

DELEGATED REPORT

Application No: P/21/0335

Site Address: 7 Mardy Close
Merthyr Tydfil
CF47 0YH

Development: Non material amendment to planning permission P/20/0100 to replace the proposed window and door with sliding glass doors

Case Officer: Rebecca Owens

Application Expiry Date: 17th November 2021

Consultation reply date expired:

APPLICATION SITE

The application relates to a detached dwelling located within a mainly residential area in the settlement boundary. The site is bound by other dwellings and is accessed via a shared driveway to the front.

PROPOSED DEVELOPMENT

This is an application for a non-material amendment to a recently approved planning application for the conversion of a garage into living accommodation (Planning Reference: P/20/0100). The application seeks permission to change the door and window, which replaced the garage door, with glass sliding doors.

PLANNING HISTORY

The relevant planning history is detailed below:

- | | |
|-----------|--|
| P/20/0100 | Conversion of garage
Granted planning permission subject to conditions on 22 June 2020 |
| P/08/0095 | Erection of detached dwelling (substitution of house type)
Granted planning permission subject to conditions on 22 April 2008 |
| P/07/0412 | Erection of 4 dwellings and associated engineering and building operations
Granted reserved matters approval subject to conditions on 27 September 2007 |
| P/05/0158 | Erection of four detached houses and garages including all associated engineering and building operations (Outline) |

Granted outline planning permission subject to conditions on 4 August 2006

CONSULTATION

No consultation exercise was undertaken.

PUBLICITY

No publicity exercise was undertaken.

POLICY CONTEXT

Local Policies

Policies SW11: Sustainable design and place making and CW1: The Historic Environment of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 are relevant to the determination of this planning application. Furthermore, the application will be determined having regard to the advice contained within Supplementary Planning Guidance Note 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?

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 replacement of the door and window with glazed sliding doors constitutes a non-material amendment to the development approved under application reference P/20/0100. In this respect, the main considerations are the impact of the change on the character of the property and both visual and residential amenity.

In this respect, it is noted that the proposal would result in a minor alteration to the front elevation. Whilst doors of this type are generally not found on the principal elevation of a dwelling and can represent an incongruous feature, in this instance it is not considered that they would be significantly harmful. The doors would be sited at lower ground floor level and would be set behind the driveway. They would also respect the proportions of the original opening and be more sympathetic to the vertical alignment of the windows above than the previously approved window and door. Accordingly, it is not considered that the proposed alteration would be harmful to the character of the dwelling or indeed the visual amenities of the streetscene.

With respect to residential amenity it is noted that the proposed alteration would result in a larger glazed area than the previously approved window. However, this would look across the front garden area and adjacent driveway and would not give rise to any unacceptable overlooking or loss of privacy.

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 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/20/0100).
3. Whilst one representations was received following the original publicity exercise this related to noise and disturbance. It is not considered that the proposed alteration would have any significant impact in this respect.

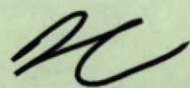
CONCLUSION

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

DATE: 07.10.2021



PP. Head of Town Planning