

DELEGATED REPORT

Application No:	P/24/0080
Site Address:	24 Perrott Street Treharris CF46 5ER
Development:	Solar panels on roofs
Case Officer:	Kate Glover
Site Visit:	12th April 2024
Application Expiry Date:	15th July 2024
Consultation reply date expired:	3rd May 2024

APPLICATION SITE

The application site is 24 Perrot Street, a two storey building within a terrace of buildings which are located on the main retail area associated with Treharris.

The building is for the most part traditional in character and appearance, with dressed stone elevations and concrete roof tiles. Fenestration is a mixture of uPVC framed windows and a shop front, the materials of which are wooden frames and doors.

At the rear of the property there is a traditionally designed two storey, gable extension and a more recent two-storey, flat roofed extension. There are two roof lights in the rear roof pitch of the main building.

The properties adjacent to the application site have a variety of rear extensions which are predominantly modest in scale and nature. It is noted that there is no particular rhythm or coherence to the character and appearance of the built environment at the rear of the application site. However, it is considered the character and appearance is typical of buildings of their age and location.

The application site is within the defined settlement boundary as identified by LDP Policy SW4, Treharris Conservation Area (Policy CW1) and a Local Centre (Policy EcW5).

PROPOSED DEVELOPMENT

This application seeks consent for the addition of solar panels on the roof of the main building and gable extension. The panels would be arranged in a double row on each roof slope and would be fixed on rails attached to the roofs. The panels on the main roof would measure approximately 2.0m by 3.0m and be located some 0.15 from the southern roof edge, 0.45 from the western roof edge and 0.37 m from the ridge. The panels on the rear gable would measure 3.1 m by 3.0m and be some 0.36m from the southern roof edge,

0.28m from the eastern roof edge and 0.15m from the ridge. All the panels would project above the roof pitches by 0.15m.

The roof spaces below the location of the proposed solar panels are used for living accommodation.

PLANNING HISTORY

P/01/0078 Change of use from domestic flat to office use.
Permission GRANTED 10.04.2001

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) (PPW12).

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
- EcW8 – Renewable Energy
- SW11 Sustainable Design and Placemaking
- Policy CW1: The Historic Environment
- Policy EnW1 – Nature Conservation and Ecosystem Resilience Policy

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.

PLANNING CONSIDERATIONS

The key considerations in the determination of this application relate to the principle of the development, impact on the character and appearance of the Conservation Area, impact residential amenities and ecology and biodiversity.

Principle of the development

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.

It is noted that Policy EcW8 is generally supportive of proposals for renewable energy subject to certain criteria. In this respect the proposed development also needs to meet the requirements of policies SW11, CW1 and EnW1.

Visual Impact

As referred to above the proposal would be located within a Conservation Area.

It is noted that the solar panels would be sited on the rear roof planes of the building and the panels to be located on the rear gable extension would be visible within the public realm. The panels to be located on the roof of the main building would only be partially seen due to the location of a rear extension on the property to the east of the proposal site.

Given the modest scale of the proposal and the character and appearance of the site and the wider siting, it is considered that the solar panels would not be detrimental to the character and appearance of the Conservation Area.

It is considered that the proposal meets with the requirements of Policies CW1, EcW8 and SW11.

Residential Amenity

It is considered that the proposal would not have any detriment on residential amenities due to the proposals scale, siting and relationship with neighbouring properties.

It is considered that the proposal meets with the requirements of Policy SW11.

Ecology

The application site is located in an urban area and 130 m of woodland to the south.

The Planning Ecologist has suggested that a Preliminary Bat Roost Assessment (PRA) should be undertaken. It is noted that the roof spaces below the location of the solar panels are used as living accommodation. It is also noted that the solar panels will be fixed on rails above the roof plane and away from the edges of the roof. It is considered in this instance that given the location and nature of the proposed works this is not considered to be proportionate or necessary to require the applicant carryout a PRA. Instead, it is considered that a suitably worded informative should be attached to any

consent informing the applicants of their responsibility when undertaking works in relation to European Protected Species.

As noted in chapter 6 of Planning Policy Wales (edition 12), applications should be supported by Green Infrastructure Statements (GIS). Likewise, given the nature of development, this would not be deemed a reasonable requirement in this instance. Notwithstanding this, ecological enhancements would be requested and controlled by condition, which would provide additional habitats in the local area, and therefore contribute to the wider green infrastructure objectives.

The Local Planning Authority has a duty to take action towards securing the maintenance and enhancement of ecology and to provide a net benefit in relation to biodiversity, as no enhancement has been proposed it is considered necessary to attach a condition that a suitable enhancement will be submitted to the LPA for approval prior to the commencement of development.

It is considered that the proposal meets with the requirements of Policy EnW1.

CONCLUSION

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.

Having regard to the policy context above, the proposal is considered to be acceptable and 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:

Drawing Title: Site Plans and Section, Drawing Number CLI-03, Rev A, Received on 4 April 2024.

Drawing Title: Proposed Plans and Elevations, Drawing Number CLI-02, Rev A, Received on 4 April 2024.

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, including 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


pp Director of Neighbourhood Services

DATE: 02.07.2024