

Vale of Glamorgan Council Ysgol Gymraeg Bro Morgannwg, Colcot Road, Barry,
Vale of Glamorgan, CF62 8YU
Ms. Kathryn Williams KEW Planning, KEW House, 14, Grantham Close, Cardiff,
CF5 2EX

Ysgol Gymraeg Bro Morgannwg, Colcot Road, Barry

Erection of extensions to the school for a new Sports Block with link to existing building; Design and Technology Block; new Reception Area; creation of a Plant Room; new Muga and 3G All-weather Pitch aswell as external alterations to the facade treatment

REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application is of a scale and / or nature that is not covered by the scheme of delegation.

EXECUTIVE SUMMARY

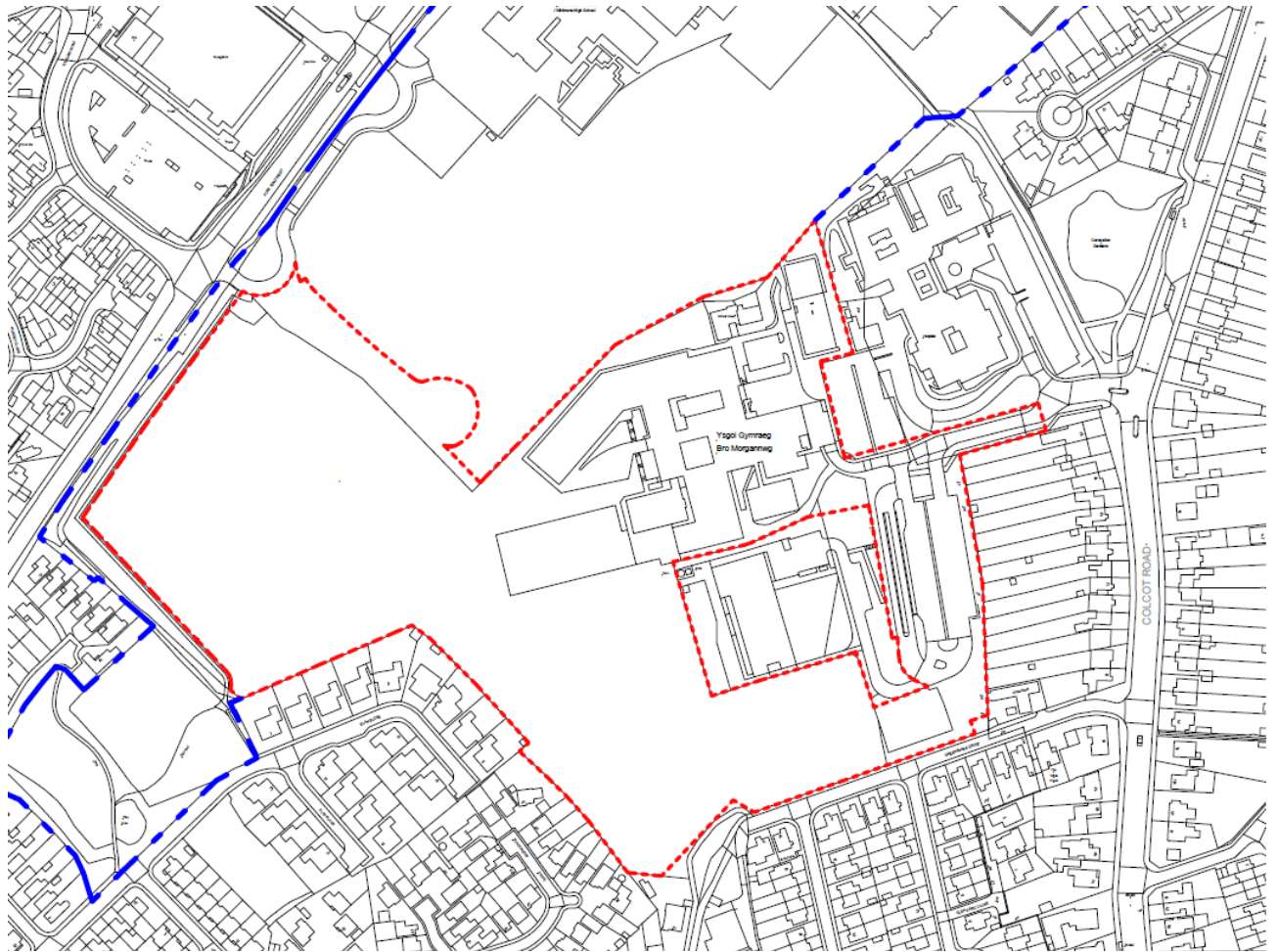
The application proposes various extensions to Ysgol Gymraeg Bro Morgannwg, which is accessed off Colcot Road, Barry. The application also includes a new 3G sports pitch with external lighting, a Multi-Use Games Area and a new coach/mini bus drop off/pick up zone, to be accessed off Port Road.

