

DELEGATED REPORT

Application No:	P/22/0245
Site Address:	Marsh House 15 Dynevor Street Georgetown Merthyr Tydfil CF48 1AY
Development:	Non Material Amendment to planning permission P/22/0078 to site an external water tank and pump set cabinet.
Case Officer:	Huw Roberts

APPLICATION DETAILS & PLANNING HISTORY

This is an application for a non-material amendment to an existing planning permission for the construction of a change of use from care home to emergency and temporary supported living accommodation along with a community hub for service support providers. single storey building to provide a child care facilities at the back wall of the school. The original application (P/22/0078) was permitted on 29th July 2022.

The proposed amendment seeks to site an external water tank and a pump set cabinet adjacent to the southern boundary of the site. This secluded and small area of land abuts the Fire Station land to the south and car wash facility to the west. It is currently overgrown.

The tank is required to provide water for the internal sprinkler system. It would measure 3m in length, 1.5m high and 1.5m wide. The pump set would be 1.5m wide by 1.5m deep and 1.28m high.

The existing planning permission has not been the subject of a previous application for a non-material amendment.

SITE APPRAISAL

A full site appraisal was carried out at the time the existing planning permission was determined and it is considered that there are no changes that are relevant to the proposed amendment.

PUBLICITY & CONSULTATION

This is an application under Section 96a of the Town and Country Planning Act 1990 and the existing provisions relating to statutory consultation and publicity for planning applications do not therefore apply.

Welsh Government guidance on such applications, is that it is not expected that consultation or publicity will be necessary in the majority of cases.

POLICY CONTEXT

The Local Development Plan and national planning policies identified during the consideration of the existing planning permission remain relevant in the assessment and determination of this non-material amendment application.

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 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 would constitute a non-material amendment to the development approved under application reference P/22/0078.

The proposed changes are required to meet the requirements of the Building Regulations. They would be sited in an extremely discrete location. Furthermore the applicants propose to erect fencing (under permitted development rights which would further mask the tank and pump set. Given the size of the building and site when compared to that of the proposals, it is considered that the scale and nature of the proposed changes would not be great enough to cause an impact different to that caused by the approval approved scheme.

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

A condition attached to the original permission seeks ecological enhancements (bird/bat boxes). The proposal would not impact on this requirement.

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

Taking into account the assessment and any other considerations identified above, it has been concluded that the proposed development is considered acceptable as a non-material amendment to the existing planning permission.

RECOMMENDATION: BE APPROVED



RECOMMENDATION ENDORSED

Director of Neighbourhood Services

DATE: 15th September 2022