

DELEGATED REPORT

Application No: P/20/0247

Site Address: Willows House
Abercanaid Industrial Estate
Abercanaid
Merthyr Tydfil
CF48 1YF

Development: Non-material amendment to planning permission P/20/0060 for a reduction in the number of storage units from 9 units to 7 units and reduction in the size of the blocks of units

Case Officer: Rebecca Owens

Application Expiry Date: 14th December 2020

Consultation reply date expired:

APPLICATION SITE

The application relates to an almost triangular parcel of land located within the settlement boundary and an established industrial estate which is allocated as a protected employment site. The site currently comprises of a residential dwelling with associated vehicular repair and MOT business. It is bound by a private highway to the east, and other industrial units to the north and west

PROPOSED DEVELOPMENT

This is an application for a non-material amendment to a recently approved planning application for the erection of 9 storage containers which would be comprised within two separate structures (four units in one and five in the other) (P/20/0060). Due to the presence of a sewer crossing through the site, the application seeks permission to reduce the number of units to 7, with 3 units in one block (instead of 5) and 4 units remaining in the other (albeit smaller). The sizes of these structures would also be reduced. The block which previous contained 5 units would reduce in length by 9.29m to 17.51m and the depth would reduce by 0.14m to 9m. Similarly, despite the number of units remaining unchanged, the block containing 4 units would also be reduced in size by 0.8m in length to 21.6m and 0.15m in depth to 9m.

PLANNING HISTORY

The relevant planning history is detailed below:

P/20/0060 Erection of 9 No. storage units
Granted planning permission subject to conditions on 23rd April 2020

- P/06/0360 Extension and rebuilding of existing MOT testing station - Granted on 19th September 2006
- P/06/0181 Re-building and extension of garage unit to form M.O.T testing station. Refused on 1st June 2006 for the following reason:
- "The proposed extension by virtue of its position and design does not integrate with the host building and is out of accord with the surrounding area".*
- P/00/0444 Single storey extension - Granted planning permission on 14th December 2000
- P/97/0178 Retention of use of land and buildings as vehicular repair garage. Granted planning permission on 24th July 1997.

CONSULTATION

No consultation exercise was undertaken.

PUBLICITY

No publicity exercise was undertaken.

POLICY CONTEXT

Local Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031 were relevant to the determination of the original application:

- SW4: Settlement Boundaries
- SW6: Hoover Strategic Regeneration Area
- SW9: Planning Obligations
- SW11: Sustainable Design and Placemaking
- SW12: Improving the Transport Network
- EcW2: Protected Employment Sites
- EnW2: Internationally and Nationally Protected Sites and Species
- EnW4: Environmental Protection

Welsh Government Planning Guidance: Approving Non-material Amendments to an Existing Planning Permission (July 2014)

The guidance advises that a non-material amendment will depend on factors such as the context of the overall scheme, the amendments being sought to the original planning permission, the specific circumstances of the site and the surrounding area, which will vary from one application to another.

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. The guidance also identifies four tests, which local planning

authorities may wish to consider when assessing and determining whether a proposed change would qualify as a non-material amendment. These are as follows:

- is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme; and,
- would the proposed change result in a detrimental impact either visually or in terms of local amenity?
- would the interests of any third party or body be disadvantaged in planning terms; or,
- would the proposed change conflict with national or development plan policies?

These four tests have been used in the determination of this application, as set out below.

REASONS FOR REACHING THE RECOMMENDATION

Section 96a of the Town and Country Planning Act 1990 provides the mechanism to approve non-material amendments to an existing planning permission.

Main issues:

The main issue in determining this application is whether or not the proposed change to the application constitutes a non-material amendment to the development approved under application reference P/20/0060. In this respect, the principle of the development has already been deemed to be acceptable so the main considerations are the impact of the change on the other material planning considerations.

The proposed amendments would significantly reduce the size of one of the buildings and result in a moderate change to the size of the other. Notwithstanding this, the general design and appearance of the structures would remain unchanged and the view from the public highway would be largely unaffected. The reduction in the size of the units would also have a lesser impact on residential amenity than the scheme currently approved. The revised scheme would therefore be acceptable in terms of both visual and residential amenity and thus remain in accord with Policy SW11 of the Replacement LDP.

The proposed reduction in size would also have no greater impact on parking and highway safety and would not alter or increase the issues of land stability, contamination or flood risk.

Other Considerations:

The following have been taken into account in considering the application and in reaching the recommendation set out below.

1. There are no conditions on the existing planning permission that would prevent the proposed change.
2. Whilst there have not been any previous non-material amendments to the originally approved scheme (P/20/0060).
3. No representations were received following the original publicity exercise.

CONCLUSION

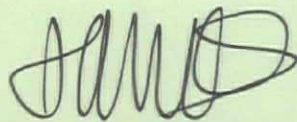
In conclusion, the proposed amendment is considered to be acceptable and would constitute a non-material amendment to the originally approved scheme. Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED

CONDITIONS/REASONS:

1. None.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

26/10/20