

OFFICER REPORT

Application Number: P2025/0851

Site Address: 9 Primrose Lane Rhos Pontardawe Neath Port Talbot SA8 3ES

Proposal: Non-material amendment to application P2023/0632 granted on 24/07/2024:
1. Use of composite slates to roof in place of clay tiles.
2. Composite door position altered.
3. Green roof installed to flat roof to side and rear of property.
4. Felt roof fitted to front porch.
5. Windows to west & east facing elevations incorporate top openers.
6. Ridge level to main roof decreased in height.
7. Ridge level to large dormer increased in height to meet ridge.
8. Small dormer increased in width.
9. Main dormer reduced in width.
10. Front porch overhang replaced with independent canopy.
11. Roof level to front porch increased in height.
12. Cill to kitchen window raised.
13. Cill to front bedroom window on left raised.
14. Velux window (1.no.) to west facing elevation omitted.

Applicant: Miss R Powel Williams

Agent: Ms Karen Gardner

Ward: Rhos

Application Type: App for Non-Material Amendments

Valid Date: 2nd April 2026

Statutory Expiry Date: 29th April 2026

Ext. of Time / PPA date:

Publicity Expiry Date: 2nd April 2026

RECOMMENDATION - Approved

Proposed Non-Material Amendment to Existing Planning Permission

The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2014 came into force on 1 September 2014. This inserts a new article 28A into the DMPWO 2012 which “applies to an application made under section 96A(4) of the 1990 Act (power to make non-material changes to planning permission)”.

REGISTRATION AND ASSESSMENT

Application Number:	P2025/0851
Site Address:	9 Primrose Lane Rhos Pontardawe Neath Port Talbot SA8 3ES
Proposal:	Non-material amendment to application P2023/0632 granted on 24/07/2024: 1.Use of composite slates to roof in place of clay tiles. 2.Composite door position altered. 3.Green roof installed to flat roof to side and rear of property. 4.Felt roof fitted to front porch. 5.Windows to west & east facing elevations incorporate top openers. 6.Ridge level to main roof decreased in height. 7.Ridge level to large dormer increased in height to meet ridge. 8.Small dormer increased in width. 9.Main dormer reduced in width. 10.Front porch overhang replaced with independent canopy. 11.Roof level to front porch increased in height. 12.Cill to kitchen window raised. 13.Cill to front bedroom window on left raised. 14.Velux window (1.no.) to west facing elevation omitted.

FORM

Is the application made on the correct Form?	Yes
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INTEREST IN THE LAND

Is the application made on behalf a person with an interest in the land? (Q5) Note: An application can only be made by a person who owns or has a legal interest in the land to which the non-material amendment relates, or someone else acting on their behalf. These are: • A freeholder. • A holder of a lease with over two years remaining (whether as a head lessee, sub-lessee or tenant of an agricultural holding). • A mortgagee.	Yes
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Someone with an estate contract (i.e. an option to acquire a legal interest in the land or a contract to purchase the land).	
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<u>FEE</u>	
Is the application accompanied by the correct fee?	Yes
Is the application exempt from a fee? Note: The Town and Country Planning (Fees for Non-Material Changes) (Wales) Regulations 2014. - Regulation 4 provides for an exemption from fees in relation to the provision of access to or within a dwellinghouse for a disabled person. - Regulation 5 provides for an exemption from fees in certain cases where permitted development rights have been withdrawn (where they relate <u>to the amendment sought</u>)	No
If exempt, please state the reason:	

<u>DETAILS</u>	
Is the description of the amendment sought acceptable? (Q8)	Yes
If NO, amend the description in FastPlanning Note: ACK letter advises applicant/agent to check description	
Is the application accompanied by sufficient information in the form of amended drawings / plan?	Yes
If NO, why?	
If no to either of the above, contact the applicant and request agreement to amended description and/or additional information	
<u>CONSULTATIONS / NOTIFICATIONS</u>	
An application made under s96A is <u>not</u> an application for planning permission - Existing DMPWO provisions relating to statutory consultation and publicity <u>do not apply</u> . LPAs have discretion in whether and how they choose to inform other interested parties or seek their views, although given that the changes sought will be non-material in nature, it is not expected that consultation or publicity will be necessary in the majority of cases. Where the local planning authority considers consultation is required, it is expected that the local planning authority will target specific third parties who may be affected by the amendment or may assist in determining if it is material.	
Is it considered necessary to notify consultees or neighbours in respect of the amendment sought? (14 day consult only) (14 days should be given to make representations from the date of notification, after which their representations may not be taken into account)	No
If YES, which neighbours <u>and</u> <u>why</u> :	

ASSESSMENT OF PROPOSED AMENDMENT

Non-material amendments to an existing planning permission are normally small changes to an approved development proposal that have no impact on the overall context of the development scheme or its surroundings.

The responsibility for determining whether a proposed change is non-material lies with the local planning authority. It must be satisfied that the amendments sought to the planning permission are non-material in nature and can therefore be determined as an application under Section 96A of the TCPA 1990.

In deciding whether or not a proposed change is non-material, consideration should be given to the effect of the change, together with any previous changes made to the original planning permission.

