

# DELEGATED REPORT

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|-----------------------------------------|-------------------------------------------------------------------------------------|
| <b>Application No:</b>                  | <b>P/25/0066</b>                                                                    |
| <b>Site Address:</b>                    | <b>Unit 8-9<br/>Pant Industrial Estate<br/>Pant<br/>Merthyr Tydfil<br/>CF48 2TD</b> |
| <b>Development:</b>                     | <b>Solar Panels to main roof</b>                                                    |
| <b>Case Officer:</b>                    | <b>Kate Glover</b>                                                                  |
| <b>Site Visit:</b>                      | <b>31st March 2025</b>                                                              |
| <b>Application Expiry Date:</b>         | <b>28th April 2025</b>                                                              |
| <b>Consultation reply date expired:</b> | <b>21st April 2025</b>                                                              |

## APPLICATION SITE

The application relates to a unit within an established industrial estate in the settlement boundary. The application building is located amongst a row of industrial units which front on to the main road. The site is bound on all other side by adjoining industrial units, which includes service yards and parking areas to the south (rear) of the site.

## PROPOSED DEVELOPMENT

Full planning permission is sought for the installation of solar panels to the rear roof plane. The panels would be placed in 2 rows and each row cover an area approximately 1.78m by 26.0m and would project above the surface of the roof by no more than 150mm.

The plans incorporate biodiversity enhancement in the form of a sparrow terrace and bat box, which would be located under the eaves on the western elevation of the building.

## PLANNING HISTORY

The relevant planning history is summarised below:

P/99/0407 - Clad front of building, new roof and provision of additional carpark spaces  
Granted 03 Feb 2000

## CONSULTATION

No consultation exercise was considered necessary in this instance.

## PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining properties and a site notice was displayed within the vicinity of the site.

No letters of objection were received following this publicity exercise.

## POLICY CONTEXT

### National Development Framework

Future Wales: the National Plan 2040 (February 2021) (Future Wales) sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

### National Planning Policies

Planning Policy Wales (Edition 12, February 2024).

### Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 (LDP) are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- SW13 Protecting and Improving Local Community Facilities
- EnW1 Nature Conservation and Ecosystem Resilience
- EcW8 Renewable Energy

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 4, Sustainable Design
- Note 5, Nature and Development

## PLANNING CONSIDERATIONS

The application site is located within the settlement boundary and as such the principle of development is acceptable (Policy SW4) subject to compliance with relevant policies and material planning considerations. In this respect it is noted that Policy EcW8 supports the use of renewable energy and applications for renewable energy where they meet certain criteria. This application would not contravene this policy.

The application relates to a unit within an established industrial estate and the southern side of the roof is not visible from the adjacent public highway. The panels would have a modest projection of 150mm above the roof plane. Due to the location of the panels and the industrial nature of the application site and surrounding area, the proposed panels

would not have any adverse impact on the character and appearance of the building or the wider area. As such the proposal is found to accord with LDP Policy SW11.

It is recognised that the proposal would result in works to the roof of the unit and the Planning Authority's Ecologist is satisfied that in this instance no ecological survey work is required. It is noted that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, due to the scale and nature of the development, which only includes solar panels to the roof, the submission of a GIS is deemed to be disproportionate and unreasonable.

Notwithstanding this, the proposed ecological enhancement can be secured via a suitably worded condition. The enhancements would contribute to the wider green infrastructure objectives. The proposed development would therefore comply with LDP Policy EnW1.

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:

Drawing Title: Proposed plans, elevations and section, Drawing No: JAS-02, Rev B, Received on 04 April 2025.

Drawing Title: Site plans, Drawing No: JAS-03, Received on 03 March 2025.

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

3. **Prior to the development hereby approved coming into beneficial use** the bat box and sparrow terrace shall be provided in accordance with approved plan Drawing Title: Proposed plans, elevations and section, Drawing No: JAS-02, Rev B. The bat box and sparrow terrace shall be maintained as such in perpetuity.

**Reason** - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 of the Merthyr Tydfil Merthyr Tydfil County Borough Council 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: 23.04.2025