

DELEGATED REPORT

Application No:	P/24/0220
Site Address:	Land Adjacent To Penywern Middle Pond Dowlais Merthyr Tydfil
Development:	Installation of a House Martin Tower
Case Officer:	Rebecca Owens
Site Visit:	2nd October 2024
Application Expiry Date:	18th November 2024
Consultation reply date expired:	24th October 2024

APPLICATION SITE

The application relates to a small parcel of land to the south of the A465 Heads of the Valleys Road and west of Penywern Middle Pond, a reservoir used for finishing. The site is on an area of grassy scrub land, adjacent to a footpath which is a right of way. It is also located within the settlement boundary and a designated open space.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of a House Martin Tower. This would comprise of a steel pole with a nest unit on top. The base of nest unit would be located at a maximum height of 5.6m. It would have a maximum diameter of 1.78m and 5 layers, providing nesting for house martins/swifts and also bats within the roof.

PLANNING HISTORY

There is no recent planning history which needs to be considered when determining this application.

CONSULTATION

The following bodies were consulted and their responses are presented below:

Estates	No objection
Right of Way	No objection
Ecologist	No objection subject to Green Infrastructure Statement
Welsh Government Highways	No response
Natural Resources Wales	No objection

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, three site notices were 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) 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 are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW10 Protecting and Improving Open Spaces
- SW11 Sustainable Design and Placemaking
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW2 Internationally and Nationally Protected Sites and Species
- EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

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 is located within the settlement boundary and as such is acceptable subject to other relevant policies and material planning considerations. In this respect it is noted that the site is also with a designated open space and as such Policy SW10 is relevant. This policy seeks to prevent development which would have an adverse impact on, or result in a loss of, open space and supports proposals that improve its quality, quantity or access. This proposal is of a small scale and is easily reversible as such it would not have any adverse impact and would not result in any loss of open space provision. In fact, by encouraging wildlife to the area it is considered that it would improve the quality of this area. As such the development would accord with Policy SW10.

It is noted that the application site is located in a fairly open area and given its height would be a prominent and readily visible addition to the area. However, it is still deemed

to be a small scale development and is a feature which would not appear out of place within a setting such as this. As such, balancing this against the positive ecological benefits of the development, it is not considered that it would represent a visually harmful or incongruous feature which would warrant the refusal of the application. As such it would not contravene policy SW11 of the LDP.

Given the isolated location of the application site, which is some distance from the nearest dwelling, the proposal would have no impact on residential amenity. It would also not impact on the use of the reservoir for finishing and angling. Accordingly, the proposal would comply with policy SW11.

It is acknowledged that the site is located adjacent to a designated right of way (102/4). However, it is located on the grassy scrubland alongside of this and as such would not interfere with the right of way or impede its use.

The planning authority's ecologist has not raised any concerns with respect to the proposal and as such it is not considered that it would have any adverse impact on protected species. It is recognised 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 relates to the installation of a house martin tower, the submission of a GIS is deemed to be disproportionate and unreasonable. In addition, given that the proposal itself would represent an ecological enhancement, no additional enhancements are sought. The proposed tower would itself help 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 and documents:

Details of Large House Martin Tower outlined in Multi-Species Towers Information Specifications by Peak Boxes, Received 23 September 2024

Details of Large House Martin Tower outlined in Multi-Bird & Bat Towers Information Sheet by Peak Boxes, Received 23 September 2024

Block Plan, Received 23 September 2024

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

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 04.11.2024