

DELEGATED REPORT

Application No:	P/22/0021
Site Address:	Blocks 1-6, 13-18, 19-24, 40-45 & 46-51 Twyn Carmel Swansea Road Merthyr Tydfil CF48 1PE
Development:	Installation of automatic opening vents smoke release system
Case Officer:	Nia Chard
Application Expiry Date:	28th March 2022
Consultation reply date expired:	2nd March 2022

APPLICATION SITE

This application relates to five low rise, residential blocks located at Tywn Carmel. The site is located within the settlement boundary and the area is generally flat in profile.

PROPOSED DEVELOPMENT

Full planning permission is sought for the installation of automatic opening smoke ventilation roof lights within the front roof slope, above the communal stairwell of each block of flats. The proposal would measure 1.3m by 1.4m and would project 0.10m above the existing roof slope.

PLANNING HISTORY

There is no recent planning history relating to the site.

CONSULTATION

None undertaken.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) 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.

Planning Policy Wales (PPW) Edition 11 (February 2021) sets out the land use policies of the Welsh Government. The most relevant sections are:

Sections 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TAN to this application is as follows:-

TAN 12 - Design advises that the Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

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 EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW4 – Environmental Protection

PLANNING CONSIDERATIONS

The main issues to consider when assessing this application relate to whether the proposal would have an acceptable impact on the character and appearance of the area. The impact on the amenity of neighbouring residents is also a consideration.

In terms of visual appearance, the proposal would involve the installation of an automatic opening smoke ventilation roof light within the front slope of each of the five blocks of flats. The proposal is not considered to have an adverse impact upon the character and appearance of the buildings or the surrounding area. In this respect, the proposal is found to be in accord with Policy SW11 of the LDP.

Regard has also been had for the potential impact of the proposed development on the amenities of the surrounding residents. In this respect it is not considered that the proposed works would have any significant impact and is noted that no representations were received following the public exercise. However, it is considered that the proposed

works would have a positive benefits for those residents living with them, particularly with regard for safety and thus in compliance with Policy SW11 of the LDP.

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:

Blocks 1-6, Proposed Elevations, Drawing No. 6368.04.03, Received 31 January 2022

Blocks 13-18, Proposed Elevations, Drawing No. 6368.04.04, Received 31 January 2022

Blocks 19-24 Proposed Elevations, Drawing No, 6368.04.05, Received 31 January 2022

Blocks 40-45, Proposed Elevations, Drawing No. 6368.04.02, Received 31 January 2022

Blocks 46-51, Proposed Elevations, Drawing No. 6368.04.01, Received 31 January 2022

Proposed Floor Plans, Drawing No. 6368.05, Received 31 January 2022

Site Plan, Drawing No. 6368.03, Received 31 January 2022

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



Head of Town Planning

DATE:

17/3/22