

DELEGATED REPORT

Application No:	P/23/0225
Site Address:	Pen Y Dre High School Goitre Lane Gurnos Merthyr Tydfil CF47 9BY
Development:	Demolition of 2 wings of Pen Y Dre Comprehensive school, redevelopment to provide a modern facility and associated works
Case Officer:	Emma Watkins
Application Expiry Date:	23rd November 2023
Consultation reply date expired:	25th October 2023

APPLICATION SITE

The application site is a small defined area within the existing school building at Pen y Dre High School, Gurnos Estate.

PROPOSED DEVELOPMENT

The application proposes the demolition of two existing 'wings' of the school building and redevelopment to provide classrooms and facilities associated with its use as an education facility. The proposal results in the creation of over 100sqm of floorspace, so whilst other works associated with the refurbishment of the school have been considered permitted development, the floorspace exceeds the criteria of Part 32 of Class A of The Town and Country Planning General Permitted Development Order 1995 (the 'GDPO') and planning permission is required.

The proposed materials are defined on the submitted proposed elevations and are site wide. This means that the elements proposed here that require planning permission will match the works being carried out under Permitted Development.

The application has been supported by proposed plans and elevations, a Bat Survey and a Biodiversity Strategy.

PLANNING HISTORY

No relevant Planning History.

CONSULTATION

Highways – No objection

Planning Ecologist – No objection

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, 2 no. 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 SW13 – Protecting and Improving Local Community Facilities

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design

PLANNING CONSIDERATIONS

The key considerations in the determination of this application relate to the principle of development, impact on visual and neighbouring amenity, impact on highways and onsite ecology.

Principle of Development

The application site is located within the Merthyr Tydfil Primary Growth Area (SW4) where development is generally supported. Since the proposal is for the redevelopment of buildings within the existing school site, as part of the site wide refurbishment, the principle of the development is considered acceptable. The proposal complies with LDP policy SW4.

Visual and neighbouring amenity

The proposal involves the demolition of two existing wings and redevelopment with a more modern facility. The proposals form part of the site wide redevelopment of the school and have been deemed necessary because of practical difficulties of retaining existing structures and retrofitting.

The design is essentially a like-for-like replacement and since views from within and outside the site will be seen in the context of existing school buildings, the visual impact will be limited.

Whilst there is residential development in the vicinity of the site, all properties are sufficiently distanced even from the boundary of the school grounds to not raise any concerns with regards impact on neighbouring amenity from the redevelopment proposals.

The proposal complies with LDP policy SW11.

Highways

The proposal comprises of the demolition of 2 existing wings of the school and reconstruction to provide a modern facility. The submitted application form indicates that there will be no increase in the number of staff from the existing school. As such, there will be no net increase in the schools off street parking requirement. Notwithstanding this, there is sufficient space within the school grounds for additional off-street parking to be provided in the future should the need arise.

The Head of Engineering and Highways raises no objection to the application nor suggests any conditions. The proposal complies with LDP policy SW11.

Ecology

The application has been supported by a Bat Survey. The submitted and recently updated site wide Bat Survey commented that:

As of September 2023, it is proposed to demolish two sections of the school building. There will be no destruction of the 2022 identified bat roost location. Given the proximity of the proposed demolition works away from the confirmed bat roost locations it is considered unlikely that disturbance of the roost location will be experienced.

It was also confirmed within the survey that that no additional lighting or soft landscaping is proposed as part of the development proposals.

A supporting Biodiversity Strategy has been submitted, and drawings have been updated to include all the referenced biodiversity enhancements including a total of 9 no. surface mounted bat boxes within the wider school grounds and 5 no. surface mounted bird boxes within the school grounds.

The Planning Ecologist has reviewed all the submitted information and during the consideration of the application requested updates to drawings and documents. Based on the latest updated drawings and documents being included in the list of approved drawings / documents on any consent, no objection has been raised to the application nor any conditions. The proposal complies with LDP policy EnW1.

CONCLUSION

The proposed development, for the reasons discussed above, is considered acceptable and would accord with the relevant policies.

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.

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:

- Site Location Plan Drg No. 26Z006-LAW-X-XX-DR-A-039-0003_P02
- Proposed Demolition Site Plan Drg No. 26Z006-LAW-X-XX-DR-A-041-0005_P01
- Proposed Ground Floor Plan Drg No. 26Z006-LAW-X-GF-DR-A-061-0005_P02
- Proposed First Floor Plan Drg No. 26Z006-LAW-X-01-DR-A-061-0006_P01
- Proposed Roof Plan Drg No. 26Z006-LAW-X-R1-DR-A-061-0008_P01
- Proposed Elevations and Sections Drg No. 26Z006_LAW-X-X-DR-A-062-0001_P08
- Proposed Elevations and Sections Drg No. 26Z006_LAW-X-X-DR-A-062-0002_P10
- Proposed Elevations and Sections Drg No. 26Z006_LAW-X-X-DR-A-062-0003_P10
- Bat Survey - Pen-y-Dre Comprehensive School. Version 4.0. November 2023. Ecological Services Ltd.
- Biodiversity Strategy - Pen Y Dre High School. Dated 17th November 2023. Ecological Services Ltd.

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

3. The proposed ecological mitigation for bats and birds as detailed in the 'Biodiversity Strategy - Pen Y Dre High School. Dated 17th November 2023. Ecological Services Ltd' and as shown on the approved drawings shall be implemented within 6 months of the substantial completion of the development hereby approved.

Reason - To protect the natural environment in accordance with Policies EnW1 of the Merthyr Tydfil 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.

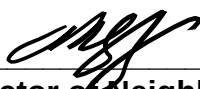
Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

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: 27.11.2023