The main issues involved in the assessment of the application are the scale, design and visual impact of the development, impact on residential amenity, highways issues (including parking and traffic generation), sports pitch/open space provision and drainage.

Objections have been received from 6 neighbouring properties, while Barry Town Council have raised no objection, subject to the development being considered acceptable in terms of design and visual impact, highway safety, traffic and drainage. The application is recommended for approval subject to conditions.

SITE AND CONTEXT

The application site is land at Ysgol Gymraeg Bro Morgannwg, as shown on the plan below:



The land lies within a predominantly residential context, with dwellings located immediately to the south, east, west and north west. Barry Hospital and Barry Comprehensive School lie to the north. Barry Comprehensive School is currently subject to a separate planning application (2019/00435/RG3) for a replacement High School.

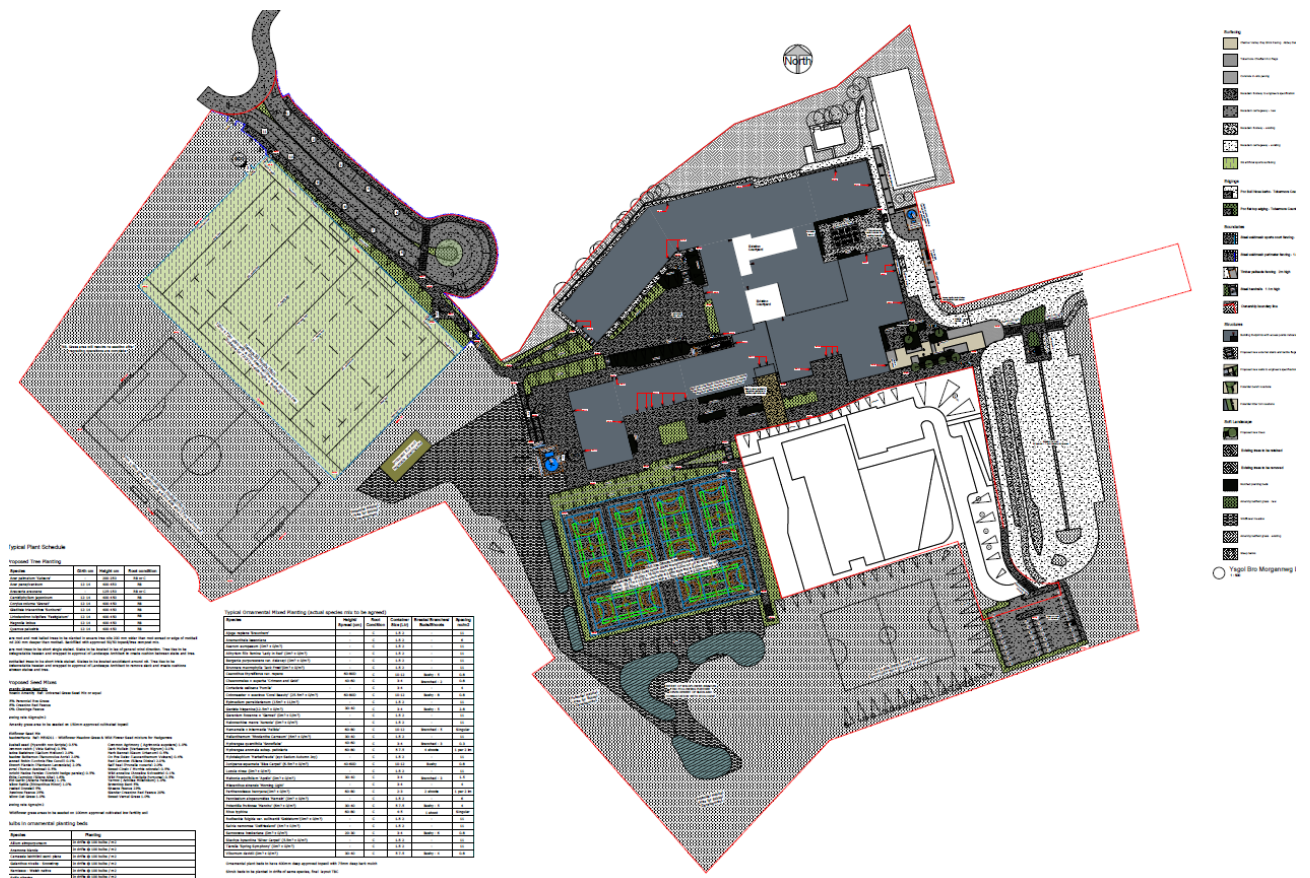
Vehicular access to the application site is currently from Colcot Road to the east, at the same point from which the hospital is accessed.

