

DELEGATED REPORT

Application No: P/22/0251

Site Address: St Marys RC Primary School
Caedraw Road
Merthyr Tydfil
CF47 8HA

Development: New perimeter fencing and gates to St Mary's RC Primary School and Caedraw Primary School

Case Officer: Caroline Pulley

Site Visit: 27th September 2022

Application Expiry Date: 15th November 2022

Consultation reply date expired: 18th October 2022

APPLICATION SITE

The application site encompasses the boundaries of St Marys Roman Catholic (RC) Primary School and Caedraw Primary School, situated on the outskirts of Merthyr Tydfil Town Centre. St Mary's RC School is located on the northern part of the site and is bound by Swan Street to the north, Caedraw Road to the west and a footpath to the east. Caedraw School is located directly to the south of St Mary's RC School and is near to the Grade II St Tydfil's Church. Both schools are enclosed along their boundaries by the same type of metal fencing.

PROPOSED DEVELOPMENT

This application seeks planning permission to erect 2m high fencing and gates around the perimeter of the two schools. The proposed mesh fencing and gates would be green or black in colour and would be fitted around the boundary of the two schools.

PLANNING HISTORY

The recent history relating to the schools are as follows:

Ref. No	P/16/0141	Decision	AA Advertisement Approval
Location	St Marys RC Primary School Caedraw Road Merthyr Tydfil CF47 8HA	Decision Date	10th June 2016
Description	Erection and display of 2 No. flag poles and flags		
Ref. No	P/15/0314	Decision	FA Full Approval
Location	St Marys RC Primary School Caedraw Road Merthyr Tydfil CF47 8HA	Decision Date	2nd November 2015
Description	Installation of doors and windows to enclose existing external covered area		
Ref. No	P/09/0333	Decision	FA Full Approval
Location	St Mary's Roman Catholic Primary School Caedraw Road Merthyr Tydfil	Decision Date	6th May 2010
Description	Demolition of prefabricated classroom building and erection of two storey and single storey extensions and covered external teaching area		
Ref. No	P/00/0513	Decision	01 Approved with conditions
Location	St. Mary's R. C. Primary School Caedraw Road CAEDRAW	Decision Date	19th January 2001
Description	Steel framed canopy overplay area and covered walkway.		

CONSULTATION

South Wales Police: No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, 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 SW11 – Sustainable design and Placemaking

Policy SW13 – Protecting and Improving Local Community Facilities

Policy EnW1 – Nature Conservation and Ecosystem Resilience

PLANNING CONSIDERATIONS

The replacement boundary fencing and gates proposed to the perimeter of the two schools is considered acceptable. While it is acknowledged that the weld mesh fencing/gates would extend above the height of the existing fencing, which is not ideal, if the fencing was to be set back from the edge of the pavement, planning permission would not be required. It is also noted that the fencing would have a lightweight design, which can be seen though and is less visually obtrusive. Notwithstanding this, the site is located in close proximity to a listed church. Taking this into account, the exact design and

spacing of the fencing will be important. As such, it is necessary to impose a condition requiring a sample of the proposed fencing/gates to be submitted and agreed before works commence. Subject to this condition, the proposal is considered to have an acceptable impact on the character and appearance of the surrounding area.

Regard has also been had for the impact of the proposal on the residential amenities of surrounding occupants. In this respect it is noted that whilst there are residential properties within the vicinity of the two schools, the boundaries of the schools do not directly adjoin any of these. The proposal would therefore not impact on neighbouring properties in terms of privacy, overbearing impact over overshadowing and would not generate any greater noise and disturbance than currently occurs from the existing school. As such no concerns are raised in this respect and it is noted that no representations were received following the publicity exercise. The proposal therefore accords 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:

Drawing number - 2022-096, 001P-A received on 30.09.2022

Drawing number - 2022-096, 002P-A received on 30.09.2022

Drawing number - 2022-096, 003P-A received on 30.09.2022

Drawing number - 2022-096, 004P-A received on 30.09.2022

Drawing number - 2022-096, 005P-A received on 30.09.2022

Drawing number - 2022-096, 006P-A received on 30.09.2022

Drawing number - 2022-096, 007P-A received on 30.09.2022

Drawing number - 2022-096, 009P-A received on 30.09.2022

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

3. Prior to the construction of the fencing and gates hereby approved, a sample of the mesh fence shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

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



Director of Neighbourhood Services

DATE:

17/10/22