

DELEGATED REPORT

Application No: P/21/0426

Site Address: Cwm Golau ICC
Duffryn Road
Pentrebach
Merthyr Tydfil

Development: Erection of timber-clad summer house

Case Officer: David James

Site Visit: 10th January 2022

Application Expiry Date: 17th February 2022

Consultation reply date expired: 26th January 2022

APPLICATION SITE

Cwm Golau Children's Centre is located along Dyffryn Road in the predominately residential area of Pentrebach. The centre is set back from the road by approximately 9m and is bordered by Greenfield School to the north and a recreation ground/playing fields and play area to the south. The proposed summer house would be situated adjacent to the main building, along the southeast boundary of the site, adjoining the adjacent playing fields. This area is set back from the road and is enclosed by metal railings.

PROPOSED DEVELOPMENT

This application seeks planning permission for the erection of a timber summer house within an existing outdoor activity area, adjacent to the southeast elevation of the main building. It would measure 4.6m in width by 3m in depth, and maximum of 2.9m in height, incorporating a mono-pitched roof, sloping down to a height of 2.1m. The walls of the summer house would be timber, the roof would be covered in felt, and its door and windows would be of perspex construction.

PLANNING HISTORY

P/21/0033	Erection of a shelter/canopy in garden area Approved 04.03.2021
P/03/0185	Erection of single storey early learning centre Approved 19.06.2003

CONSULTATION

Education Manager No objection

Head of Engineering No objection

Corporate Property Manager No objection

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining properties, and a site notice was 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 10 (December 2018) 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 TANs to this application are 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 SW13 – Protecting and Improving Local Community Facilities

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW2 – Internationally and Nationally Protected Sites and Species

Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design
Supplementary Planning Guidance (SPG) Note No. 5 – Nature and Conservation.

PLANNING CONSIDERATIONS

The primary considerations in the determination of this application are the impact of the development on the character and appearance of the surrounding locality, the impact on the amenity and privacy of neighbouring properties and the highway implications of the scheme.

The visual appearance and scale of the summer house is acceptable, being of a modest size and constructed of material typical of this type of structure. It would be set back from the highway, in an enclosed area of the site, and would therefore not be particularly visible from the surrounding area. In this respect, the proposal accords with Policy SW11 of the LDP.

In terms of highway safety, the summer house would be ancillary to the existing children's centre. It would not result in a material increase in parking demand or traffic generation at the site, which is also sustainably located and benefits from a rear parking area. Being situated well within the existing site, and over 60m from the nearest residential properties, it would have no harmful impact on residential amenity in terms of loss of light, loss of privacy or overbearing impact. As such, the development is in accordance 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:

02 (P) Proposed Site Plan received 23rd December 2021

03 (P) Proposed Summer House with existing storage sheds in background received 23rd December 2021

04 (P) Proposed Summer House received 23rd December 2021

07 (P) Proposed Location Plan 1 received 23rd December 2021

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:

1/2/22