

DELEGATED REPORT

Application No:	P/24/0067
Site Address:	Land Adjacent To 1 Manorau Queens Road Twynyrodyn Merthyr Tydfil
Development:	Non- material amendment to the size of shed approved at 1 Manorau under planning permission P/20/0225
Case Officer:	Marlene Ferreira
Application Expiry Date:	19th April 2024
Consultation reply date expired:	

APPLICATION SITE

The application site relates to a relatively flat triangular shaped parcel of land, which currently comprises a semi-detached dwelling, 1 Manorau, accessed off Queens Road in Twynyrodyn. The property, which is served by on-site parking by means of an existing detached garage (albeit in a poor state of repair) and a front driveway area, is located just off the junction with the adjoining street, The Parade. The dwelling also benefits from a large garden area located to the side and rear of the property, part of which accommodates the garage and part of which is retained by a low blockwork wall. The application site abuts an adopted footpath, located to the north and east of the site, which provides access to Woodland Terrace. It also adjoins the front highway, Queens Road, to the west and the neighbouring semi-detached dwelling, 2 Manorau, to the south.

PROPOSED DEVELOPMENT

Planning permission was granted on the 4th May 2021, under application P/20/0225, for the erection of a new dwelling in the side garden of the existing property (1 Manorau) and the erection of a shed to the rear of the existing dwelling (1 Manorau).

This application is a non-material amendment application under Section 96A of the Town and Country Planning Act 1990 (TCPA 1990), which seeks planning permission to alter the application details from those approved under planning permission P/20/0225. Specifically, the alterations to the proposal relate to the shed to be erected to the rear of the existing dwelling.

Whilst the shed is proposed in the same location, would continue to be of a similar design, and would be finished with the same materials which include rendered elevations and steel roof sheets, its scale is proposed to be smaller.

The shed approved under planning permission P/20/0225 was proposed to measure 8.7 metres wide by 10 metres deep and would have a maximum height of 3.7 metres (2.9 metres when viewed from the adopted footpath at the rear).

The shed as proposed under this non-material amendment application would measure 8.1 metres wide by 7.8 metres deep and would have a maximum height of 3.6 metres.

PLANNING HISTORY

The following history is relevant to the consideration of this application:

P/20/0225 - Construct a new dwelling in the side garden of the existing property. Erect a shed to the rear of the existing dwelling (1 Manorau) – Approved: 4th May 2021

P/12/0052 - Erection of detached dwelling and alterations to the external elevational finishes to the existing dwelling with other associated works – Approved: 11th May 2012

PUBLICITY AND CONSULTATION

This is an application under Section 96A of the Town and Country Planning Act 1990, thus the existing provisions relating to statutory consultation and publicity for planning applications are not relevant under this application.

POLICY CONTEXT

Section 96A of the Town and Country Planning Act 1990 (TCPA 1990) came into force in Wales on 1st September 2014. The provision in this section of the Act provides the mechanism to approve non-material amendments to an existing planning permission.

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 following tests are therefore relevant to the consideration of the application:

- (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,
(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.

The following national and local policies of the Merthyr Tydfil LDP 2016-2031 are therefore also relevant to the assessment of this application:

National Planning Policies

- The Future Wales – the National Plan 2040 sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Policy 7 addresses the need to deliver affordable homes in Wales at scale and pace. To address a need in the shortage of affordable homes, the national plan states that a more balanced approach with local authorities, registered social landlords and small and medium sized construction companies will be encouraged to build more homes.

- Planning Policy Wales (PPW) Edition 12 (February 2024) sets out the land use policies of the Welsh Government. The most relevant sections are:

Section 2.2 notes that *“All development decisions, either through development plans policy choices or individual development management decisions should seek to contribute towards the making of sustainable places and improved well-being”*. Section 2.3 expands on this highlighting that *“the planning system should create sustainable places which are attractive, sociable, accessible, attractive, secure, welcoming, healthy and friendly”*.

Sections 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

Section 4.2.17 states *‘maximising the use of suitable previously and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites’*.

- Technical Advice Notes (TANs). The most relevant TAN to this application is as follows:-

TAN 2 – Planning affordable housing – provides guidance on the role of the planning system in providing affordable housing.

TAN 5 – Nature conservation and planning sets out the role of the planning system in protecting and enhancing biodiversity and geological conservation.

TAN 12 - Design advises that the Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

Local Planning Policies

- The Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW1 – Provision of New Homes

Policy SW2 – Provision of Affordable Housing

Policy SW3 – Sustainably Distributing New Homes

Policy SW4 – Settlement boundaries

Policy SW9 – Planning Obligations

Policy SW11 – Sustainable design and Placemaking

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW4 – Environmental Protection

- Supplementary Planning Guidance (SPG):

SPG1 - Affordable Housing, March 2012

SPG2 – Planning Obligations, March 2012

SPG4 - Sustainable Design, July 2013.

SPG5 – Nature and Development, May 2015

PLANNING CONSIDERATIONS

The issues to consider under this application relate to whether the proposed alterations as previously described, would constitute a non-material amendment to the approved development under application P/20/0225 and whether it would be an acceptable form of development in accordance with the relevant LDP policies.

Main Issues

The proposed alterations, as discussed above, relate to the proposed shed at the rear of the existing dwelling only. The proposal does not seek to increase the scale of the shed. Instead, the scale of the shed is proposed to be reduced. Specifically, the reduction would be to the depth and width of the shed. Furthermore, the material finishes and design of the shed would remain very similar to that previously approved. As such, the proposed variation would be considered a minor alteration which would be visually acceptable. This proposed amendment would therefore not detract from the character or appearance of the existing property or the wider area and would accord with LDP Policy SW11.

With regards to the impact of these amendments upon the amenities of nearby occupiers, it is evident that given the siting of the building and its relationship with neighbouring properties, that a change in the width and depth of the shed, would not give rise to an inappropriate or unneighbourly form of development which would have a significant adverse impact upon the amenities of neighbouring residents. The proposed amendments would therefore be considered acceptable in respect of residential amenity and would accord with LDP Policy SW11.

Other Considerations

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

1. Conditions on the existing permission:

There are no conditions on the existing planning permission that would prevent the proposed change.

2. Previous Non-material Amendments:

The existing planning permission has not been the subject of any previous applications for non-material amendments.

3. Previous Publicity / Consultation Responses:

The existing planning permission was not the subject of any previous publicity / consultation responses that relate to the proposed changes.

Conclusion

It is therefore considered that the proposed alterations to the approved scheme would not have an impact on the appearance of the dwelling or the amenities of nearby residents which would be significantly different to that caused by the originally approved development under planning permission P/20/0225. The proposal is therefore considered a minor form of development which would not detract from the surrounding visual or neighbouring amenities. As such, it would accord with the relevant LDP policies and amount to a non-material amendment to planning permission P/20/0225.

RECOMMENDATION: BE APPROVED

RECOMMENDATION ENDORSED



 Director of Neighbourhood Services

DATE: 12.04.2024