When assessing and determining whether or not a proposed change would qualify as a non-material amendment, local planning authorities are advised to consider the following tests:

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;

Whilst the application seeks to undertake 14 amendments to the scheme which was approved under application P2023/0632 a number of these alterations, namely; the use of composite slates to the roof in place of clay tiles, altering the positioning of the composite front door, the incorporation of top openings to the windows on the west and east side facing windows, the raising of the cill to the kitchen window on the rear elevation and the to the front left bedroom window, the omission of 1 no. velux window on the west facing roof slope, and the replacement of the front porch overhang with an independent canopy, are cosmetic changes which would not alter the development to an extent that would cause an impact different to that caused by the original approved development scheme.

Whilst it is noted that the addition of a green roof in place of the originally proposed flat roof to the side and rear of the main property and the alterations to the front porch would result in the overall height of the resultant structure being approximately 25cm and 35cm higher respectively than that which was approved under application P2023/0632, on balance this increase in height is considered marginal and would not likely be obvious to the naked eye when viewed onsite. Similarly, the reduction in the ridge level of the main roof by 25cm and the increase in the ridge height of the large dormer by 10cm is not considered to be notable outside of the submitted plans, such that it would be considered materially different to that of the approved scheme. The alterations to the width of the dormers, in the form of a reduction in the width of the large dormer by 25cm and an increase in the width of the small dormer by 35cm are again considered marginal changes which at initial glance would not appear

materially different to that of the approved scheme. As such, on balance by virtue of their limited scale, it is not considered that these aspects of the proposal would alter the development to the extent that would 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?

Visually, whilst at first glance the list of proposed changes appears extensive, with 14 amendments sought, when the nature of these changes are considered and the plans approved under application P2023/0632 are viewed alongside those submitted with this non-material amendment application at initial glance the visual appearance of the development appears largely unchanged, albeit with some exceptions which are explored in more detail as follows. Whilst it is noted that the use of composite slates in place of clay tiles does alter the appearance of the roof, the properties along Primrose Lane are not uniform in their use of materials and there are a number of different roof tile materials present within the existing streetscene. As such, it is not considered that this proposed change would result in a detrimental impact upon the visual amenity of the streetscene. By virtue of its siting to the rear of the main dwellinghouse, the addition of a green roof would be largely hidden from a public vantage point. Notwithstanding this, the use of green infrastructure is generally encouraged within planning legislation as a means of softening the visual impact of built development.

B. Would the interests of any third party or body be disadvantaged in planning terms?

It is not considered that the interests of any third party or body would be disadvantaged in planning terms. The changes to the scale of the development are considered to be marginal in nature and the proposed increases in height are considered to be off-set by the reduction in the overall height of the development. As such, it is not considered that the development as proposed would have an overbearing or overshadowing impact beyond that of the scheme which was originally approved under application P2023/0632. Whilst alterations to the window designs are proposed, where these windows would face the neighbouring properties, the condition restricting the opening and glazing of these windows would still apply. As such, again it is not considered that these aspects of the proposal would have an impact upon the residential amenity of the neighbouring properties beyond that of the scheme which was originally approved under application P2023/0632.

C. Would the proposed change conflict with National or Development Plan policies?

The proposal wouldn't conflict with any national or development plan policies.

The above tests are considered a 'starting point' for local planning authorities in their consideration of non-material amendments. There may be other considerations that will identify if a proposed amendment is non-material depending on the circumstances of each case.

Are there any other circumstances which affect whether or not the amendment sought is considered to be non-material?

(e.g. Conditions; any material change of circumstances since decision; ground levels etc.)

No, there have been no material change of circumstances since the 2023 decision.

Have there been any other amendments to the original approved development? If so, do they affect conclusions of whether the changes sought are a Non-material? If so, why.

No, this is the first amendment.

If accepted to be a non-material amendment, are any additional conditions required in respect of the non-material amendment sought?

Condition 2 (Approved Plans List) of Planning Permission P2023/0632 is amended to the following:

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

- Site Location Plan, drawing no. P.01, dated Oct 2022.
- ~~-Block Plans, drawing no. P.02/C, dated Dec 2022.~~
- Layout as Existing, drawing no. P.03, dated Oct 2022.
- Elevations as Existing, drawing no. P.04, dated Oct 2022.
- ~~-Layout as Proposed, drawing no. P.05/D, dated Apr 2023.~~
- ~~-Elevations as Proposed, drawing no. P.06/D, dated Aug 2023.~~
- ~~-Streetscenes Existing & Proposed, drawing no. P.07/A, dated Apr 2023.~~
- ~~-Longitudinal Section through Site, drawing no. P.08/A, dated Dec 2022.~~
- ~~-Proposed Parking, drawing no. P.09/B, dated Apr 2023.~~
- Block Plans, drawing no. P.02/E, dated Mar 2026.
- Layout as Proposed, drawing no. P.05/E, received 02-APR-2026.
- Elevations as Proposed, drawing no. P.06/G, dated Mar 2026.
- Streetscenes Existing & Proposed, drawing no. P.07/C, dated Mar 2026.
- Longitudinal Section through Site, drawing no. P.08/B, dated Mar 2026.
- Proposed Parking, drawing no. P.09/C, received 02-APR-2026.

*Reason:
In the interests of clarity".*

Having regard to the above assessment, the following recommendation is made

RECOMMENDATION:

A. That the amendment sought is APPROVED as a non-material amendment

RECOMMENDATION

Approved

Subject to the following conditions/reasons, which have been imposed for the reasons stated:-

Case Officer Daisy Tomkins

Telephone No. 01639 686747

Date of Recommendation 23rd April 2026