

DELEGATED REPORT

Application No:	P/23/0043
Site Address:	Welsh Assembly Government Rhydycar Business Park Merthyr Tydfil CF48 1UZ
Development:	Install roof solar panels
Case Officer:	Marlene Ferreira
Site Visit:	23rd February 2023
Application Expiry Date:	4th September 2023
Consultation reply date expired:	14th March 2023

APPLICATION SITE

The application site relates to a large detached building known as the Welsh Government Offices, located at Rhyd-Y-Car in Merthyr Tydfil. The modern three storey building is curved and features two front projecting gables. It has an irregular roof design and is finished with brickwork elevations, aluminium windows and slate roof tiles. The building is bound to the front by vegetation and to the rear by a large parking area.

PROPOSED DEVELOPMENT

This application seeks planning permission to install roof mounted solar panels on the roof slope of the front projections.

The GB sol in-roof solar panels would be mounted on the south-eastern mono-pitched roof elevation of the south-eastern front projection, and on the western mono-pitched roof elevation of the western front projection. A total of 162 solar panels, each measuring 1m x 1.6m, would be installed on each of the projections. The integrated solar panels would be fitted to the same roof battens, following the removal of the slates. These would project 0.07 metres above the roof tiles.

The proposed development seeks to provide an energy efficient building.

PLANNING HISTORY

The Council's records do not indicate any other relevant planning history which needs to be considered in the assessment of this application.

CONSULTATION

Ecology Officer - No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining occupiers. No letters of representations have been received as a result of this publicity exercise.

POLICY CONTEXT

National Development Framework

- Future Wales: The National Plan 2040 (February 2021)

National Planning Policies

- Planning Policy Wales (Edition 11, February 2021)

Local Planning Policies

- Merthyr Tydfil Replacement local Development Plan 2016-2031

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EcW8 – Renewable Energy

Supplementary Planning Guidance (SPG)

SPG Note No. 4 – Sustainable Design (2013)

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed development would be acceptable in principle in this location and whether it would result in an acceptable form of development with regards to its impact upon the character and appearance of the premises and the wider street scene. The impact upon residential amenity and ecology are also important considerations.

Principle of development

The application site lies within the settlement boundary – Other 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 supported in principal and would comply with LDP Policies SW4 and EnW8.

Character and appearance

The proposed solar roof panels would be mounted on the mono-pitched roof section of the two front projections. The solar panels would project above the mono-pitched roof by approximately 0.07 metres and their siting on the building would be visible when viewing the premises within the wider area. However, the proposed solar panels would not cause any significant harm to the appearance of the premises. Instead, the solar panels would appear fitting to the modern and irregular design of the building and would therefore be acceptable in this instance. The proposed development would therefore accord with LDP Policy SW11.

Residential Amenity

The proposal has been considered in respect of its impact upon surrounding neighbouring occupiers. However, given the nature and siting of the development and its distance from neighbouring properties, the proposal would not cause any harm upon the surrounding residential amenity. In this respect, no representations were received following the publicity exercise. The relationship between the proposed development and the neighbouring residents would therefore be considered acceptable and accord with LDP Policy SW11.

Ecology

Given the nature of the proposed works, the Council's Ecologist requested that a Preliminary Roost Assessment (PRA) be submitted in support of the application. The PRA report, *An Ecological Survey Report by Just Mammals on Behalf of Welsh Government, June 2023*, was received on 21st July 2023. It has been reviewed by the Council's Ecologist who has not raised any concerns and is satisfied with the mitigation and enhancement works proposed. As such, the proposed development, provided it is carried out in accordance with the recommendations of the report, would accord with LDP Policy EnW1.

CONCLUSION

The development, for the reasons noted above, is acceptable and in compliance with relevant policies and guidance.

Finally, 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:

- Proposed building Layout, elevations and details, Dwg No. WG1263 - AL03, received: 15th February 2023;
- An Ecological Survey Report by Just Mammals on behalf of Welsh Government, June 2023, received: 21st July 2023.

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

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.

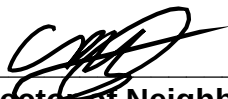
2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

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

DATE: 14.08.2023



Director of Neighbourhood Services
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