

DELEGATED REPORT

Application No: P/21/0380

Site Address: Gurnos Community Centre
Spruce Tree Grove
Gurnos
Merthyr Tydfil
CF47 9AU

Development: Erection of 2 No. canopies

Case Officer: David James

Site Visit: 10th November 2021

Application Expiry Date: 21st December 2021

Consultation reply date expired: 29th November 2021

APPLICATION SITE

The application relates to land within the grounds of Gurnos Community Centre, which is located in a mainly residential area within the settlement boundary. The community centre is accessed via a highway to the west. It is bound by other highways to the north and east, and a care home to the south.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of two canopies within the enclosed grounds of the community centre. The larger of the two canopies (canopy A) would be free-standing, and would be located in an existing area used for outdoor activities, to the north of the community centre building. The smaller canopy (canopy B) would be attached to the west elevation of the community centre building.

The larger canopy would have a footprint 6m in depth by 6m in width supported by posts in each corner. It would be mono-pitched with a maximum height of 3m sloping down to a lower height of 2.2m.

The smaller canopy would have a footprint 2.2m in depth by 6m in width supported by posts on its outer corners. It would be mono-pitched with a maximum height of 2.6m sloping down to a lower height of 2.2m.

Both canopies would be constructed of grey, powder coated steel frames, with opaque 'multiwall' roof cladding.

PLANNING HISTORY

The relevant planning history relating to the community centre is summarised below:

- P/17/0354 Siting of storage unit
Granted planning permission subject to condition on 8th January 2018
- P/17/0257 Increasing height of fencing from 2m to 3.6m
Granted planning permission subject to condition on 29th September 2017
- P/15/0440 Display of four, non illuminated placard signs and the erection and display of one non illuminated , free standing signs
Granted advertisement consent on 5th February 2016
- P/15/0278 Erection of canopy over main entrance and erection of 2m high boundary fencing
Granted planning permission subject to condition on 1st October 2015
- P/14/0304 Change of use from a community centre to a flying start facility including external alterations and the erection of a 2 metre high fence to provide an enclosed formal playing area
Granted planning permission subject to condition on 23rd December 2014
- P/06/0210 Erection of signage to boundary fencing
Granted advertisement consent on 9th June 2006

CONSULTATION

Corporate Property No objection

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, two site notices were displayed within the vicinity of the site.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) 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 11, February 2021)

Local Planning Policies

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

- SW4: Settlement boundaries
- SW11: Sustainable design and Placemaking
- SW13: Protecting and Improving Local Community Facilities
- CW1: Historic Environment

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.

PLANNING CONSIDERATIONS

The proposed canopies would be erected within the enclosed grounds of the community centre. While they would be visible from the adjacent highways and dwellings, they would be somewhat obscured by the high boundary fencing. Additionally, it is recognised that canopies such as this are commonplace within the grounds of community buildings. Moreover, their open nature would serve to somewhat reduce their mass, bulk and visibility, as would the backdrop of the large community centre building. As such, they are considered to be of an acceptable design and scale and would not represent an incongruous feature. Nor would they adversely impact on the character or visual amenities of the building itself or the wider area. The proposal is therefore in accordance with Policy SW11 of the LDP.

Regard has also been had for the impact of the proposal on the residential amenity of neighbouring occupants. In this respect it is noted that there are no dwellings which directly adjoin the site with the nearest residential properties located on the opposite side of the adjacent highway to the west. Given the distance of the canopies in relation to the surrounding properties they would not have an overbearing impact or result in any loss of light or overshadowing. In addition, they would not have any impact in terms of overlooking or loss of privacy. As such, the proposal would comply with Policy SW11 in respect to residential amenity, and it is noted that no representations were received following the publicity exercise.

The canopies would result in an enhancement to the community facility, as they would increase its use during poorer weather conditions. As such the proposal complies with Policy SW13.

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 **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:

02(P) Proposed Elevations received 26th October 2021
03(P) Canopy A and Canopy B received 26th October 2021
07(P) Proposed Block Plan 1 received 26th October 2021
08(P) Proposed Block Plan 2 received 26th October 2021
02(P) Proposed Location Plan received 26th October 2021

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.

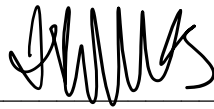
Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

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



Head of Town Planning

DATE:

6/12/21