

DELEGATED REPORT

Application No: P/25/0176

Site Address: Dragon Parc
Abercanaid
Merthyr Tydfil
CF48 1PQ

Development: Non Material Amendment to planning permission P/23/0053 to alter the layout to align with market requirements and affordable housing need

Case Officer: Gareth Davies

Site Visit: 6th August 2025

Application Expiry Date: 16th September 2025

Consultation reply date expired: 14th July 2025

APPLICATION SITE

This application relates to an area of land measuring approximately 9.03 hectares in the northern part of Abercanaid, that once formed part of the former Dragon Parc industrial site. Planning permission was recently granted (P/23/0053) for the redevelopment of this land to provide 200 residential units with associated engineering, access and landscaping works.

PROPOSED DEVELOPMENT

This application seeks a non-material amendment to planning permission P/23/0053 which was granted 21st June 2023.

The proposed amendment relates to a reconfiguration of the affordable housing to be delivered at the site, and the changes are summarised in the table below: -

Approved Plot Numbers	Approved House Types		Proposed Plot Numbers	Proposed House Types	
35-61	35 – 38	2.1.1 – 1 Bedroom Apartment	36-49	Plot 36 & 37	Ascot
				Plot 38	Chepstow
	39	FOG		39 & 40	Raglan

	40-48	1 Bedroom Apartment		41	Chepstow
	49-51	Warwick		42	Radleigh
	52	FOG		43-45	Raglan
	53 – 61	1 Bedroom Apartment		46-49	2.1.1 – 1 Bedroom Apartment
76- 78	78	Knightsbridge	61-65	61	Chepstow
	77	Lynton		62-63	Raglan
	76	Radleigh		64-65	Raglan
123 – 126	123	Chepstow	119 – 123	119	Chepstow
	124	Rockfield		120 & 121	Raglan
	125 & 126	Windermere		122 & 123	Raglan
141 – 142	141	Lynton	137 – 141	137	Chepstow
	142	Knightsbridge		138-141	Raglan
86-88	86	Cottage	74-79	76	Chepstow
	87-88	Windermere		74, 75,77-79	Raglan
103 - 104	103	Lynton	93-94	94-95	Raglan
	104	Radleigh			
108 – 111	108 – 111	Warwick	99-102	99	4.2.1 – 2 Bed House
				100-102	Warwick
116 – 122	116-117	4.2.1 – 2 Bed House	107-116	107-108	4.2.1 – 2 Bed House
	118-119	Ascot			
	120-121	4.2.1 – 2 Bed House		109-118	2.1.1 – 1 Bed Flat
153-155	153 154 & 155	Radleigh Lynton	152-155	152-155	Windermere
143-145	143-144	Windermere	142-144	142 & 143	Rockfield
	145	Chepstow		144	Chepstow

The approved planning layout (PL-01 REV 12) of 200 units included the provision of 10% affordable housing across the development. Nine of the twenty units to be provided were in the form of a large block of flats off a communal entrance (Plots 53-61). As discussions have progressed with a Housing Association partner regarding the affordable housing, concerns have been raised regarding the block of flats with communal areas due to the management challenges they present both from a fire safety and anti-social behaviour perspective.

Concerns were also raised regarding the ongoing financial investment and maintenance costs of communal areas having a direct impact on rent and service charge affordability and social housing providers would rather single entry/walk up flats which provide a far more effective means of meeting the housing need without the additional costs.

In summary, the affordable housing has been updated, and the house types have been substituted to align with housing need/demand and the requirement for single entry/walk up flats rather than communal access due to the ongoing management challenges properties of this nature present. Naturally, this has impacted on the layout of the wider development, which has also been adjusted to accommodate the revised affordable housing.

In addition to the changes facilitated to accommodate affordable housing, there have been other minor changes in that the garage to plot 93 has been repositioned to the side of the property and plots 142 -144 have been repositioned and a formal access provided which helps define the plots and improve access to them. All house types remain the same and are as per the approved scheme the road layout is also unaltered.

The Knock-on effect for the market housing is that plot 39 (flat over garages), plots 40-48 (1-bedroom apartments) and plot 52 (flat over garages) are now plots 39 & 40 (Raglan House type), plot 41 (Chepstow house type) and plots 43-45 (Raglan House Type).

The scheme remains at 200 units with the provision of 20 affordable housing units and details of the changes are summarised in the table above.

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

PLANNING HISTORY

P/23/0053 residential development – Approved 21st June 2023

P/20/0025 Engineering works including provision of drainage channel/swale and culvert/outflow, raising the level of the land and creation of site access road – Granted 19th November 2020.

