

DELEGATED REPORT

Application No: P/22/0223

Site Address: Former St Lukes Church
Lansbury Road
Swansea Road
Merthyr Tydfil

Development: Non-material amendment to planning permission P/20/0288 to allow a change to front door canopies

Case Officer: Caroline Pulley

Site Visit:

Application Expiry Date: 19th October 2022

Consultation reply date expired:

APPLICATION DETAILS & PLANNING HISTORY

This is an application for a non-material amendment to an existing planning permission for the construction of four buildings comprising 2 bungalows, 8 flats and 2 dwellings with associated landscaping, car parking and a new play area off Lansbury Road in Gellideg. The original application was approved under application P/20/0288.

The proposed amendment seeks permission to alter the design of the front porches/canopies on block 1, block 2, block 3 and block 4. It is proposed that the approved lean-to canopies on blocks 1, 2 and 3 would be replaced by prefabricated 'Portscaths' canopies manufactured by Canopy Products LTD. The lean-to canopies approved on block 4 would be changed to a prefabricated flat roof canopy 'Polperro', also made by Canopy Products LTD.

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 to the front canopies on blocks 1, 2, 3 and 4 would constitute a non-material amendment to the development approved under application reference P/20/0288.

No new openings are proposed as part of this application and although it is acknowledged that the new canopies would alter the principal elevation of the approved buildings, the footprint of the canopies would remain unchanged by this proposed. It is also acknowledged that following the occupation of these buildings, porches could be erected to the front of block 4 (the bungalows) without the need for planning permission. Taking this into account as well as the fact that the canopies would still remain open in nature as originally approved, 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. Also, given that the proposal merely seeks to change the roof design of the approved canopies, the interests of third parties would not be disadvantaged as a result of this proposal.

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

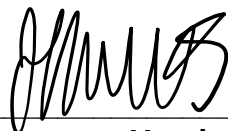
The existing planning permission was not the subject of any previous publicity/consultation responses that relate to the proposed changes.

Conclusion

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



Head of Town Planning

DATE:

30/8/22