required. 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 collects 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,

A handwritten signature in black ink, appearing to read 'Scott Davies', written in a cursive style.

Scott Davies
Student Planner