

DELEGATED REPORT

Application No:	P/25/0124
Site Address:	Unit 10 Harlan Business Park Goat Mill Road Dowlais Merthyr Tydfil CF48 3TE
Development:	Installation of solar panels
Case Officer:	Marlene Ferreira
Site Visit:	29th May 2025
Application Expiry Date:	2nd July 2025
Consultation reply date expired:	29th May 2025

APPLICATION SITE

The application site relates to a detached building, known as Unit 10, accessed off Goat Mill Road in Dowlais. The unit, used as an ice cream parlour, lies within the small, but well-established Harlan Business Park, and is surrounded by other large scale industrial type buildings/units. It is served by 5 on-site parking spaces to its front elevation and additional parking, which appears to be shared with all other units, a is provided within the confines of the business park/estate.

PROPOSED DEVELOPMENT

This application seeks planning permission to install roof mounted solar panels on the rear roof slope of the unit in order to provide an energy efficient building.

A total of 33, Trina Vertex S+ Dual Glass, solar panels would be installed. A row of 14 panels and a row of 19 panels would be provided along the rear roof slope. The panels would project approximately 0.150 metres above the roof line.

PLANNING HISTORY

The most recent planning history for this site are as follows:

P/20/0097 - Retrospective Change of Use from "B" Use Class to an Ice Cream Parlour "A3" Use Class (resubmission following refusal P/19/0295) – Approved: 11th June 2020

P/19/0295 - Retrospective change of use from "B" use class to an ice cream parlour "A3" use class – Refused: 17th December 2019.

CONSULTATION

Ecology Officer

No objection, subject to conditions.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining occupiers and two site notices were displayed within the vicinity of the site. No letters of representations have been received as a result of this publicity exercise.

POLICY CONTEXT

National Development Framework

- Future Wales: The National Plan 2040 (February 2021)

National Planning Policies

- Planning Policy Wales (Edition 12, February 2024)

Local Planning Policies

- Merthyr Tydfil Replacement local Development Plan 2016-2031

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EcW8 – Renewable Energy

Supplementary Planning Guidance (SPG)

SPG Note No. 4 – Sustainable Design (2013)

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed development would be acceptable in principle in this location and whether it would result in an acceptable form of development with regards to its impact upon the character and appearance of the premises and the wider area. The impact upon residential amenity and ecology are also important considerations.

Principle of development

The application site lies within the settlement boundary. New development in such areas is supported by LDP Policy SW4 provided it complies with other relevant planning policies.

Given the nature of development, LDP Policy EnW8 is also relevant. This policy states that the use of renewable energy will be supported as a means of reducing local carbon footprint.

The proposed development is therefore supported in principal and would comply with LDP Policies SW4 and EnW8.

Character and appearance

The proposed solar panels, as noted above, would be mounted on the rear roof slope and would project above the existing roof line by approximately 0.150 metres. Whilst their siting on the building would not be visible from within the business park, it would be visible within the wider area. However, the proposed solar panels would not be considered to cause any significant harm to the appearance of the unit, which is a typical industrial building, surrounded by other industrial buildings, located within a small business park/estate. The proposed development would therefore be acceptable in this context and accord with LDP Policy SW11.

Residential Amenity

The proposal has been considered in respect of its impact upon surrounding neighbouring occupiers. However, given the nature and siting of the development and its distance from its nearest neighbouring properties (located over 150m away), the proposal would not be deemed to cause any harm upon residential occupiers. In this respect, no representations were received following the publicity exercise. The relationship between the proposed development and surrounding residents would therefore be considered acceptable and accord with LDP Policy SW11.

Ecology

Given the nature and siting of the proposed works, the Council's Ecologist has not requested any survey reports to be undertaken in support of the proposal. However, enhancement works in line with the Environment (Wales Act 2016) and Welsh Government Circular 'Securing Biodiversity Enhancements' would be requested by a suitably worded condition, which could be added to any planning permission granted.

It is noted under chapter 6 of Planning Policy Wales (edition 12) that applications should be supported by Green Infrastructure Statements (GIS). In this instance, due to the scale and nature of the development, which only includes the erection of solar panels to the roof of an industrial unit, the submission of a GIS is deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancements would be provided (to be requested by condition) which would contribute to the wider green infrastructure objectives. Thus, the proposed development would therefore be considered acceptable and accord with LDP Policy EnW1.

CONCLUSION

The development, for the reasons noted above, is acceptable and in compliance with relevant policies and guidance.

Finally, 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 Well-Being 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.

Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS:**

1. The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

- Proposed Plans, Elevations & Section Drawing No. JJ-02, received: 7th May 2025.

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

3. **BEFORE WORKS COMMENCE ON SITE** a scheme for biodiversity enhancement, to include a timescale for implementation, shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.
All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1>) is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 25.06.2025