

DELEGATED REPORT

Application No: P/21/0290

Site Address: Land At Former Garage Site
Glasier Road
Twynyrodyn
Merthyr Tydfil

Development: Non material amendment to planning permission P/20/0174 to amend condition 2 to allow minor changes to the location of the rain garden, to provide an access ramp and two secure cycle stores

Case Officer: Caroline Pulley

Site Visit:

Application Expiry Date: 4th October 2021

APPLICATION DETAILS & PLANNING HISTORY

This is an application for a non-material amendment to an existing planning permission for two Passivhaus dwellings, a laundry/drying room and associated works.

The proposed amendment seeks to relocate a rain garden planter to the rear of the proposed dwellings. It also seeks permission to reduce the area of decking to the front of the two units by half a metre to allow a ramped access and steps to be provided. This is to make the scheme more accessible to those with mobility concerns. Additionally, the application seeks to erect two bike store containers on the site, each measuring, 2m x 1m.

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 to the approved development would constitute a non-material amendment to the scheme approved under application reference P/20/0174.

In this instance, the proposal seeks to reduce the depth of the raised decking located to the front of the two homes. This is to allow a ramped access to be provided. Overall, the change is relatively minor in nature and it is not considered that the provision of the ramped access to the front of the raised decking would prejudice the interests of any third party or body. The relocation of the rain garden to the rear of the two homes would also not materially affect the nature of the scheme nor would it prejudice the interests of any third party. While it is noted that this scheme also seeks permission to provide two metal bike stores on the site, something which was not approved previously, the bike stores, due to their small size (1m wide by 2m in length), could easily be moved on the site or dismantled and taken away without any degree of difficulty. As such, it is not considered that the siting of the bike stores on the site would constitute development requiring planning permission.

Accordingly, it is considered that the 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 the nature of the amendments being sought, it is not considered that the interests of any third party or body would 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

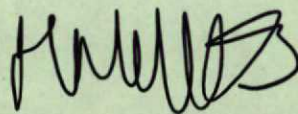
The existing planning permission was not the subject of any previous publicity / consultation responses that relate to the proposed changes.

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:

20/8/21