

Planning Application 20/0005/NMA

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
20/0005/NMA 02.01.2020	Mr G Davies & Mrs G Powell C/o Miss L Hughson-Smith 19 Starling Walk Penallta Hengoed CF82 6BH	Seek approval of a non-material amendment to planning consent 18/0255/OUT (Demolish existing buildings and erect residential development with associated works and seek approval of access) to amend the description of the development to include 'phased residential development' and amend the width scale parameter of plot 1 and 2 to 15.2m Virginia Park Garage Melville Terrace Caerphilly CF83 3HE

APPLICATION TYPE: Non-Material Amendments

SITE AND DEVELOPMENT

Location: The application site is located on Melville Terrace, Caerphilly.

Site description: The application site is a car repair garage site incorporating a large yard with a number of detached pre-fabricated buildings located within it. The site is flat and is bounded to the north by the road serving Melville Terrace, to the south by housing, to the east by the playing fields to the south of Caerphilly Rugby Club and to the west by the rear lane serving Pontygwindy Road. Outline planning consent was granted for the development of the site for 6 dwellings under application reference number 18/0255/OUT. That consent was granted on the basis of maximum dimensions for the dwellings of 11m by 9m by 10m high.

Development: This application seeks approval of a non-material amendment to the previously approved scheme to increase the maximum width of the houses on plots 1 and 2 from 11m to 15.2m and to increase the width of plots 1 and 2 to accommodate the wider dwellings. Consent is also sought for the change of the description of the development to include 'phased development' which would allow a 'self build' development to be carried out.

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Dimensions: As above.

Materials: Not applicable.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2005 TO PRESENT

18/0255/OUT - Demolish existing buildings and erect residential development with associated works and seek approval of access - Granted - 14.09.2018.

19/1025/RM - Seek approval of the reserved matters in respect of appearance, landscaping, layout and scale reserved under planning consent 18/0255/OUT (Demolish existing buildings and erect residential development with associated works and seek approval of access) - Pending.

POLICY

Not Applicable.

CONSULTATION

None.

ADVERTISEMENT

Not Applicable.

ANALYSIS

Policies: Section 96A of the Town and Country Planning Act 1990 (as amended) allows non-material amendments to be made to an existing planning permission. Whilst there is no statutory definition of a 'non-material amendment', in July 2014 the Welsh Government published planning guidance on approving non-material amendments. In deciding whether or not proposed changes are non-material, consideration should be given to the effect of such changes. When assessing and determining whether or not proposed changes would qualify as non-material amendments, the guidance suggests four tests as a 'starting point' for local planning authorities in their consideration. Each of the tests is addressed below:

- a) (i) Is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme?

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The scale of the proposed changes is not great enough to cause a different impact to that caused by the originally approved scheme. Outline applications always leave scope for amendments to the layout submitted at reserved matters stage provided that the development stays within the parameters of the outline consent and this is not different. Whilst the size of the dwellings and the plots themselves on plots 1 and 2 would be larger, it is still possible to fit six dwellings on the site without having a major impact which would be different to that caused by the previously approved scheme. With regard to the change to the description of the development to include reference to a 'phased development' it should be noted that this has become common practise over recent years and would have no greater impact than the approved scheme.

(ii) Would the proposed change result in a detrimental impact either visually or in terms of local amenity?

The proposed changes will result in a change visually to the originally approved scheme although this will not be detrimental to the character of the area or impact on the amenity of the area. The proposed change is minor in scale and would not have an impact on neighbouring properties or land.

b) Would the interests of any third party or body be disadvantaged in planning terms?

The proposed changes will not affect neighbouring occupiers, nor will they result in any significant detrimental impact.

c) Would the proposed change conflict with national or development plan policies?

The development has been fully considered against national and development plan policies by the Council during the consideration of the original application. The proposed amendment to the scheme is not in conflict with planning policy, nor does planning policy deter any the amendments proposed.

Comments from consultees: Not applicable.

Comments from public: Not applicable.

Other material considerations: None.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

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Living Decision Document:

The description of the development shall be amended to read as follows:-

Demolish existing buildings and erect a phased residential development with associated works and seek approval of access.

Details in respect of condition 04 have been amended by Consent 20/0005/NMA dated 19th March 2020 granted by Caerphilly County Borough Council and as such the development shall now be carried out in accordance with the following plans and details unless otherwise agreed in writing by the Local Planning Authority:-

Proposed Site Plan (129-101A), Demolition Plan (129-102), Site Location Plan (129-103) and Preliminary Ecological Appraisal and Preliminary Roost Assessment by Wildwood Ecology.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development shall be carried out in accordance with the plans approved under planning permission 18/0255/OUT subject to the conditions and details of the original consent, save where they are amended by the following plans: 129-101A.

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