DESCRIPTION OF DEVELOPMENT

The application proposes the following:

- Extensions to the school for a new sports and IT block.
- A new design and technology block.
- A link 'circulation' extension.
- A new reception area.
- A plant kitchen extension.
- A new Multi Use Games Area (MUGA) and 3G all-weather pitch.
- External alterations and façade treatment to the existing building.
- A new coach drop off/pick up area.

The proposed site layout is shown on the plan below:



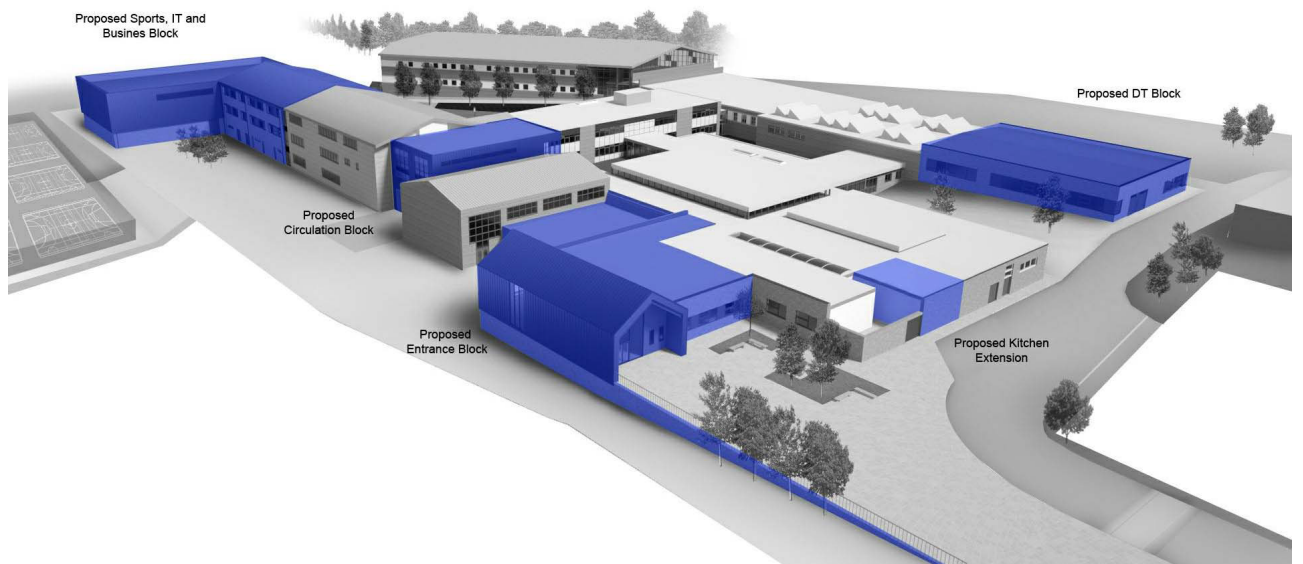
The proposed 3G all-weather pitch would be sited in the northern part of the site, adjacent to the new coach drop off/pick up zone (for 11 coaches and 3 mini buses). The plan above shows a further pitch to the south west of the 3G pitch, however, this would just be in grass, as per the existing situation. The proposed MUGA area would comprise 6 tarmac courts, and these would be sited to the south of the school buildings.

