

Our Ref: 23.151

Date: 27th February 2026

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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 Plans) and Condition 14 (Cycle Parking) of planning permission P2024/0736

Land North Of Harbour Way, Harbour Side Regeneration Area, Port Talbot

Planning portal ref: PP-14691515

Asbri Planning is acting as agent on behalf of Morgan Sindall in respect of a Non-Material Amendment application to vary Condition 2 (List of Approved Plans) and Condition 14 (Cycle Parking) of planning permission P2024/0736 at Land North of Harbour Way, Harbour Side Regeneration Area, Port Talbot.

Background

The site benefits from planning P2024/0736 for the following development, approved on the 10th March 2025:

Proposed construction of a new building comprising offices, research and development and light industry (B1 use) alongside reconfiguration of the highway and drainage engineering operations to provide culverts and outfall headwall. Together with parking, access, landscaping, site drainage, plant, substations, gas store, pv panels and associated works and infrastructure.

The Proposal

The proposal involves minor amendments to the approved plans including reconfiguration of the HGV loading and unloading area to the west of the proposed building. This space has been reconfigured to achieve access to this area via the proposed car park and main site access to the eastern boundary. The changes include the SuDS areas being reconfigured to achieve a larger turning area.

The proposals do not result in the loss of any car parking and the parking areas have been minorly reconfigured to suit the new layout.

The submission includes swept path analysis completed for a fire tender, rigid lorry, pumping station maintenance vehicle and max length articulated lorry. The swept path analysis shows there are no issues with the vehicles entering and leaving the site in a forward gear.

The proposals also comprise a revised adoptable foul water connection to the north of the site as opposed to the south within the original approval.

The proposed sections have been updated to reflect very minor reprofiling of SuDS features reflective of additional topographical information obtained.

The flooding mitigation culvert plans have been updated to reflect the minor layout / drainage updates in the areas shown on the plans.

The proposed NMA relates to the originally approved plans highlighted in yellow below:

Condition 2 within the decision notice states:

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

*Site Location Plan 26CB02-ARC-30-00-D-A-100000-P05
Existing Site Plan 26CB02-ARC-30-00-D-A-100001-P04
Proposed Site Block Plan 26CB02-ARC-30-00-D-A-100002-P03-
GA Plan - Level 00 26CB02-ARC-31-00-D-A-200100-P04-
GA Plan - Level 01 26CB02-ARC-31-01-D-A-200101-P03-
GA Plan - Level 02 26CB02-ARC-31-R2-D-A-200102-P03-
GA Plan - Roof Level 26CB02-ARC-31-R3-D-A-200103-P03-
Proposed Elevations 26CB02-ARC-32-XX-D-A-200110-P06-
Proposed Sections 26CB02-ARC-33-XX-D-A-200120-P03-
Landscape Masterplan 26CB02-FRL-30-XX-D-L-1001- P12
Planting Plan and Specification 26CB02-FRL-30-XX-D-L-1005- P08
Green Infrastructure Strategy 26CB02-FRL-30-XX-D-L-1006
Site Furniture and Stores 26CB02-FRL-30-XX-D-L-1008
Drainage Layout P05 26CB02-HYD-52-ZZ-D-C-0600 - P08
Flood Mitigation Culverts General Arrangement P02 26CB02-HYD-52-ZZ-D-C-0610
Flood Mitigation Culverts Sections and Elevations 26CB02-HYD-52-ZZ-D-C-0615 P01
26CB02-HYD-53-ZZ-D-C-3301 - Foul Water Manhole Schedule Sheet 1 - P02
26CB02-HYD-53-ZZ-D-C-3302 - Foul Water Manhole Schedule Sheet 2 - P01
External Lighting Isolines Layout 26CB02-HYD-55-XX-D-E-550002_
External Works SWI-HYD-XX-00-DR-C-0700_P05
Site Sections-Sheet 1 SWI-HYD-XX-00-DR-C-1042_P05 -
Site Sections-Sheet 2 SWI-HYD-XX-00-DR-C-1043_P01 -
Topographical Survey
Planning Statement Asbri Planning (November 2024)
Design and Access Statement Arcadis P07 (November 2024)
Baseline Noise Survey Report Formant (May 2023)
Combined Phase 1 and Phase 2 Ground Investigation Report Hydrock (April 2024)
Energy and Sustainability Statement Hydrock (March 2024)
Transport Statement Hydrock (June 2024)
Travel Plan Hydrock (June 2024)
Sustainability Report Hydrock (June 2024)
Flood Consequence Assessment JBA (March 2024)
Ecology Update Note NPT Ecology
Biodiversity Mitigation Strategy January 2021 WSP
Ecology Report 2019 NPT Ecology
Ecology Update 2021 NPT Ecology
Waste Management Plan - Swansea University
Air Quality Impact Assessment Air Quality Solutions
REP0004 Stage 4 Acoustic Design Report P02 Dec 24*

Reason:

In the interests of clarity.