P/16/0039 - Demolition of Former Hoover/Candy Office Block and Footbridge - Prior Approval not required 1st March 2016.

CONSULTATION

Head of Engineering and Highways – no objection

PUBLICITY

No publicity has been undertaken.

POLICY CONTEXT

National planning policy

The Future Wales – the National Plan 2040

Planning Policy Wales (PPW), Edition 12, February 2024

Local planning policy

Merthyr Tydfil 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 SW6 - Hoover Strategic Regeneration Area
- Policy SW9 - Planning Obligations
- Policy SW11 - Sustainable Design and Placemaking
- Policy SW12 - Improving the Transport Network
- Policy CW1 - Historic Environment
- Policy EnW1 - Nature Conservation and Ecosystem Resilience
- Policy EnW2 - Internationally and Nationally Protected Sites and Species
- Policy EnW3 - Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species.
- Policy EnW4 - Environmental Protection

Supplementary Planning Guidance (SPG):

- SPG 1 Affordable Housing, March 2012
- SPG 2 Planning Obligations, March 2012
- SPG 4 Sustainable Design, July 2013
- SPG 5 Nature and Development, May 2015

The above-mentioned policies largely remain the same as those identified during the consideration of the P/23/0053 planning application, which remain relevant in the assessment and determination of this non-material amendment application. It should be noted that Planning Policy Wales was updated to Edition 12 in February 2024, however there are no significant changes introduced that would impact the consideration of this Non-Material Amendment.

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 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.

PLANNING CONSIDERATIONS

Section 96a of the Town and Country Planning Act 1990 provides the mechanism to approve non-material amendments to an existing planning permission. The main issue in determining this application is how the proposed change has been assessed against the four tests identified in the Welsh Government Guidance:

(a) Is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme?

The vast majority of the approved site is unaffected by the proposed amendments as it relates only to the provision of affordable housing across the development and a few other minor changes made to some of the other plots, which includes changes to the garage at plot 93 and the alterations on plots 142-144 mentioned above. Moreover, the replacement blocks of flats with communal access arrangements with walk up flats slightly reduces the scale of the development in comparison to the original approved scheme, as large blocks will be removed from the development and replaced with two storey walk up units, which have the appearance of conventional dwellings rather than an agglomeration of units set around shared access.

(b) Would the proposed change result in a detrimental impact either visually or in terms of local amenity?

The loss of flatted blocks and their communal areas has a positive impact visually since the bulk and mass of what would have been the largest buildings on the site will now be replaced with structures of a size compatible with the houses to be built around them. Existing amenity standards in terms of privacy and the potential for overlooking have also been improved because of the proposed change, or at the very least maintained in a manner compatible with the wider site. Finally, the removal of communal areas within the flats also removes a potential source of ambiguity and potential location for anti-social behaviour from the proposed development which is to be welcomed.

(c) Would the interests of any third party or body be disadvantaged in planning terms?

The area within the approved site designated for the provision of most of the affordable housing is within the north western corner of the site (except for plots 46-49inc. which are located centrally within the site). Taking into consideration the context of the site and its relationship to existing residential properties, which are located a considerable distance away (separated by intervening trees and vegetation), it is clear that there would be no impact on third parties resulting from the proposed changes.

(d) Would the proposed change conflict with national or development plan policies?

As described above there has been little change in planning policy since the original planning application was approved and the development of this site with the changes proposed would still accord with planning policy in respect of housing development as it now stands. Other residential properties are sufficiently distant from the site that the impact would make no difference to them, indeed the immediate environs are largely industrial with the river to the east of the site.

The following matters have also been taken into consideration:

1. Conditions on the existing consent

There are no conditions on the existing planning permission that would prevent the proposed change. The provision of affordable housing is a requirement of condition 3 of planning permission P/23/0053 and a scheme has been previously agreed under P/25/0068 to discharge the requirements of the condition. However, as this application seeks to alter the approved scheme, further consideration is required and there is a need to secure the provision of affordable housing as now preferred and as such a reworded condition 3 is suggested. Condition 2 relating to the approved plans will also need to be updated to reflect this 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 representations received in response to the P/23/0053 planning application do not relate to any matters being considered under this non-material amendment.

CONCLUSIONS

Considering the assessment and any other considerations identified above, it is concluded that the proposed amendments to the P/23/0053 planning application are sufficiently minor in nature and would constitute a non-material amendment. However, it is necessary to impose amended conditions to reflect the proposed changes.

