

DELEGATED REPORT

Application No: P/25/0103

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

Development: Erection of free standing pergola

Case Officer: Rebecca Owens

Site Visit: 14th April 2025

Application Expiry Date: 6th June 2025

Consultation reply date expired: 5th May 2025

APPLICATION SITE

The application relates to a nursery located within the Cwm Golau Integrated Children's Services building. This is within the settlement boundary with the highway known as Dyffryn Road to the east of the site, a school to the north and recreation field to the south.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of free standing pergola which would be erected adjacent to an existing outbuilding the external play area of the nursery. The pergola would provide shade and shelter when utilising the outdoor space. It would be 5m in width by 3m in depth with a mono-pitched polycarbonate roof. This would have a maximum height of 2.65m.

PLANNING HISTORY

The relevant planning history is detailed below:

P/24/0211	Timber frame classroom Granted planning permission subject to conditions on 17 October 2024
P/24/0008	Erection of free standing pergola Granted planning permission subject to conditions on 5 March 2024
P/21/0426	Erection of timber-clad summer house Granted planning permission subject to conditions on 1 February 2022
P/21/0033	Erection of a shelter/canopy in garden area

Granted planning permission subject to conditions on 4 March 2021

P/03/0185 Erection of single storey early years learning centre
Granted planning permission subject to conditions on 13 June 2003

CONSULTATION

No consultation exercise was considered necessary in this instance.

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 12, February 2024)

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

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

It is noted that canopies and pergolas such as this are common features found within the grounds of schools, nurseries etc. Indeed, there are already a similar structure visible to the front of the site. In addition, the scale of the pergola would be proportionate to the building and would represent only a minor addition. As such, the proposal would not appear incongruous. It is also noted that given its height and location, it would be largely concealed from outside of the site by the existing boundary fence and as such would have no impact on the character or visual amenities of the area. For the above reasons the pergola would not impinge on the character or visual amenities of the building itself or indeed the area in general and as such would accord with Policy SW11 of the LDP.

Regard has also been had for the impact of the proposal on residential amenities. However, given the siting of the pergola which is adjacent to a recreation field and some distance from the nearest dwelling, it would not have any harmful impact in this respect. Accordingly, it would again comply with Policy SW11 of the LDP.

It is recognised that whilst the pergola would be free standing and not physically attached to the outbuilding building, it would be in close proximity (oversailing the roof). As such, given that there would be no disturbance to the roof itself it was not deemed reasonable to request any bat survey works as it is consideration unlikely that there would be any harmful impact on potential roost features on the main outbuilding in question. However, the developer can be advised of the protected status of bats and nesting birds via an informative.

It is noted that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, due to the scale and nature of the development, which only includes the erection of a free standing pergola, the submission of a GIS is deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancement would be sought via condition, which would provide additional habitats in the local area and contribute to the wider green infrastructure objectives. The proposed development would therefore comply with LDP Policy EnW1.

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:

Funtazia Day Nursery Area One: Option One (Block Plan), Drawing Number: 5176, Received 11 April 2025

5m x3m Polycarbonate Roof Pergola (Elevations), Received 11 April 2025

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

3. **BEFORE WORKS COMMENCE ON SITE** a scheme for biodiversity enhancement, including a timescale for implementation, shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 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



Director of Neighbourhood Services

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DATE: 09.05.2025