The images below show the existing school complex, and the proposed layout, with the additions highlighted in blue. The views are from the south east:

Existing complex of buildings:

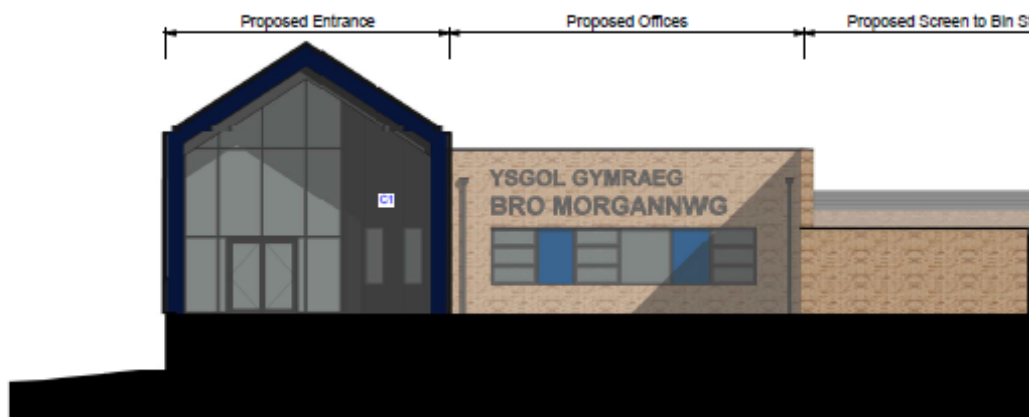


Proposed complex of buildings:

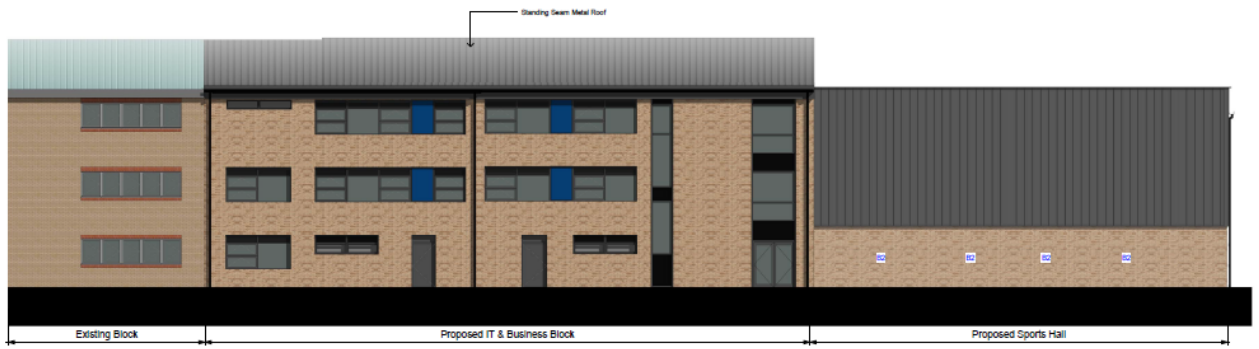




The proposed entrance block would have a modern pitched roof section and a flat roof section to adjoin the adjacent part of the existing building (maximum height to ridge of 8.5m)- see below:



