

DELEGATED REPORT

Application No:	P/23/0176
Site Address:	Pen Y Dre High School Goitre Lane Gurnos Merthyr Tydfil CF47 9BY
Development:	Erection of temporary classrooms and associated works
Case Officer:	Emma Watkins
Application Expiry Date:	5th September 2023
Consultation reply date expired:	9th August 2023

APPLICATION SITE

The application site is an area of hardstanding directly to the south of the existing school building at Pen y Dre High School, Gurnos Estate.

PROPOSED DEVELOPMENT

The application proposes the construction of temporary classrooms and associated works to facilitate the refurbishment of the existing school building to meet current building fabric requirements and to improve energy efficiency and comfort standards. It is proposed to place 2 no. single-storey modular cabins; one comprising 9 no. classrooms and another comprising 5 no. classrooms on an area of existing hardstanding, to the south of the main cluster of school buildings.

The application has been supported by proposed plans and elevations and a Construction Environmental Management Plan which details the proposed environmental strategy during the construction period.

PLANNING HISTORY

No relevant Planning History.

CONSULTATION

Highways – 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, visual and neighbouring amenity, impact on highways and onsite biodiversity and trees.

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 temporary classroom accommodation within the existing school site, to support the refurbishment of the main school, the principle of the development is considered acceptable.

The proposal complies with LDP policy SW4.

Visual and neighbouring amenity

Whilst the proposed temporary classrooms in two modular blocks have limited design merit, they are a temporary functional solution to allow Pen y Dre high school to continue to operate during the refurbishment of the main school building. The buildings are single storey and located well within the boundaries of the existing school site. Views of the temporary classrooms from the north are blocked by the existing school buildings and views from the south / east and west will be seen with the backdrop of the much larger school building and in the context of the school site. The visual impact will be limited and is for a temporary period only.

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 temporary modular classrooms.

The proposal complies with LDP policy SW11.

Highways

Whilst the siting of the modular classrooms will result in the loss of existing off-street parking provision, a hardstanding area within the school grounds is to be converted to a car park to provide compensation for this.

The Head of Engineering and Highways raises no objection to the application nor any conditions.

The proposal complies with LDP policy SW11.

Biodiversity and trees

The application site area is an existing area of tarmac hardstanding of limited ecological value within the school grounds. Given the nature of the proposal and the limited value, there are no concerns with regards onsite biodiversity or ecology from the temporary siting of the classrooms.

It has been acknowledged by the applicants that there are a small number of trees around the southeast perimeter of the hardstanding, however their root protection zone would already have been impacted by the hardstanding. The proposal includes the erection of heras fencing around the perimeter of the site with the location shown on the proposed plan (which will form one of the plans on the approved list).

The Planning Ecologist raises no objection 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 buildings hereby approved, and any development associated with their use, shall be removed from the land in its entirety and the land shall be restored to its former condition on or before 31 August 2024.

Reason - To clearly define the scope of the permission for a temporary period.

2. The development shall be carried out in accordance with the following approved plans and documents:
 - Proposed Plans - Temporary Classrooms (Drawing no. 26Z006-LAW-X-XX-DR-A-069-0016 REV P 00)
 - Proposed Elevations - Temporary Classrooms (Drawing no. 26Z006-LAW-X-XX-DR-A-069-0017 REV P 00)
 - Proposed Site Plan - (Drawing no. 26Z006-LAW-X-XX-DR-A-069-0001 REV P 06)
 - Building 1 Modular Accommodation - (Drawing no. 36569-PML-B1-00-DR-A-0001 REV P3)
 - Building 2 Modular Accommodation - (Drawing no. 36569-PML-B2-00-DR-A-0001 REV P3)
 - Construction Environmental Management Plan (Morgan Sindall Construction, received 15.08.23)

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

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: 22/08/2023