

DELEGATED REPORT

Application No: P/22/0072

Site Address: Plot 5 & 6 Fell Street
Treharris

Development: Non material amendment to planning permission P/06/0608 to change the external elevational finishes to render with a stonework panel to front elevation and render to the remaining elevations

Case Officer: Rebecca Owens

Application Expiry Date: 20th May 2022

Consultation reply date expired:

APPLICATION SITE

The application relates to a corner plot of land comprising of two residential development plots (plots 5 & 6) which originally formed part of a larger plot for which planning permission has been granted for four semi-detached dwelling and two detached dwellings (planning reference P/06/0608). Whilst the semi-detached dwellings have already been constructed the two detached dwellings on plots 5 and 6 have yet to be developed. The land is located at the end of a residential street and is bound by the highways of Fell Street and Forest Road (to the north and east respectively), one of the semi-detached properties forming part of the wider site to the west and another dwelling to the south. The site is located within the settlement boundary and Treharris Conservation Area.

PROPOSED DEVELOPMENT

This is an application for a non-material amendment to an approved planning application for the erection of two detached dwellings and four semi-detached dwellings (Planning Reference: P/06/0608). However, it is noted that the application relates only to the two detached dwellings at plots 5 and 6 which have not yet been constructed. The application seeks permission to change the external elevational finishes of the two dwellings to render with a stonework panel to the front elevation and render to the remaining elevations. The stonework panel would comprise of Grenada stone effect cladding.

PLANNING HISTORY

The relevant planning history is detailed below:

P/18/0188	Non material amendment to application P/06/0608 to alter doors and windows to plot 5 and 6 Non-material amendment approved on 3 July 2018
P/06/0608	Erection of 2 No. detached dwellings and 4 No semi detached dwellings Granted planning permission subject to conditions on 17 January 2007

CONSULTATION

No consultation exercise was undertaken.

PUBLICITY

No publicity exercise was undertaken.

POLICY CONTEXT

Local Policies

The Local Development Plan policies identified during the consideration of the existing planning permission have recently been replaced by the Merthyr Tydfil County Borough Council Replacement Local Development Plans 2016 – 2031. The dwellings have already been considered and found to be acceptable, as such the main policies which would now be relevant to the assessment and determination of this non-material amendment are SW11: Sustainable Design and Placemaking and CW1: The historic environment. The development with the proposed amendments would comply with this policy.

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 or not the proposed introduction of a stonework panel to the front elevation of the dwellings constitutes a non-material

amendment to the development approved under application reference P/06/0608. In this respect, the main considerations are the impact of the change on the character and visual amenity of the properties themselves and the wider area and the impact it would have on the Treharris Conservation Area.

The approved elevational finishes of the dwellings on plots 5 and 6 comprised of a combination of render at first floor and brickwork at ground floor with the brick approved under the discharge of condition 1 of the original planning permission. This application seeks to change the elevational finishes to render with a stone work panel on the front elevation. Whilst this would result in a notable change to the appearance of the dwellings, the proposed finish is considered to be acceptable. It is acknowledged that this change would result in the detached properties being less in keeping with the semi-detached properties already constructed as part of the original planning application. However, it is noted that the two dwellings subject to this application front onto Forest Road and such they do not directly relate to the streetscene of Fell Street and the semi-detached properties already constructed. This allows these plots more flexibility and scope to appear more removed from the other dwellings approved under the same application. In addition, the part of Forest Road on which the properties are proposed has little in the way of a streetscene comprising mainly of flank elevations and boundary walls. As such, the plots are somewhat disconnected from the surrounding dwellings. Accordingly, it is not considered that the proposed alteration would be harmful to the character of the dwellings or indeed the visual amenities of the streetscene and would not result in any adverse impact on the Treharris Conservation Area.

The proposal relates purely to a change in material finish and as such would have no impact on the residential amenities of any neighbouring residents.

The revised scheme would therefore be acceptable and in accord with Policies SW11 and CW1 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 is a condition on the original planning permission relating to material finishes. Condition 1 states *“Details of the roofing materials and finishes to the external walls of the dwellings shall be submitted to an approved by the Local Planning Authority in writing **BEFORE** development commences on site, and all works carried out shall be on accordance with such approved details”*. The brick and roof finishes were subsequently discharged. However, the inclusion of this condition on the original approval would not impact on the determination of this application which seeks permission to alter the elevational finishes.
2. Whilst there has been a previous non-material amendment to the originally approved scheme (P/18/0188), it is not considered that cumulatively, the changes would amount to a significant alteration to the original proposal.
3. Whilst there was one representation and a petition of 32 local residents received in relation to the original publicity exercise, the main points of objection related to loss of light to neighbouring properties, overlooking and loss of privacy, loss of view and reducing in the value of existing properties. The proposed alteration to the material finish of the front elevation would not have any impact in respect to these.

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/REASONS:

None.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

12/4/22