The proposed sports and IT block would be sited on the western end of the building. It would be L-shaped in form, with both a continuation of an existing pitched roof section and an adjoining flat roof section (maximum height of approximately 12m):

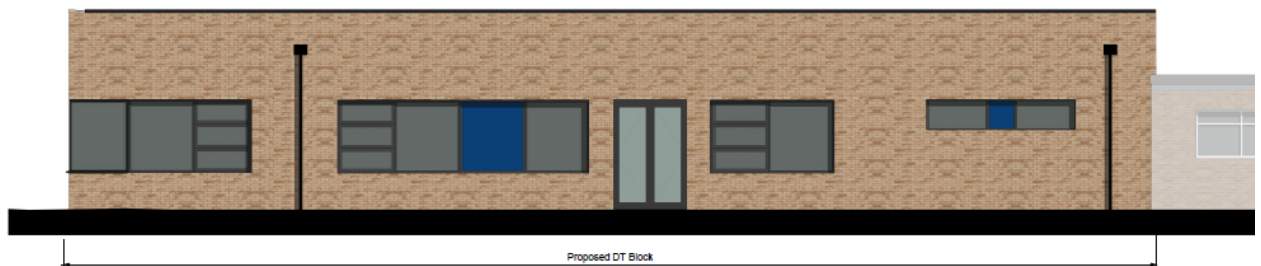


① Sports, IT & Business Block - North
1:50



The proposed Design and Technology (DT) block would be sited in the north eastern part of the site, and would measure approximately 5m in height, with a flat roof:

② DT Block - South
1:50



③ DT Block - North
1:50

The existing school population comprises 1,133 pupils (1,015 primary/secondary and 118 sixth form) and there is capacity for up to 1,361 pupils. The existing staff numbers total 109; of which 91 are connected with the secondary component (74 of those are teachers).

The proposals would give capacity for 1,660 pupils, of which 250 would be sixth form. The staff numbers are proposed to remain the same as currently exists. The proposals for expansion and refurbishment are solely for the comprehensive element of the school.

PLANNING HISTORY

1999/00564/REG3, Address: Adjacent ATP playing fields, adjacent Barry Comprehensive School and Colcot Sport Centre, Proposal: Four court sports hall with ancillary changing and storage facilities, Decision: Approved

1999/00773/REG3, Address: Barry Comprehensive School, Port Road West, Barry, Proposal: Demolition of 2 no. pavilions, formation of new access, erection of new three storey teaching block, kitchen/dining hall and creation of temporary contractors access, Decision: Approved

2000/00541/REG3, Address: Ysgol Gyfun Bro Morgannwg, Colcot Road, Barry, Proposal: Revised entrance and provision of temporary girls changing rooms and toilets (Minute No. 878, 5th January, 2000), Decision: Approved

2001/01137/FUL, Address: Barry Comprehensive School, Port Road West, Barry, Proposal: Extension to existing gymnasium to accommodate fitness training equipment, Decision: Approved

2002/00105/REG3, Address: Ysgol Gyfun Bro Morgannwg, Colcot Road, Barry, Proposal: Refurbishment of 5 No. Classrooms and toilets, and the construction of 4 no. new classrooms and circulation areas (Policy Committee Date 31st January, 2002, Minute No. 1437), Decision: Approved

2002/00248/REG3, Address: Ysgol Gyfun Bro Morgannwg, Colcot Road, Barry, Proposal: Construction of a new car park (additional) including drop-off point and coach drop-off area (Policy Committee resolution on 31st January, 2002), Decision: Approved

