

DELEGATED REPORT

Application No:	P/26/0030
Site Address:	8 - 9 The Green Trefechan Merthyr Tydfil CF48 2EU
Development:	Non material amendment to planning permission P/24/0242 to increase the depth of the canopy from 3.2m to 4.5m.
Case Officer:	Kate Glover
Site Visit:	6th Mar 2026
Application Expiry Date:	17th Mar 2026

APPLICATION SITE

The application site comprises a childcare facility located within a larger building. The childcare facility is situated to the rear of the building and benefits from an outdoor garden area as well as a rear terrace covered by a canopy.

PROPOSED DEVELOPMENT

This application seeks permission for a non-material amendment to the approved scheme (ref: P/24/0242), which granted planning permission for the change of use of part of the building from a Youth Centre to a childcare facility and for the erection of a canopy on the rear elevation. The development has commenced and was substantially completed at the time of the site visit.

The approved plans indicated a lean-to canopy measuring approximately 3.40m deep, 7.74m wide, 2.43m to eaves height, and 2.92m to ridge height. The roof of the canopy was to be constructed from powder-coated aluminium.

This non-material amendment seeks approval for a deeper canopy so that the entire depth of the raised terrace area is covered. As amended, the canopy measures approximately 4.55m deep, 7.74m wide, 2.43m to eaves height, and 3.18m to ridge height. The lean-to canopy roof remains powder-coated aluminium.

PLANNING HISTORY

The relevant planning history is detailed below:

P/24/0148 Single storey rear extension
Approved: 26 Jul 2024

P/24/0242 Change of use of part of the building from a Youth Centre to a Flying Start facility and erection of a canopy on the rear elevation of the building
Approved: 13 Dec 2024

CONSULTATION

No consultation exercise was carried out nor it is required for this application.

PUBLICITY

No publicity exercise was carried out nor it is required for this application.

Local Policies

Policies SW4: Settlement Boundaries, SW13 Protecting and Improving Local Community Facilities and SW11: Sustainable design and place making of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016- 2031 are relevant to the determination of this planning 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 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

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 changes to the canopy which results in its depth increasing by approximately 1.15m and the ridge height increasing by

approximately 0.26m, constitutes a non-material amendment to the development approved under application reference P/24/0242. In this respect, the main considerations are the impact of the change on the character of the building, the wider area, local community facilities and impact on residential amenity.

The increased depth, together with the modest additional height, does not significantly alter the character of the development or its relationship with the host building and its surroundings. The amendment does not materially change the visual appearance of the canopy compared with that originally approved, nor does it result in any greater visual impact on the building or the wider area.

In terms of the effect on the childcare facility, the deeper canopy simply enables the entire raised terrace area to be covered and does not give rise to any material change in how the approved community use will operate.

With respect to residential amenity, it is noted that only the first and second floors of The Green are used as residential flats. The revised canopy dimensions would not result in any material change to the living conditions of occupants of those flats.

CONCLUSION

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the WellBeing of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

For the reasons above, the scale of the changes to the development would not lead to a material change on visual qualities of the building or wider area, the community facility or residential amenity.

Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 13.03.2026