

ROCP 23, Individual

Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Adolygiad o flaenoriaethau'r Pwyllgor ar gyfer y Chweched Senedd | Review of the Committee's priorities for the Sixth Senedd

Ymateb gan Unigolyn | Evidence from Individual

Your views

1. What are your views on the Committee's three strategic priorities: Climate Change; Sustainable Communities; and Protecting and enhancing the natural environment?

The three strategic priorities of climate change, sustainable communities and protecting and enhancing the natural environment are wide and must allow the Senedd to prioritise important areas of work.

2. To what extent are the Committee's three strategic priorities still relevant, reflecting on social, economic and environmental developments since they were set at the start of the Sixth Senedd?

The 3 strategic priorities remain important to progress with the aims.

3. What are your view on the Committee's detailed priorities/outline programme of work for Years 3 to 5 of the Sixth Senedd (set out in its report, Priorities for the Sixth Senedd?)

It is imperative that the Senedd be aware of and act upon the experience of individuals, public groups and communities throughout Wales, who would like their environment to be protected and valued but are finding that their local authority of the County Borough of Merthyr Tydfil simply do not appear to act in the best interests of the communities. They appear to take decisions that are harmful to sustainability and for the local environment and not done in the interest of the general public or for future generations. My particular example relates to the continuing failure to regulate a second-hand vehicle auction site that operates is right in the middle of a highly populated area. It provides a concise case study of why the Senedd will fail to meet its sustainability objectives and targets if those objectives continue to be ignored at a local level.

4. To what extent are the Committee's detailed priorities/outline programme of work still relevant, reflecting on social, economic and environmental developments since they were set at the start of the Sixth Senedd?

Most of the auction area has been approved by the owners applying for retrospective Planning permissions.

In February 1998 a Welsh Office Inspector approved a retrospective planning application by Merthyr Motor Auctions (MMA) for the limited use of land behind homes in Dowlais, Merthyr Tydfil. The Inspector placed a series of environmental conditions on the use to prevent unacceptable noise and light pollution. MMA could have challenged the decision at the time but choose to accept the planning conditions placed against them. Ever since, MMA has sought to remove the environmental protection through persistent and repeated applications to remove conditions. In 2013, the Court of Appeal dismissed an appeal against a High Court finding of noise nuisance by MMA against local residents.

In 2016, the High Court quashed a planning decision which sought to remove one of the environmental conditions preventing light pollution. Yet further applications to remove the conditions were made and in 2021, Merthyr Council granted permission allow 24/7 floodlighting, notwithstanding that the light pollution was highly likely adversely affect the local community and biodiversity and that it would unnecessarily increase energy use and carbon emissions. While the 2021 decision may not have been in unlawful it was a bad decision for the environment and sustainability - Merthyr Council were aware of this yet they granted permission.

Re Bat presence in my home and garden area which abuts MMA Lower Yard area. In late 2019 "BIOSCAN (UK) LTD [REDACTED] MCIEEM Principal Ecologist found against the standards expected and his review of the bat report attached to the application showed that the baseline data gathering exercise was deficient, providing significantly less than the minimum level set by prevailing industry guidance as necessary to inform robust planning decisions. The result is considerable uncertainty as to the likely impact of the proposals on bats and, by extension, arguably inadequate certainty over the likelihood of statutory obligations being capable of being met".

I took guidance and advice in June 2021 from Bioscan on a bat reading device and I purchased as advised an Echo Meter Touch 2 to measure bat presence in an around the surrounding area.

In late summer 2023, it appears that the local bat population this summer has reduced significantly compared to previous years without the light pollution. The biodiversity concerns about all-night, every night light pollution have been realised. The latest matter that has arisen in this case is yet another planning application by MMA to remove conditions and dilute the environmental

protection afforded by the Inspector, this time to allow noisy activity to be carried on from 6.00pm to closing time. This latest application was submitted in early May 2023 and has not yet been determined some four months later (and way beyond the 8-week target for deciding planning applications). We, of course, hope that such an unsustainable application will be refused by the Council. However, the stress and inconvenience of having to consider and respond once again to an inappropriate proposal to relax environmental controls and the failure of the Council to determine it is wholly unacceptable.

The Senedd must recognise that local councils do not appear to take questions of sustainability seriously. They may write documents suggesting it matters but, frankly, it largely ignored. This is just one, case study of why important priorities for the Senedd will fail unless more concerted effort is taken to ensure that bad environmental decision making is ended. One very simple way forward is to ensure that local planning policy requires sustainability to be front and centre of decision-making and that bad decisions such as allowing 24/7 light pollution for no good reason is a thing of the past.

The Climate Change Act commits governments by law to reduce greenhouse gas emissions by net zero by 2050.

5. Are there any other matters related to the Committee's priorities/work programme/ways of working that you would like to comment on?

For the reasons above, they remain very important, relevant and legal.

6. Other information

No response.
