

DELEGATED REPORT

Application No: P/20/0049

Site Address: Autumn Leaves
Grawen Lane
Cefn Coed
Merthyr Tydfil
CF48 2NP

Development: Non material amendment to planning permission P/16/0262 to replace roof lights with windows in the western elevation

Case Officer: Rebecca Owens

Application Expiry Date: 22nd April 2020

Consultation reply date expired: 16th March 2020

APPLICATION SITE

The application relates to a large detached dwelling with a generous curtilage containing a large outbuilding which previously houses a swimming pool and is in the process of being converted into a self-contained unit of holiday accommodation. This site is located in a mainly residential area and is bound by a highway to the front and other residential dwellings on all remaining sides.

PROPOSED DEVELOPMENT

This is an application for a non-material amendment to a previously approved planning application for the change of use of an existing pool house to a self-contained unit of holiday accommodation with other minor alterations to facilitate this (P/16/0262). The application seeks permission to remove velux roof lights from the western roof plane and instead insert three windows into the elevation below. The windows would each serve a bedroom.

PLANNING HISTORY

The relevant planning history is detailed below:

P/16/0262 Change of use of existing pool house to self-contained holiday accommodation and other minor alterations
Granted planning permission subject to conditions on 12 October 2016

CONSULTATION

No consultation exercise was undertaken.

PUBLICITY

A publicity exercise was undertaken as part of this application with letters sent to neighbouring properties. No representations were received following this.

POLICY CONTEXT

Local Policies

The Local Development Plan policies identified during the consideration of the existing planning permission have recently been replaced by the Merthyr Tydfil County Borough Council Replacement Local Development Plans 2016 – 2031. The change of use has already been considered and found to be acceptable as such the main policy which would now be relevant to the assessment and determination of this non-material amendment is SW11: Sustainable Design and Placemaking. The development with the proposed amendments would comply with this policy.

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 changes to the building constitute a non-material amendment to the development approved under application reference P/16/0262. In this respect the main considerations are the impact of

the changes on the design and appearance of the building and the impact of the changes on the residential amenities of neighbouring occupants.

No concerns are raised in terms of character or visual amenity. The proposal would result in the addition of 3 windows in the western elevation in place of velux roof lights in the roof plane. It is not considered that these would appear out of place or harm the character or appearance of the building. The revised scheme would therefore be acceptable in terms of visual amenity.

In terms of residential amenity, it is noted that the western elevation is in close proximity to the rear garden boundaries of a number a residential properties in Fairview Terrace with a distance of about 2.5m between this elevation and the face of the existing boundary wall. However, sections have been provided which demonstrate that the wall directly in front of each window would be a minimum height of 2m and as such this wall would prevent any unacceptable overlooking from the proposed windows. It is also noted that no representations were received following the publicity exercise. As such, the amended scheme would not be detrimental to residential amenities.

The revised scheme would therefore be acceptable in terms of both visual and residential amenity and thus be in accord with Policy SW11 of the LDP and the relevant SPG.

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. There have not been any previous non-material amendments to the originally approved scheme.
3. No representations were received following the original publicity exercise.

CONCLUSION

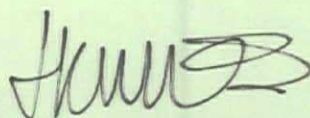
In conclusion, the proposed amendments are considered to be acceptable and would constitute non-material amendments to the originally approved scheme. Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED

CONDITIONS/REASONS:

None.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

17/3/20.