

DELEGATED REPORT

Application No: P/24/0024

Site Address: Former Police Station
Bridge Street
Troedyrhiw
CF48 4DT

Development: New Solar Panels to main roof

Case Officer: Adam Foote

Application Expiry Date: 26th March 2024

Consultation reply date expired: 5th March 2024

APPLICATION SITE

The application site comprises the roof slopes of the building known as The Former Police Station located on Bridge Street, Troedyrhiw. The building is detached and located at the end of the designated Local Centre as shown on the proposals map that accompanies the Local Development Plan (LDP). The River Taff runs adjacent/west of the building with the local centre being located to the east.

The building comprises a commercial unit on the ground floor and a residential property at first floor. The building was originally single storey with the first floor being constructed at a later date, planning consent for the first floor was granted under application ref; P/13/0118.

The application site is within the defined settlement boundary as identified by LDP Policy SW4 and is within a flood zone 3 based on the flood maps for planning.

PROPOSED DEVELOPMENT

This application seeks consent for the addition of solar panels on the roof of the building. The panels are proposed to be arranged in a single linear row on each roof slope with 8 panels on each slope. The scale, design and position of the panels is illustrated in full on the plans that accompany this application.

PLANNING HISTORY

P/13/0118	Change of use from Police station to commercial premises (A1 Retail Use) at ground floor with a first floor extension to comprise 1 No. 2 bedroom flat	Approved
P/14/0219	Change of Use of ground floor to Cake Shop (Including sit in and	Approved

takeaway service)

CONSULTATION

Natural Resources Wales (NRW) - No objection

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, x2 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
Planning Policy Wales (PPW) Edition 12 (February 2024)
Technical advice note (TAN) 15: development and flood risk (2004)

Local Policy

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

Policy SW4 – Settlement boundaries
Policy SW9 – Planning Obligations
Policy SW11 – Sustainable design and Placemaking
Policy EnW1 – Nature Conservation and Ecosystem Resilience
Policy EnW4 – Environmental Protection
Policy EcW5 – Town and Local Centre Development
Policy EcW8 – Renewable Energy

Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design

PLANNING CONSIDERATIONS

The key considerations in the determination of this application relate to the principle of the development, visual impact, impact upon the character of the area, impact upon the living conditions of neighbouring occupiers, ecology and biodiversity and flooding/flood risk.

Principle of the development

The application seeks consent for the addition of solar panels on the roof of an existing building. The proposal is considered to be small scale and would primarily impact/benefit the individual property. Given the nature of the proposed development LDP Policy EcW8 (Renewable Energy) is applicable in establishing the principle of the proposed development however the policy is written primarily for larger renewable energy schemes.

The proposed development does not conflict with the requirements of Policy EcW8 and the proposal is considered to be acceptable in principle.

Visual Impact/Impact upon the character of the area

The solar panels are proposed to be sited on both of the roof planes of the building and would therefore be visible within the public realm. However, given the scale of the proposal in combination with its siting it is not considered that the solar panels would result in a visually prominent feature that would have an adverse visual impact that would be harmful to the amenity/character of the area. No conflict with LDP Policy SW11 has been identified.

Residential Amenity

The proposed development by virtue of its scale, siting and relationship with neighbouring properties is not considered to result in any unacceptable adverse impact upon the living conditions of neighbouring occupiers. No conflict with LDP Policy EnW4 has been identified.

Ecology/Biodiversity

The application site is located adjacent to the River Taff, a major green/blue corridor that runs through the county borough. NRW have raised no concern in relation to the proposed development in relation to protected species however have suggested that the views of the Local Authorities Ecologist is sought. The Planning Ecologist has suggested that a Preliminary Bat Roost Assessment should be undertaken however in this instance given the age and condition of the roof and when considering the location and nature of the proposed works this is not considered to be proportionate or necessary. 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.

The Local Planning Authority have 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. No conflicts with LDP Policies ENW1 has been identified.

Flooding/Flood Risk

The application site falls within a Zone 3 Flood Zone (Rivers), given that the panels would be attached to an existing building and would not increase the area of hardstanding or roofscape it is not considered that the development would have any adverse impact in terms of flooding/flood risk. Accordingly a Flood Consequence Assessment has not been requested.

NRW have been consulted on this application and have raised no concern in relation to flooding/flood risk.

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 acceptable and the following recommended 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:

- Location Plan
- Proposed Plans & Elevations Drawing Number SH-02
- Site Plans Drawing Number SH-03
- Illustrations Drawing Number SH-04

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

3. The development hereby approved and associated equipment shall be removed from the site in its entirety within 2 months of it no longer being required for generating electricity or 25 years from the date of this permission, whichever is sooner. The site shall be returned to its existing form following the removal of the development.

Reason - In the interests of visual amenity and no permanent degradation of panels which would no longer be required in accordance with Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan

4. Prior to the development hereby approved coming into beneficial occupation details of biodiversity/ecological enhancements shall be submitted to the Local Planning Authority in writing for approval. The development shall then be carried out in accordance with the approved details and 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.

Informative:

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.

RECOMMENDATION ENDORSED

Director of Neighbourhood Services
pf**DATE: 11.03.2024**