

DELEGATED REPORT

Application No: P/24/0211

Site Address: Cwm Golau Intergrated Childrens Centre
Duffryn Road
Pentrebach
Merthyr Tydfil
CF48 4BJ

Development: Timber frame classroom

Case Officer: Kate Glover

Site Visit: 9th October 2024

Application Expiry Date: 17th December 2024

Consultation reply date expired: 10th October 2024

APPLICATION SITE

The application relates to an area of land within the grounds of Cwm Golau Integrated Children's Services pre-school. The area of land is close to the south western and north western boundaries of the pre-school and is defined by its woodland character and appearance, which contains numbers of mature trees, young trees and shrubs.

The pre-school and its grounds are located within the settlement boundary.

To the north of the proposal site is Greenfield School.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of free standing, flat roofed building to provide an 'outdoor' classroom.

The main bulk of the 'L' shaped building would measure approximately 4.1m wide and 2.4m deep and there would be a smaller section that would measure approximately 1.3m wide and 3.6m deep. The height of the building would be approximately 2.4m.

The external materials of the proposed building are horizontal, wooden board cladding and the roof would be green coloured felt.

A Green Infrastructure Statement (GIS) has been submitted in support of the proposal. The GIS advises an immature apple tree and a shrub would be lost as a result of the development and to protect the root system of the other trees in the vicinity of the site, the proposal would not require any foundations and would sit upon timber railway sleepers.

The GIS and plans indicate that three apple trees and three shrubs will be planted to replace those lost as a result of the proposal, and biodiversity enhancement would be

provided by erection of a bat box in a mature tree located within the grounds of the pre-school.

PLANNING HISTORY

The planning history of the site that has been identified, is detailed below:

P/21/0426	Erection of timber-clad summer house GRANTED 01 Feb 2022
P/24/0008	Erection of free standing pergola GRANTED 05 Mar 2024
P/21/0033	Erection of a shelter/canopy in garden area GRANTED 04 Mar 2021
P/03/0185	Erection of single storey early years learning centre GRANTED 13 Jun 2003

CONSULTATION

Planning Policy Officer: No objections
Planning Ecology Officer: No objection
Dwr Cymru/Welsh Water: No objection

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining properties.

No letters of objection were received following this publicity exercise.

National Development Framework

Future Wales: the National Plan 2040 (February 2021) (Future Wales) 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.

National Planning Policies

Planning Policy Wales (Edition 12, February 2024) (PPW12).

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 (LDP) are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW13 Protecting and Improving Local Community Facilities

- SW11 Sustainable Design and Placemaking
- EnW1 Nature Conservation and Ecosystem Resilience

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 4, Sustainable Design
- Note 5, Nature and Development

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate are principle of development, impact on local community facilities, impact upon the character and appearance of the area and ecology.

Principle of Development and Protecting and Improving Local Community Facilities

The proposal would be located within the settlement boundary and the provision of a classroom would support the functioning of the pre-school community facility.

As such, the proposal meets with the requirements of LDP policies SW4 and SW13.

Character and Appearance

The timber elevations and felt roof which are to be used for the external surfaces of the proposed building are appropriate to the woodland setting.

As such, the proposal meets with the requirements of LDP policy SW11.

Ecology

In respect of ecology, the Council's Ecologist has no objection to the proposal and has recommended that the application provides further information on the potential impact during its operational phase. However, on balance, given the scale and nature of the development, the content of the Green Infrastructure Statements (GIS) and that there would not be any significant impact on biodiversity, it would, therefore, be unreasonable and disproportionate to request further information.

In accordance with chapter 6 of Planning Policy Wales (edition 12), a GIS has been submitted in support of the application which demonstrates that the biodiversity lost will be replaced at a ratio of 1:3 and ecological enhancements are proposed. These matters can be controlled by condition, thus providing additional habitats in the local area, and therefore contribute to the wider green infrastructure objectives.

As such, the proposal meets with the requirements of LDP Policy EnW1.

CONCLUSION

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.

Having regard to the policy context above, the proposal is considered to be acceptable and 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 document:

Drawing Title: Proposed Forest Classroom, Drawing Number: CPD-002 Received on 02 September 2024.

Drawing Title: Proposed Forest Classroom, Existing and Proposed Site Plans, Drawing No: CPD-001, Revision A, Received on 18 November 2024.

Green Infrastructure Statement, Revised 16 November 2024.

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

3. **In the first planting season (March to May) after the development hereby approved coming into beneficial use**, the planting shall be provided in accordance with approved site plan (Drawing Title: Proposed Forest Classroom, Existing and Proposed Site Plans, Drawing No: CPD-001, Revision A) and Green Infrastructure Statement (Revised 16 November 2024). The scheme of planting shall be maintained as such in perpetuity.

Reason - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

4. **Prior to the development hereby approved coming into beneficial use** the bat box shall be provided in accordance with approved site plan (Drawing Title: Proposed Forest Classroom, Existing and Proposed Site Plans, Drawing No: CPD-001, Revision A). The bat box shall be maintained as such in perpetuity.

Reason - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 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

DATE: 17.12.2024


Director of Neighbourhood Services