

DELEGATED REPORT

Application No: P/21/0166

Site Address: Former Vaynor & Penderyn Site
Pontycapel Road
Cefn Coed
Merthyr Tydfil
CF48 2RP

Development: Provision of underground water storage tank and Learning Resource Base garden. Erection of 3m high fence to multi use games area, sections of anti climb fencing and sun shade sail

Case Officer: Huw Roberts

Site Visit: 13th May 2021

Application Expiry Date: 2nd July 2021

Consultation reply date expired: 3rd June 2021

APPLICATION SITE

The application comprises five sections of the former Vaynor and Penderyn School site (to the north of the Pont-Y-Capel Road). The school and associated building/structures were demolished in 2012. The new Ysgol Y Graig School has been erected and nearing completion under planning permission P/18/0311. The parcels of land the subject of this application are:

- Part of the north-eastern boundary which mainly abuts 24 and 25 Holford Street and 11 Old Church Street.
- An irregular shaped area of land, located close to the western elevation of the new school and adjacent to the South Terrace access.
- A triangular area of land located in the permitted playground area towards the eastern boundary of the site and the rear of 10 Old Church Street.
- Two small sections of the eastern boundary fence close to Ebenezer Chapel and two small sections of the fence close to the stepped school entrance off Pontycapel Road

The application also includes a further rectangular shaped area of land to the north of the proposed Multi Use Games Area (MUGA) and new school parking area to the south of Pontycapel Road.

PROPOSED DEVELOPMENT

The application seeks permission for the following:

- Erect a 3m high weldmesh fence (black) to the eastern and northern boundaries of the MUGA (located on the new school site adjacent to 24 and 25 Holford Street and 11 Old Church Street).
- The creation of a Learning Resource Base (LRB) garden located close to the western elevation of the new school and adjacent to the South Terrace access. A 1.8m high close board fence would enclose the garden. It would have raised timber beds and a seating area.
- Erect a triangular 'shade sail' in the permitted playground area towards the eastern boundary of the site and the rear of 10 Old Church Street. This shade, measuring approximate 7m x 7m x 7m, would be supported by three poles approximately 3.5m high.
- Four sections of anti-climb fencing (along the eastern boundary and stepped access to the front of the site). The anti-climb fencing would be attached to the existing fencing and extend outwards to the extremities of stone wall (eastern boundary) and brick wall (school entrance). It would be 1.2 metres high and constructed from steel (painted to match the colour of the existing fencing).
- The provision of an underground hydrant tank on land to the north of the proposed Multi Use Games Area (MUGA) and new school parking area to the south of Ponycapel Road. The tank would be constructed below a proposed footpath that leads from the new car park to Godre'r Coed Road. It would measure 5.2m x 3.4m and have an underground height of 3.6m. It would provide a water reservoir with a capacity of 25,000 litres. The Fire Authority require the tank to enable a sufficient water supply for fighting fires in the case such an emergency occurs at the school. Due to its proximity to mature trees, this part of the proposal has been supported by an Arboriculture Assessment.

PLANNING HISTORY

The most recent and relevant applications are detailed below:

P/18/0111 - New Primary School- Approved 17.12.2018

P/20/0071 - Erection of sprinkler tank and pump, refuse compound, bin store and sun shade sail – Approved 04.05.2020

CONSULTATION

Ecologist – No objection subject to enhancements and clarification no impacts on adjacent trees.

Environmental Health Manager - No objection subject to conditions.

Welsh Water – No objection subject to conditions.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties and four site notices displayed around the site. As a result of the publicity exercise undertaken, no letters of objection/support were received.

POLICY CONTEXT

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 set 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 11 – Noise provides advice on how the planning system can be used to minimise the adverse impact of noise without placing unreasonable restrictions on development or adding unduly to the costs and administrative burdens of businesses.

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 EnW4 – Environmental Protection

PLANNING CONSIDERATIONS

The principle of these developments is acceptable given that they are in connection with a new primary school that is nearing completion. Therefore, the main issues to be considered in the assessment of this application are the visual appearance of the proposals and their impact on the appearance of the area and their impact on the amenities of neighbouring residents. The impact on the hydrant on existing trees is also an important consideration.

All the proposals are acceptable and would have little impact on the character and appearance of the area. The LRB is a facility that is common place within many schools and has little impact. Likewise, the shade sail is visually acceptable and indeed an identical shade has already been erected on the site. The fencing around the MUGA is also acceptable and is a visual improvement on the previous chain link fence. The anti-climb fencing has been designed in such a way that it would be sympathetic to the existing fencing and would not protrude significantly beyond the capping of the existing walls. In

terms of the hydrant tank, this would be underground and thus have no visual impact. Therefore, the proposals accord with policy SW11 of the LDP.

There would be no impact on neighbouring residents from the LRB or the anti-climb fencing. The fencing around the MUGA replaces similar height fencing and indeed is only 1m higher than boundary treatments that could be erected under permitted development rights. Likewise, the shade sail, given its height, lightweight structure and distance away from neighbouring properties would have no overbearing impact or loss of light. It is also noted that no objections have been received as a result of the publicity exercise undertaken. As such these proposals comply with policy SW11 of the LDP.

The Arboriculture Assessment, submitted with the application, indicates that during the construction of the hydrant tank tree protection fencing would be erected around the canopy extremities of the adjoining trees. It also concludes that the proposed works would result in minimal incursion into the root protection area of the closest tree. As such the effect of the adjoining tree is 'considered negligible and as such acceptable'. With regard to the ecological enhancements requested by the Councils Ecologist, these proposals form part of the wider development of the school sites. Ecological enhancements have been secured as part of this overall development and thus it is not reasonable or necessary to seek further enhancements under this application.

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 CONDITION

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.

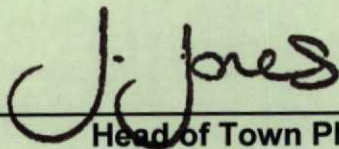
2. The development shall be carried out in accordance with the following approved plans and documents:

Drawing No. YYG-ASL-00-XX-DR-L-9019 Rev. C1
Drawing No. YYG-ASL-00-XX-DR-L-9012 Rev. C3
Drawing No. YYG-ASL-XX-00-DR-L-9011 Rev. C2
Drawing No. YYG-ASL-00-XX-DR-L-9010 Rev. C5
Drawing No. BXSH-TRI-PB-6[B]
Drawing No. BXSH-TRI-PB-6-F[B]
Drawing No. C1298-C-SK15 Rev. E
Sketch ASL-YYG-SK_L01
Heras sports fencing system brochure detail

Assessment and Arboricultural Method Statement (Steve Ambler & Sons Tree Specialists Limited) dated 14th April 2021.

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

RECOMMENDATION ENDORSED

A handwritten signature in dark ink, appearing to read 'J. Jones', is written over a horizontal line.

Head of Town Planning

DATE:

4/6/21