

DELEGATED REPORT

Application No: P/25/0115

Site Address: Land Formerly Of Meadowsweet Farm
Trelewis
Treharris
CF46 6TB

Development: Non material amendment to planning permission P/24/0263 to amend elevations of extension to agricultural building

Case Officer: Rebecca Owens

Application Expiry Date: 20th June 2025

Consultation reply date expired:

APPLICATION SITE

The application relates to a parcel of agricultural land that forms part of a wider holding which amounts to some 7.7 ha. The site and wider unit is located within a designated Special Landscape Area and there is also an ancient woodland which is a designated Site of Important Nature Conservation (SINC) and protected by a Tree Preservation Order (TPO) to the west of the application site and within part of the wider unit. The field currently features a single large agricultural building with a hardstanding area to the front and is accessed via an opening off the adjoining lane to the east. It is situated immediately to the west of Ty Newydd Farm and approximately 300m to the south of the entrance to Meadowsweet Farm.

PROPOSED DEVELOPMENT

This is an application for a non-material amendment to a recently approved planning application for the erection of an extension to an existing agricultural building (Planning Ref: P/24/0263). This application seeks permission to amend the external elevations. The proposed amendments relate to the introduction of a standard door in the front elevation (alongside the large double, metal doors) and to provide a large metal doorway in the rear elevation. It has been noted that these changes are required for improved ease of use and functionality of the extension.

PLANNING HISTORY

The relevant planning history is detailed below:

P/24/0263 Erection of an extension to an existing agricultural building
Granted planning permission subject to conditions on 28 January 2025

- P/24/0222 Extension to an agricultural building for livestock and associated works (Prior Notification)
Refused on 23 October 2024 as the development would be within 400m of a protected building and it has not been sufficiently demonstrated that the extension would be reasonably necessary for the purposes of agriculture and as such the proposal was not deemed to be permitted development and required consideration under a full planning application.
- P/24/0195 Extension to an agricultural building for livestock and associated works (Prior Notification)
Refused on 4 September 2024 as it has not been sufficiently demonstrated that the extension would be reasonably necessary for the purposes of agriculture and as such the proposal was not deemed to be permitted development and required consideration under a full planning application.
- P/23/0180 Extension to an agricultural building
Refused planning permission on 16 August 2023 for the following reasons:
1. *"It has not been demonstrated that the proposed development at the scale and design proposed is reasonably necessary for the purposes of the agriculture. As such, due to its size and height, it represents an unjustified, intrusive development which would have a harmful impact on the visual amenities of the open countryside. The proposal is therefore contrary to policies SW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan".*
 2. *"The proposed extension, by virtue of its prominent siting, design, scale and height, would form a discordant and intrusive feature within the open landscape and would cause harm to the character and quality of the Special Landscape Area. As such, the proposal is contrary to Policies SW11 and EnW5 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan".*
 3. *"The applicant has failed to provide a Preliminary Roost Assessment (PRA) of the existing building and adjacent Oak Tree. As such, the impact of the proposal on bats and nesting birds have not been fully assessed. The Local Planning Authority is therefore unable to determine whether there would be any adverse impact or the need for and extent of any mitigation. The proposed development is therefore contrary to Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan".*
- P/20/0269 Erection of stable block for 6 horses and retention of engineering works
Refused planning permission on 24 March 2023 for the following reasons:
1. *"The proposed stable building, by virtue of its prominent siting, design, scale and height, would form a discordant and incongruous feature within the landscape. This would be detrimental to the character and appearance of the wider area. As such, the proposal is contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan".*

2. *“The proposed stable building, due to its unjustified and unacceptable size, siting, height and design, would cause harm to the character and quality of the Special Landscape Area. As such, the proposal is contrary to Policy EnW5 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan”.*

P/18/0379 Retention of agricultural building
Granted planning permission subject to conditions on 18 January 2019

P/18/0061 Erection of an agricultural building (re-submission)
Granted planning permission subject to conditions on 18 April 2018

P/17/0301 Erection of an agricultural building
Refused planning permission on 8 December 2017 for the following reason:

“The proposed development is not reasonably necessary for the purposes of the agriculture. As such, due to its size and height, it represents an unjustified, intrusive development which would have a harmful impact on the visual amenities of the open countryside. The proposal is therefore contrary to policies BW4, BW5 and BW7 of the Merthyr Tydfil Local Development Plan”.

P/17/0147 Proposed erection of a barn (Prior Notification)
Not permitted development permission required, 13 June 2017

CONSULTATION

No consultation exercise was undertaken.

PUBLICITY

No publicity exercise was undertaken.

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 were considered in the determination of the original application:

- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- SW12 Improving the Transport Network
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW2 Internationally and Nationally Protected Sites and Species
- EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- EnW4 Environmental Protection
- EnW5 Landscape Protection
- EcW10 Sustainably Supplying Minerals
- EcW13 Minerals Safeguarding

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?

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 the introduction of the doorways to the external elevations of the extension approved under application reference P/24/0263 would represent a non material amendment. In this respect, the main consideration would be the impact of the change on the design and appearance of the extension and thus the character of the Taf Bargoed Special Landscape Area (SLA). In this respect the doors are considered to represent a minor change to the overall design of the development which would not appear incongruous on an agricultural building. Overall, they would have minimal visual impact and would not IMPINGE upon on the character of the SLA. As such no concerns are raised in this respect.

The revised scheme would therefore be acceptable and remain in accord with the relevant policies 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 original planning permission that would prevent approval of this non material amendment.

2. There have not been any other non material amendments to the permission.
3. No representations were received 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:

CONDITIONS:

None.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

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DATE: 01.05.2025