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Our Ref: LH/LG 21.239

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Development Management
Civic Centre,
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Dear Sir or Madam,

Town and County Planning Act 1990 (As Amended)
Demolition of 2 wings of Pen y Dre Comprehensive school, redevelopment to provide a modern facility and associated works
Pen y Dre Comprehensive School, Gurnos Estate, Merthyr Tydfil CF47 9BY
PP-12412615

Asbri Planning is appointed as planning agent to Morgan Sindall in respect of the above planning application for the remodelling and refurbishment of the existing Pen Y Dre Secondary School. The work is being completed on behalf of Merthyr County Council Education Department.

The planning application has been submitted via Planning Portal and the submission documents are listed below. The following drawings are submitted, prepared by Lawray Architects

Drawing name	Drawing reference
Elevations Previously Approved Under Permitted Development	26Z006_LAW-X-X-DR-A-062-0001_P02_
Proposed Elevations And Sections	26Z006_LAW-X-X-DR-A-062-0001_P08_
Elevations Previously Approved Under Permitted Development	26Z006_LAW-X-X-DR-A-062-0002_P02_
Proposed Elevations And Sections	26Z006_LAW-X-X-DR-A-062-0002_P08_
Elevations Previously Approved Under Permitted Development	26Z006_LAW-X-X-DR-A-062-0003_P02_
Proposed Elevations And Sections	26Z006_LAW-X-X-DR-A-062-0003_P08_
Proposed First Floor Plan	26Z006-LAW-X-01-DR-A-061-0006_P02_
Proposed Ground Floor Plan	26Z006-LAW-X-GF-DR-A-061-0005_P02_
Proposed Roof Plan	26Z006-LAW-X-R1-DR-A-061-0008_P01_
Site Location Plan	26Z006-LAW-X-XX-DR-A-039-0003_P02
Existing First Floor Plan	26Z006-LAW-Z-01-DR-A-031-0002_P02_
Existing Ground Floor Plan	26Z006-LAW-Z-GF-DR-A-031-0001_P02_
Existing Roof Plan	26Z006-LAW-Z-R1-DR-A-031-0004_P02
Bat Survey Report	Ecological Services

Background

Pen-Y-Dre is an English-medium 11-16 school maintained by Merthyr Tydfil local authority. There are 534 pupils on roll at the school which serves a catchment area consisting of the large Gurnos Estate, as well as a number of valley communities on the edge of the Brecon Beacons. Seventy per cent of pupils live in the 20% most deprived areas in Wales. The percentage of pupils with special educational needs is around 59%, which is significantly higher than the national average of 25%.

Pen-y-Dre is situated within the Gurnos Estate and is located to the east of Goitre Lane and south of the Gurnos Ring Road and the A465 beyond. Immediately to the east of the school are open fields, beyond which are residential properties located along First Avenue, there are 2 storey properties; the nearest of which are located approximately 350m from the nearest school building. Goitre Lane, from which the site is accessed, borders the school fields to the south; Goitre Lane is one of the main thoroughfares through the Gurnos Estate.

The existing building dates from 1947 and was constructed in phases. The first phase consists of a series of separate blocks of 1-3 storeys constructed from a concrete frame with a double skin cavity brickwork envelope with concrete floors and roof decks. Subsequent phases made use of profiled metal ceiling deck with insulation. The roofs feature variable construction, the majority of which are of bitumen, and feature internal downpipes. The Sports Hall and Gymnasium have had a flat to pitched conversion undertaken and feature profiled metal roofing. The original timber windows have been replaced throughout most of the building with double glazed UPVC units, but some timber windows remain.

On going renovation

The buildings on site are in need of complete interior and exterior refurbishment to meet current building fabric requirements and to improve energy efficiency and comfort standards.

Over recent months refurbishments works have been on going to the school secured via permitted development rights Part 32 class A of the GDPO. The works have previously been discussed with Merthyr LPA and agreed that they comply with the PD rights.

The Town and Country Planning General Permitted Development Order 1995 (the 'GDPO') Part 32 class A which sets out permitted development rights for existing Schools, Colleges, Universities and Hospitals as reads as follows;

A. The erection, extension or alteration of a school, college, university or hospital building.

Development not permitted;

A.1 Development is not permitted by Class A—

(a) if the cumulative gross floor space of any buildings erected, extended or altered would exceed—

(i) 25% of the gross floor space of the original school, college, university or hospital buildings; or

(ii) 100 square metres, whichever is the lesser;

(b) if any part of the development, would be within 5 metres of a boundary of the curtilage of the premises;

(c) if, as a result of the development, any land used as a playing field at any time in the 5 years before the development commenced and remaining in this use could no longer be so used;

(d) if the height of any new building erected would exceed 5 metres;

(e) if the height of the building as extended or altered would exceed—

(i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres; or

(ii) in all other cases, the height of the building being extended or altered;

(f) if the development would be within the curtilage of a listed building;

(g) the development would lead to a reduction in the space available for the parking or turning of vehicles; or

(h) unless—

(i) in the case of school, college or university buildings, the predominant use of the existing buildings on the premises is for the provision of education; or
(ii) in the case of hospital buildings, the predominant use of the existing buildings on the premises is for the provision of any medical or health services.

Proposals

This application comprises the demolition of two existing 'wings' of the school building and redevelopment to provide classrooms and facilities associated with the education use. The proposals would result in the creation of over 100sqm of floorspace therefore failing criteria (a)(i) of Part 32 class A.

