

DELEGATED REPORT

Application No:	P/24/0161
Site Address:	97 High Street Merthyr Tydfil CF47 8UD
Development:	Installation of PV solar panels to roof
Case Officer:	Kate Glover
Site Visit:	1st August 2024
Application Expiry Date:	11th December 2024
Consultation reply date expired:	30th October 2024

APPLICATION SITE

This application site relates to a three-storey building, located in Merthyr Tydfil Town Centre. The Victorian building is located at the end of a terrace, within a commercial street. It is bounded by High Street to the front, another commercial property to the north, pedestrianised amenity space, and the highway of Castle Yard to the rear.

The site lies within the Settlement Boundary, Primary Growth Area, Town Centre Boundary, and Merthyr Tydfil Town Centre Conservation Area as designated within the Local Development Plan.

PROPOSED DEVELOPMENT

This application seeks planning permission to install solar panels on the front (east), rear (west) and side (south) roof elevations of the property. The solar panels would be grey in colour and be sited so that they are flush with the roof pitch/slope.

The arrays of solar panels would occupy most of the roof areas, with the panels located on the front and rear roofs would each occupy an area of approximately 25.2m², and the panels on the side roof would occupy an area of approximately 12.5m².

Two small chimney vents which are positioned in the rear roof slope and near the eaves, would be relocated to an area close to the ridge line of the rear roof slope.

Details of biodiversity enhancement have been provided and bat boxes would be positioned on the south elevation of the property, a sparrow terrace would be located on the east elevation and barge boards on the north and south elevations would be designed with gaps to allow access for crevice dwelling bats such as pipistrelle.

PLANNING HISTORY

P/22/0248	Replacement glazed screen and door to rear elevation Granted 27/10/2022
P/15/0044	Installation of new shop front and security gates and installation of chimney stack Granted 1/4/2015
P/13/0052	Installation of new shop front Granted 09/04/13
P/11/0249	Retention of replacement windows inserted into front elevation and replacement roller shutter curtain Refused 02/11/11 Appeal dismissed 30/07/12
P/11/0142	Installation of signage on rear elevation of building Granted advertisement approval 08/07/11
P/96/0439	Provision of new shop-front and upgrading of external elevation Granted 20/12/96

CONSULTATION

Natural Resources Wales - No objections

PUBLICITY

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

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 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).
Technical Advice Note 24: The Historic Environment
Technical Advice Note 12: Design

Local Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW4 – Settlement boundaries
Policy SW11 – Sustainable design and Placemaking
Policy CW1 – Historic Environment
Policy EnW1 – Nature Conservation and Ecosystem Resilience
Policy EnW4 – Environmental Protection
Policy EcW5 – Town and Local Centre Development
Policy 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, July 2013
Note 5 – Nature and Conservation, May 2015

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed introduction of PV solar panels would be the principle of development, impact upon the character and appearance of the premises and the conservation area, impact on ecology and residential amenity.

Principle of Development

The application site lies within the settlement boundary – Primary Growth Areas. 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 acceptable in principal and would comply with LDP Policies SW4 and EnW8.

Character and Appearance

The proposed development, as described above, seeks to introduce solar panels on the front, rear and side roof slopes of the premises.

These roof slopes are visible to varying degrees and the solar panels would be visible from public view points around the premises. The solar panels would be grey in colour and therefore very similar in colour to the existing roof slates. In addition, the solar panels would be set into the roof slope. The combination of colour and method of positioning the solar panels would result in a development with a similar finish to that of the existing roof slates and would not appear incongruous when viewed from the street scene by passers-by. The proposal would therefore result in an acceptable form of development which would not result in significant harm to the character and appearance of the property, nor

would it adversely affect the character of the existing street scene or wider conservation area.

As such, the proposal meets the requirements of LDP Policies CW1 and SW11.

Residential Amenity

Given the nature and siting of the development, the proposal would not cause any harm upon the surrounding residential amenity.

It is also noted that, no representations were received following the publicity exercise.

As such, the proposal meets the requirements of LDP Policy SW11.

Ecology

Given the nature of the proposed works to the roof of the premises, a Preliminary Roost Assessment (PRA) report has been submitted and has been reviewed by the Council's Ecologist. The Ecologist has not raised any concerns and is satisfied with the conclusions reached, i.e. no evidence of bats was found and as such, no further survey work or recommendations were stipulated. Given the scale and nature of the development, a condition can be used to secure the proposed biodiversity enhancement for bats and birds.

As noted in chapter 6 of PPW, 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, the ecological enhancements can be controlled by condition, thus providing additional habitats in the local area, and therefore contribute to the wider green infrastructure objectives.

As such, the proposal meets with the requirements of LDP 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:

Drawing Title: Proposed Plans and Elevations, Drawing Number: HAIRPORT 97 02C, Received on 19 November 2024

Drawing Title: Location and Block Plans, Drawing Number: HAIRPORT 97 03B, Received on 19 November 2024

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

3. **Within two months of the installation of the solar panels** hereby approved, the two bat boxes, sparrow terrace and gaps behind barge boards shall be provided in accordance with approved plan Drawing Title: Proposed Plans and Elevations, Drawing Number: HAIRPORT 97 02C, Received on 19 November 2024. The bat boxes, sparrow terrace and gaps behind barge boards 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 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: 29.11.2024