Drawing name and reference	Updated reference as part of NMA
Site Location Plan 26CB02-ARC-30-00-D-A-100000-P05	Site Location Plan 26CB02-ARC-30-00-D-A-100000-P05
Existing Site Plan 26CB02-ARC-30-00-D-A-100001-P04	Existing Site Plan 26CB02-ARC-30-00-D-A-100001-P04
Proposed Site Block Plan 26CB02-ARC-30-00-D-A-100002-P03-	Proposed Site Block Plan 26CB02-ARC-30-00-D-A-100002-P04
GA Plan - Level 00 26CB02-ARC-31-00-D-A-200100-P04-	GA Plan - Level 00 26CB02-ARC-31-00-D-A-200100-P05
GA Plan - Level 01 26CB02-ARC-31-01-D-A-200101-P03-	GA Plan - Level 01 26CB02-ARC-31-01-D-A-200101-P03-
GA Plan - Level 02 26CB02-ARC-31-R2-D-A-200102-P03-	GA Plan - Level 02 26CB02-ARC-31-R2-D-A-200102-P03-
GA Plan - Roof Level 26CB02-ARC-31-R3-D-A-200103-P03-	GA Plan - Roof Level 26CB02-ARC-31-R3-D-A-200103-P03-
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Proposed Sections 26CB02-ARC-33-XX-D-A-200120-P03-	Proposed Sections 26CB02-ARC-33-XX-D-A-200120-P03-
Landscape Masterplan 26CB02-FRL-30-XX-D-L-1001-P12	Landscape Masterplan 26CB02-FRL-30-XX-D-L-1001-C01
Planting Plan and Specification 26CB02-FRL-30-XX-D-L-1005- P08	Planting Plan and Specification 26CB02-FRL-30-XX-D-L-1005- C01
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Flood Mitigation Culverts Sections and Elevations 26CB02-HYD-52-ZZ-D-C-0615 P01	Flood Mitigation Culverts Sections and Elevations 26CB02-HYD-52-ZZ-D-C-0615 C01
26CB02-HYD-53-ZZ-D-C-3301 - Foul Water Manhole Schedule Sheet 1 - P02	26CB02-HYD-53-ZZ-D-C-3301 - Foul Water Manhole Schedule Sheet 1 - P02
26CB02-HYD-53-ZZ-D-C-3302 - Foul Water Manhole Schedule Sheet 2 - P01	26CB02-HYD-53-ZZ-D-C-3302 - Foul Water Manhole Schedule Sheet 2 - P01
External Lighting Isolines Layout 26CB02-HYD-55-XX-D-E-550002_	External Lighting Isolines Layout 26CB02-HYD-55-XX-D-E-550002_
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Site Sections-Sheet 1 SWI-HYD-XX-00-DR-C-1042_P05 -	Site Sections-Sheet 1 SWI-HYD-XX-00-DR-C-1042_C01
Site Sections-Sheet 2 SWI-HYD-XX-00-DR-C-1043_P01 -	Site Sections-Sheet 2 SWI-HYD-XX-00-DR-C-1043_C01
Topographical Survey	Topographical Survey
Planning Statement Asbri Planning (November 2024)	Planning Statement Asbri Planning (November 2024)
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Biodiversity Mitigation Strategy January 2021 WSP	Ecology Report 2019 NPT Ecology
Ecology Report 2019 NPT Ecology	Ecology Update 2021 NPT Ecology
Ecology Update 2021 NPT Ecology	Waste Management Plan - Swansea University
Waste Management Plan - Swansea University	Air Quality Impact Assessment Air Quality Solutions
Air Quality Impact Assessment Air Quality Solutions	REP0004 Stage 4 Acoustic Design Report P02 Dec 24
REP0004 Stage 4 Acoustic Design Report P02 Dec 24	Flood Evacuation Management Plan JBA Sept 2025
	Version S3-P01

As a result of the revised site plan the following conditions require updates:

Original condition	Proposed rewording
Prior to the first beneficial use of the development, hereby permitted, the 16no cycle hoop stands detailed on plan 26CB02 -FRL -30 -XX -D -L -1008 P05 shall be provided and shall be retained as such thereafter. Reason: In the interest of highway safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.	Prior to the first beneficial use of the development, hereby permitted, the 16no cycle hoop stands detailed on plan 26CB02 -FRL -30 -XX -D -L -1008 C01 shall be provided and shall be retained as such thereafter. Reason: In the interest of highway safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.

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 proposals involve minor layout alterations to ensure that larger vehicle access can be achieved to the rear of the proposed building via the car park and main site access on the eastern boundary. This results in SuDS areas being made smaller to accommodate the proposed enlarged turning area. The scale of the originally approved development is only very minorly altered as a result of these site layout updates.

Other minor layout updates do not have an impact on the scale of the original approval including the foul drainage being relocated, reprofiling of SuDS basins and reorientation of car parking.

Overall the proposed changes include minor alterations and therefore the difference in scale will be negligible.

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

The proposals comprise minor layout updates which do not significantly alter the appearance of the development when compared with the original approval. The scale of the changes is minor in nature and the updates will not be significantly noticeable on the ground. The most significant visual change is the enlargement of the turning area to the west of the proposed building. This results in some of the SuDS areas being reconfigured but overall ensures drainage and landscaping are provided in accordance with statutory requirements.

The proposals will not have any significant impacts towards local amenity. The updates will ensure the site can be properly serviced.

In light of the above, the proposed changes will not pose any significant visual impacts or impacts towards local amenity of the proposed development.

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

Similar to the points discussed under point (a), the proposed amendments will not increase overlooking and only relate to minor amendments to the existing permission to facilitate the required minor changes to ensure the long-term success of the proposed development. 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 Cardiff Council grant approval of the Non-Material Amendment application to vary Condition 2 (List of Approved Plans) and Condition 14 (Cycle Parking) of planning permission P2024/0736 at Land North of Harbour Way, Harbour Side Regeneration Area, Port Talbot.

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