The proposals have been necessary following the only going refurbishment works due to practical difficulties of retaining the structures and retrofitting.

Planning Policy and Appraisal

Notwithstanding the small-scale nature of the proposals, it is necessary to assess the proposed development against relevant National and Local Planning Policies.

Future Wales

Published on the 28th February 2021, Future Wales comprises the first development plan of its kind within Wales. It is a development plan with 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.

The vast majority of planning applications are determined by Local Planning Authorities and are small scale developments of local rather than regional or national significance. Future Wales' focus is on national and regional spatial issues and as such, whilst its policies will need to be considered, the Local Development Plan (or extant Unitary Development Plan) policies will provide the detailed development management framework in the vast majority of cases.

Planning Policy Wales

PPW Edition 11 was adopted by the Welsh Government in February 2021 and is the principal document for planning considerations in Wales. PPW provides land use planning policy and should be taken into account when preparing planning applications. PPW is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW and the recently adopted Future Wales provide the national planning policy framework for Wales.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation.

Section 3 – Strategic and Spatial Choices states that effective strategic placemaking requires early collective consideration of placemaking issues at the outset, in the formulation of a development plan, or when developing specific proposals.

Paragraph 3.3 emphasises that good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places.

Paragraph 3.8 relates to how good design can help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process.

Technical Advice Note (TAN) 12: Design (2016)

TAN 12 provides guidance on how good design should be achieved through the planning process. The document recognises that design is a process of analysis of the surrounding area recognising and resolving any issues that may be present.

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives.

Merthyr Tydfil County Borough Council's Local Development Plan (LDP) January, 2020

A review of Merthyr Tydfil County Borough Council's Local Development Plan (LDP) Proposals Map confirms that the site is situated within the defined settlement boundary (Policy SW4). The site is not identified for any particular use, as such, they are not subject to any protection for landscape, nature conservation or heritage reasons. Given the nature of the proposals, only a limited number of planning policies are relevant, these include;

Policy SW11 which seeks to ensure Sustainable Design and Placemaking and reads as follows;

Development must contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design.

Where appropriate new development will be required to:

- 1. be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;*
- 2. integrate effectively with adjacent spaces, the public realm and historic environment to enhance the general street scene and create good quality townscape;*
- 3. not result in an unacceptable impact on local amenity, loss of light or privacy, or visual impact, and incorporate a good standard of landscape design;*
- 4. contribute to the provision of green infrastructure, including open space in accordance with the Council's standards, sustainable drainage systems where appropriate, and ensure that the County Borough's network of green infrastructure is accessible and connected;*
- 5. allow access for the widest range of people possible, and demonstrate that any traffic movements will not have an unacceptable impact on local amenity or highway safety and satisfy the Council's parking standards;*
- 6. incorporate a range of inclusive/adaptable design specifications, a mix of house types, tenures and sizes to meet identified local needs;*
- 7. incorporate resource efficient/adaptable buildings and layouts using sustainable design and construction techniques;*
- 8. minimise the demand for energy and utilise renewable energy resources;*
- 9. provide and protect relevant utility services and infrastructure without causing any unacceptable environmental impacts;*
- 10. incorporate measures to improve ground and surface water quality wherever possible;*
- 11. provide adequate facilities and space for waste collections and recycling; and*
- 12. promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour.*

Policy SW13 seeks to protect and Improve Local Community Facilities and confirms that;

The provision of new and enhanced community facilities will be supported subject to satisfying other relevant LDP policies.

The Council will protect and support the enhancement of the County Borough's existing community facilities.

Development proposals that would result in a loss of an existing community facility will only be permitted where:-

- alternative provision of at least equivalent value to the local community can be provided nearby, or*
- it can be demonstrated that existing provision is inappropriate or surplus to the needs of the community and is no longer required, or*
- it can be demonstrated there is no longer a viable community use for the facility.*

Planning Appraisal

Principle of development

The proposal involves the demolition of two existing wings to the Pen y Dre School building and their redevelopment to provide a more modern facility. The proposals are inline with the wider refurbishment of the school. The proposals will not introduce a new use and will be consistent with the existing education use. There is considered to be no issues with the principle of development and no change in use.

Design

As discussed above the primary reason for the proposals is due to practical difficulties of retaining the structures and retrofitting. The design is essentially replacing like-for-like introducing a modern facility to the school. The new wings will feature class rooms and facilities relevant to the school use.

Bats

It is acknowledged that the application include demolition as such the consultant ecologist Ecological Services has been contacted to provide advice on an impacts. Bat surveys have been completed over both summers of 2021 and 2022. The surveys identified 2 Common Pipistrelles returning to an aperture underneath the cladding on a western area of the main school building.

The areas proposed for demolition are not directly connected to the area where the bats were seen nor will it cause damage or disturbance. The ecology report submitted confirms 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.

SAB

The proposals involve the demolition of two wings of the school and replacement on the same footprint. There is therefore no creation of footprint or impermeable area different from the existing situation. As such a SAB approval is not considered to be required.

Conclusion

The proposals are required to allow the refurbishments works to the school building to continue with ease and will provide a modern education facility.

I trust that the submitted documents allow the application to be validated and look forward to receiving details of the name of the case officer, application reference number and target determination date. If you have any queries in the meantime, please do not hesitate to get in touch.

Yours sincerely,



Liam Griffiths

Senior Planner