

DELEGATED REPORT

Application No: P/24/0249

Site Address: Pavilion And Changing Rooms
Pantyffyn Road
Penyard
Merthyr Tydfil

Development: Non material amendment to planning permission P/23/0216 to reduce the size of the extension

Case Officer: Rebecca Owens

Application Expiry Date: 19th December 2024

Consultation reply date expired:

APPLICATION SITE

The application relates to Mountain Hare Rugby and Football fields. The fields lie adjacent to one another with the rugby ground occupying a higher level than the football pitch to the south-west. There is also a building to the north east of the site which provides changing facilities. The site is situated within a mainly residential area within the settlement boundary and the site is also classed as an Open Space within the Local Development Plan.

PROPOSED DEVELOPMENT

This is an application for a non-material amendment to a recently approved planning application which included an extension to the existing changing facilities (Planning Reference: P/23/0216). This application seeks permission to reduce the size of the extension.

The previously extension approved was 20m in width by 8.55m in depth with a pitched roof 4.8m in height to its ridge. The extension now proposed would be at a reduced width of 5.42m but would remain 8.55m in depth with a pitched roof 4.8m in height to its ridge. Given the reduction in the width the front elevation would now only contain a single set of double doors (in contrast to the previous extension which featured two doorways and two windows. The roof of the extension would remain concrete tiled and the external elevations would continue to be finished in render to match the main building. In addition to the above, it is also proposed to omit a new window in the south eastern facing side elevation and insert a new door with serving hatch in the front elevation of the main building.

PLANNING HISTORY

The relevant planning history is detailed below:

P/23/0216	Extension to existing changing rooms and new boundary fence to lower pitch Granted outline planning permission subject to conditions on 12 September 2024
P/22/0118	Provision of access and car parking, CCTV cameras, storage container, dug outs, fencing with associated access gates and pitch side rail Granted outline planning permission subject to conditions on 1 July 2022
P/20/0187	New footpath linking changing rooms to football pitch Granted planning permission subject to conditions on 14 September 2020
P/00/0037	Siting of portable building for use as additional changing rooms, stores and associated use. Granted planning permission subject to conditions on 23 March 2000

CONSULTATION

No consultation exercise was undertaken.

PUBLICITY

No publicity exercise was undertaken.

Local Planning Policies

Of the policies identified in the original planning application, the following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 would be relevant to the determination of this planning application.

- Policy SW11: Sustainable design and place making
- EnW1: Nature Conservation and Ecosystem Resilience
- EnW2: Internationally and Nationally Protected Sites and Species

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 reduction in the size of the extension would constitute a non-material amendment to the development approved under application reference P/23/0216. In this respect, the main considerations are the impact of the change on both visual and residential amenity and ecology.

It is recognised that the proposed extension would be significantly smaller than the extension previously approved. However, the resulting impact of this would not be greater than that of the original scheme.

In terms of the visual impact, whilst being smaller, the amended extension would be of the same general design and appearance, with a scale that would in fact be more proportionate and sympathetic to the existing building. The associated changes in fenestration are also deemed to be acceptable, having only a minor impact on the overall design and appearance of the building. Thus, the proposed development would still be deemed to be of an acceptable design and layout which would not adversely impact on the character of the area.

With respect to the effect on neighbouring properties it is noted that the amendment would result in a reduction in the size, of the extension and thus would reduce its overall impact. However, given its distance from the nearest residential dwelling, it would not have any significant impact on residential amenity and as such there would be no additional harm from this scheme and the proposal would continue to be acceptable in terms of residential amenity.

Finally, the amendments would not have any additional impact on ecology or protected species and do not impact on the onsite enhancements measures proposed. The sparrow nest box would remain in the same position and the bat box would also still be positioned on the north western side elevation of the extension (despite the width of the extension being reduced). As such, the proposal complies with policy EnW1 of the LDP.

The revised scheme would therefore be acceptable and remain in accord with Policy SW11 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. However, it is recognised that condition 4 requires bat and bird

boxes to be installed on the building. The sparrow box would be unaffected by the amendments and whilst the bat box would remain in the north western elevation of the existing, this elevation would change position due to the reduction the in width of the extension. As such, it would not be possible to install the bat box in strict accordance with the drawing specified in this condition. As such it is recommended that this condition is re-attached to any approval of this application to ensure compliance can be achieved.

1. There have not been any previous non-material amendments to the originally approved scheme (P/23/0216).
2. Whilst representations were received following the original publicity exercise, none of these related directly to the extension and were concerned mainly with other aspects of the original development.

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 subject to the following **CONDITION:**

1. **BEFORE** the extension hereby approved is brought into use, the bat block and sparrow terrace detailed in the Ecological Assessment shall be provided in accordance with Drawing Number: MT HARE REN-EXT 03A, received 28 October 2024 and shall be retained in perpetuity thereafter.

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED


PP Director of Neighbourhood Services

DATE: 04.11.2024