

DELEGATED REPORT

Application No:	P/23/0224
Site Address:	Land Opposite Nos 6 And 7 (Bakery And Premises) Graig Terrace Bedlinog
Development:	Create decking area on part of parking area & shed to rear of existing shed
Case Officer:	Nia Chard
Application Expiry Date:	20th November 2023

APPLICATION SITE

The application site relates to a rectangular narrow plot of land situated within the residential area of Bedlinog. The site measures approximately 10m wide and 44m deep, is bounded to the north by the main road serving the site known as Graig Terrace and opposite are terraced properties. To the south and at a lower level, the land is bound by the rear boundaries of a row of terraced properties, which front onto Moriah Street, namely numbers 7, 8, 9 and 10 Moriah Street.

PROPOSED DEVELOPMENT

This is an application for a non-material amendment to an approved planning application (Planning Reference: P/22/0019 details below). The approved scheme includes the erection of a shed on the land. This application seeks to increase the size of the shed by 2m in width. The depth of 4.9m and height of 2.7m will remain the same.

The application also seeks to change the material of part of the parking area measuring 5.5m in depth and 6.7m in width to decking, and the installation of a 0.9m handrail around the decking,

PLANNING HISTORY

The relevant planning history is detailed below:

P/22/0019	Change of use of land to garden. Construction of detached shed, creation of parking area and siting of gabion baskets. Proposal includes associated engineering works (Retrospective) Granted subject to conditions 31 March 2022
P/08/0361	One dwelling with off road parking Refused – 30.01.2009 Appeal Dismissed – 16.07.2009

CONSULTATION

No consultation exercise was undertaken.

PUBLICITY

No publicity exercise was undertaken.

POLICY CONTEXT

Local Policies

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

Policy SW4 – Settlement boundaries

Policy SW11 – Sustainable design and Placemaking

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) Note No. 6 – A Design Guide for Householder Development

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 are as follows:

- is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme; and,
- would the proposed change result in a detrimental impact either visually or in terms of local amenity?
- would the interests of any third party or body be disadvantaged in planning terms; or,
- would the proposed change conflict with national or development plan policies?

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.

Main issues:

The main issue in determining this application is whether or not the introduction of an extension to shed and the change of material of part of the parking area to deck surrounded by a handrail would constitute a non-material amendment to the development approved under application reference P/22/0019.

In response to the four tests noted above, it is not considered that the proposed amendment, to increase the width of the shed by 2 metres, would cause an impact significantly different to the original approved scheme. The materials proposed would match the existing shed. No neighbours or third party would be disadvantaged in planning terms as a result of the amendment, the increased width would not give rise to any additional overlooking and subsequent loss of privacy. In terms of design and appearance, the proposed extension whilst extending the width by 2m would not significantly alter its character and appearance.

The application also seeks to change the material of part of the parking area from tarmac to decking with the erection of a 0.9m handrail. As part of the proposal a parking area measuring 5.8m by 6.7m will remain. The change of material of part of the parking area to decking is not considered to have a detrimental visual impact, as there are a number of examples of decking within the streetscene. No neighbours or third party would be disadvantaged in planning terms as a result of the amendment, and it would not give rise to any additional overlooking and subsequent loss of privacy. With regard to the handrail, there are a number of examples of similar handrails within the streetscene, and the handrail could be erected under permitted development rights.

The revised scheme would therefore be acceptable and in accord with Policy SW11 of the Replacement LDP.

Other Considerations:

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

1. There are no conditions on the existing planning permission that would prevent the proposed change.
2. There have not been any previous non-material amendments to the originally approved scheme (P/22/0019).
3. There were no objections/representations following the original publicity exercise.

CONCLUSION

In conclusion, the proposed amendment is considered to be acceptable and would constitute a non-material amendment to the originally approved scheme. Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED

RECOMMENDATION ENDORSED



Director of Neighbourhood Services



DATE: 31.10.2023