

DELEGATED REPORT

Application No: P/25/0016

Site Address: 97 High Street
Merthyr Tydfil
CF47 8UD

Development: Non material amendment to planning permission P/24/0161 to increase the area of PV solar panels on the roofs

Case Officer: Kate Glover

Site Visit: NA

Application Expiry Date: 14th February 2025

Consultation reply date expired: NA

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 Merthyr Tydfil Town Centre Conservation Area as designated within the Local Development Plan.

PROPOSED DEVELOPMENT

This application seeks permission for a non-material amendment to the approved (P/24/0161) installation of PV solar panels to the roof of the property. The approved plans indicate that the flush fitted, grey coloured solar panels would occupy an area of approximately 25.2m² on the front a rear roof pitches and the panels on the side roof would occupy an area of approximately 12.5m². However, this application seeks approval to enlarge the areas occupied by the solar panels thus the solar panels would occupy areas of approximately 34m² on the front roof pitch, 32m² on the rear roof pitch and 20m² on the side roof pitch.

The non-material amendment does not seek any change to the approved grey colour of the solar panels or how the panels are integrated into the roof of the building. Further to this there are no changes to the external lighting arrangement or bat boxes, a sparrow terrace or gaps in the north and south elevations to allow access for crevice dwelling bats such as pipistrelle, all of which were approved under the previous permission (P/24/0161).

PLANNING HISTORY

The relevant planning history is summarised below:

P/24/0161	Installation of PV solar panels to roof Granted 29 Nov 2024
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

PUBLICITY

No publicity exercise was carried out nor it is required for this application.

Local Policies

Policies SW4: Settlement Boundaries, SW11: Sustainable design and place making, CW1: Historic Environment, EnW1: Nature Conservation and Ecosystem Resilience, and EcW8: Renewable Energy of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016- 2031 are relevant to the determination of this planning application. Furthermore, the application will be determined having regard to the advice contained within Supplementary Planning Guidance Notes: 4: Sustainable Design, and 5: Nature and Conservation.

Welsh Government Planning Guidance: Approving Non-material Amendments to an Existing Planning Permission (July 2014)

The guidance advises that a non-material amendment will depend on factors such as the context of the overall scheme, the amendments being sought to the original planning permission, the specific circumstances of the site and the surrounding area, which will vary from one application to another.

In deciding whether or not a proposed change is non-material, consideration should be given to the effect of the change, together with any previous changes made to the original planning permission. The guidance also identifies four tests, which local

planning authorities may wish to consider when assessing and determining whether a proposed change would qualify as a non-material amendment. These are as follows:

- is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme; and,
- would the proposed change result in a detrimental impact either visually or in terms of local amenity?
- would the interests of any third party or body be disadvantaged in planning terms; or,
- would the proposed change conflict with national or development plan policies?

These four tests have been used in the determination of this application, as set out below

PLANNING CONSIDERATIONS

Section 96a of the Town and Country Planning Act 1990 provides the mechanism to approve non-material amendments to an existing planning permission.

Main issues

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

Given this is a minor increase in the area of the roofs which would be affected by the solar panels and all other aspects of the solar panels remain unchanged, it would not significantly alter the appearance of the building or indeed be harmful to the character of the building and its contribution to the conservation area.

With respect to residential amenity, given the nature and siting of the development, the proposal would not cause any harm upon the surrounding residential amenity.

Other matters

Details of biodiversity enhancement were secured via condition 3 of the original planning permission (P/24/0161) and the enhancement which comprise of bat boxes, a sparrow terrace and gaps under barge boards which would allow access for crevice dwelling bats such as pipistrelle.

The Planning Ecologist has not raised any concerns with the enlargement of the area of the roofs that would be covered in the proposed solar panels, and it is noted the proposed biodiversity enhancement would remain unaffected by the revised proposal.

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.

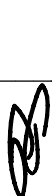
For the reasons above, the scale of the changes to the development would not lead to a greater impact on the character and appearance of the conservation area or residential amenity, would enhance biodiversity and would not disadvantage any third parties.

Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED

RECOMMENDATION ENDORSED

DATE: 13.02.2025

Director of Neighbourhood Services