

DELEGATED REPORT

Application No: P/20/0193

Site Address: St Tydfil Shopping Centre
River Walk
Merthyr Tydfil
CF47 8EW

Development: Non-material amendment to planning application P/19/0194 for alterations to shopping centre

Case Officer: Huw Roberts

Application Expiry Date: 15th October 2020

APPLICATION SITE

The application site is St Tydfil's shopping centre located in Merthyr Tydfil town centre. The shopping centre can be accessed from the south where it abuts the new bus station (currently under construction), from the north via the existing bus station, from the east via the high street and from the west by a footbridge the links it to the public space in front of Merthyr College.

The application specifically relates to the southern entrance and access into the shopping centre and the central covered 'square' that is located at the junction of New Market Walk and Graham Way.

This site is located within the Primary Growth Area, settlement boundary and Town Centre boundary as defined by the Merthyr Tydfil Local Development Plan. It is also located within the Primary Shopping Area and C2 Flood Zone.

PROPOSED DEVELOPMENT

This application seeks non-material amendments to a full planning permission (P/19/0193) which was granted in October 2019 for alterations and refurbishments to parts of the St Tydfil's shopping centre. The proposed amendments include:

- Revised floor paving layout and specification;
- New balustrading;
- New decorations;
- New granite facings;
- New steps and ramps; and
- Remedial works to floor structure.

The majority of the changes are necessary to overcome existing site constraints (structural upstand beams) and associated variances in floor levels.

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 has changed since the determination of the previous application. However, the policies within adopted Replacement Merthyr Tydfil Local Development Plan (RLDP) are not significantly different to those in the previous LDP. The 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 (combined with other permitted non-material amendments) constitute non-material amendments to the development approved under application reference P/19/0194.

The majority of the changes are required due to the presence of a structural beam which impacts on the proposed first floor levels and subsequent design and construction of the steps and lift. The overall scheme has not changed and the visual impact of the amendments are minimal. One other important change is to the south entrance flooring. The colour of one of the granite paving slabs is no longer available and as such a change

is proposed. The change matches that of the new bus station paving and is therefore acceptable.

Other Considerations:

The following 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 changes.

2. Previous Non-material Amendments

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

3. Previous Publicity / Consultation Responses

There were no letters of objection received as a result of the consultation exercise undertaken in respect of application P/19/0194. The effect of the proposed changes would not be of a scale to cause an impact different to that caused by the original approved scheme and as such they would not disadvantage any third party.

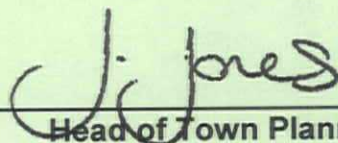
Conclusion

Taking into account the assessment and any other considerations identified above, it has been concluded that the proposals are considered acceptable as a non-material amendment to the existing planning permission and would not conflict with national or Local Development Plan policies.

Accordingly the following recommendation is made:

RECOMMENDATION: BE APPROVED.

RECOMMENDATION ENDORSED


Head of Town Planning

DATE:

3/9/20