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS:**

1. The development shall be carried out in accordance with the following approved plans and documents:

Planning Layout Drawing No. PL-01 Rev 21 (received 01-10-2025)
Open Space Plan Drawing No. OSP-01 Rev B
Parking Strategy Plan Drawing No. PS-01 Rev B
Storey Heights Plan Drawing No. SH-01 Rev B
House Finishes Plan Drawing No. HF-01 Rev B
External Works Layout EW-01 Rev B, EW-02 Rev B & EW-03 Rev B
Refuse Strategy Plan Drawing No. RS-01 Rev B
Drainage Strategy (5 of 5) Drawing No. 21566-C-015-C
Drainage Strategy (4 of 5) Drawing No. 21566-C-014-C
Drainage Strategy (3 of 5) Drawing No. 21566-C-013-C
Drainage Strategy (2 of 5) Drawing No. 21566-C-012-C
Drainage Strategy (1 of 5) Drawing No. 21566-C-011-C
DCWW Easement Extent 21566-SK-910-A
External Layout (2 of 2) Drawing No. 21566-C-003-C
External Layout (1 of 2) Drawing No. 21566-C-002-C

Road plan sections and details (BMQ-JBAU-XX-XX-DR-C-0010 Rev. P03)
Road Section (BMQ-JBAU-XX-XX-DR-C-0011 Rev. P03)
Site Entrance (BMQ-JBAU-XX-XX-DR-C-0012 Rev. P01)
Outfall plan (BMQ-JBAU-XX-XX-DR-C-0020 Rev. P02)
Road and Outfall Elevation (BMQ-JBAU-XX-XX-DR-C-0021 Rev. P02)
Sections Through Site 21566-C-020-0

1 Bed Affordable Flat Drawing No. 211-AF-01
2 Bed 4 Person Affordable House Semi Detached Drawing No. 421-AF-01 Rev A
2 Bed 4 Person Affordable House Terraced Drawing No. 421-AF-02 Rev A
Windermere House Type Drawing No. WIN-03
Harrowgate House Type As Handing Drawing N0. HAR-01
Harrowgate House Type Opposite Handing Drawing No. HAR-02
Hereford House Type As Handing Drawing No. HER-01
Hereford House Type Opposite Handing Drawing No. HER-02
Knightsbridge House Type As Handing Drawing No. KNI-01
Knightsbridge House Type As Handing - Special Drawing No. KNI-02
Lynton House Type As Handing Drawing No. LYN-01
Lynton House Type Opposite Handing Drawing No. LYN-02
Lynton House Type As Handing - Special Drawing No. LYN-03
Radleigh house Type As Handing Drawing No. RAD-01
Radleigh House Type Opposite Handing Drawing No. RAD-02
Radleigh House Type Opposite Handing Special Drawing No. RAD-03
Raglan House Type Drawing No. RAG-01 Rev A
Raglan House Type Terrace Drawing No. RAG-02
Rockfield House Type As Handing Drawing No. ROC-01
Rockfield House Type Opposite Handing Drawing No. ROC-02
Warwick House Type Drawing No. WAR-01 Rev A
Warwick House Type Terrace Drawing No. WAR-02
Windermere House Type Detached As Handing Drawing No. WIN-01
Windermere House Type Detached Opposite Handing Drawing No. WIN-02
Ascot House Type Drawing No. ASC-01
Canterbury House Type Drawing No. CAN-01
Chepstow House type Detached as Handing Drawing No. CHE-01
Chepstow House Type Detached Opposite Handing Drawing No. CHE-02
Chepstow-Rockfield House Type Semi Pair Drawing No. CHE-ROC-01
Cottage House Type As Handing Drawing No. COT-01
Cottage House Type Opposite Handing Drawing No. COT-02
External Details 1800mm Close Board Fence Drawing No. 2124-D02
External Details 1800mm Close Board Gate Drawing No. 2124-D03
External Details Stack Bond Screenwall Drawing No. 2124-D05
External Details Hit & Miss Flemish Bond Screenwall Drawing No. 2124-D06
Garage Planning Drawings Sheet 2 - Drawing No. G1-PL-02
Garage Planning Drawings Sheet 1 - Drawing No. G1-PL-01
Timber Crash Barrier Detail

Coal Mining Risk Assessment (Integral Geotechnique - February 2023) and additional letter dated 28th April 2023
Transport Assessment (Lime Transport -15th February 2023)
Landscape, Biodiversity & Amenity Strategy 577.01/B (Catherine Etchell Associates - August 2022).

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

2. **Prior to the occupation of any dwelling** a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the local planning authority. The affordable housing, as shown on the site layout drawing no. PL-01 Rev 21 shall be provided in accordance with the approved scheme and shall only be used for affordable housing purposes in accordance with the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

- i) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- ii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
- iii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- iv) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason - To ensure an appropriate level of affordable housing is delivered in accordance with Policies SW2, SW9 and SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 14.10.2025