2002/00721/REG3, Address: Ysgol Gyfun Bro Morgannwg, Colcot Road, Barry, Proposal: Construction of a new extension containing 12 classrooms and 7 science rooms and toilets and link atrium, Decision: Approved

2003/00506/REG3, Address: Ysgol Gyfun Bro Morgannwg, Colcot Road, Barry, Proposal: Construction/development of a three storey teaching block comprising eight classrooms, one sports practical area, one resources area, changing room, toilets (male and female), stores linked to the existing school building with link corridors at all t, Decision: Approved

2004/00111/REG3, Address: Ysgol Gyfun Bro Morgannwg, Colcot Road, Barry, Proposal: Single storey extension consisting of enlarged staffroom, offices, first aid room and corridor to existing Administrative area inside a courtyard. The proposal also includes three store rooms for the Gym, Sports Barn and Outdoor Activities, second acc, Decision: Approved

2004/01511/REG3, Address: Ysgol Gyfun Bro Morgannwg, Colcot Road, Barry, Proposal: Single storey extension of existing gymnasium (following demolition of roof and external wall to the east of the gymnasium), provision of single storey dining annex connected to existing kitchen and dining hall via existing corridor, Decision: Approved

2007/00448/FUL, Address: Ysgol Gyfun Bro Morgannwg, Colcot Road, Barry,
Proposal: Extension to the drama block, Decision: Approved

2008/00530/FUL, Address: Ysgol Bro Morgannwg, Colcot Road, Barry, Proposal:
Extension to the boys changing room, Decision: Approved

2010/01206/RG3, Address: Ysgol Gyfun Bro Morgannwg Site, Colcot Road,
Barry, Proposal: New Welsh medium school, Decision: Approved

2011/00577/RG3, Address: Ysgol Gyfun Bro Morgannwg, Colcot Road, Barry,
Proposal: Amendment to planning consent granted 4 March, 2011 - new school
and rugby pitch, Decision: Approved

2013/00672/RG3, Address: Ysgol Gymraeg Nant Talwg, Colcot Road, Barry,
Proposal: Removal of existing demountable classroom units and creation of new
primary school building with associated playground, parking, landscaping and
lighting., Decision: Approved

2014/01473/FUL, Address: Ysgol Gymraeg Nant Talwg, Heol Colcot, Barry,
Proposal: Proposal to include overspill car park to existing site, Decision:
Approved

2018/00614/RG3, Address: Barry Comprehensive School, Port Road West,
Barry, Proposal: External temporary changing room, Decision: Approved

CONSULTATIONS

Barry Town Council- No objection, while the following further comment is made:

Council supports the proposed development subject to the following matters; 1. The Vale of Glamorgan Planning Department are satisfied with (1) the proposed external materials and finishes to the new buildings are (2) the proposed landscaping scheme. 2. The Highways Department are satisfied with the internal arrangements for the new drop off with space to accommodate 11 coaches, with 3 no. parking spaces for mini buses. 3. The Vale of Glamorgan Highways department undertake a traffic management plan for the proposed development to assess the implications for access/egress to the site and to ensure highway safety on the roads surrounding the site . 4. The proposed surface water drainage scheme be thoroughly examined and vetted by the Vale of Glamorgan Council under the new Sustainable Urban Drainage Approval Body (SAB) regulations January 2019, as dictated by Schedule 3 of the Flood and Water management Act 2010.

Highway Development- Comments have been received in respect of parking, traffic generation, highway safety and pedestrian/cycling access. A series of requests have been made in respect of the above, and those are considered below in the Issues section of the report.

Sport Wales- Sport Wales is satisfied that the proposal will improve the site's sporting capacity particularly with the new floodlit 3G pitch allowing greater intensity of use including new community use during the evenings and weekends. On that basis Sport Wales has no objection. However, concern is raised regarding playing field provision.

Highways and Engineering- Advice has been provided in respect of the Suds Approval Body (SAB) process. No objection is raised.

Shared Regulatory Services (Pollution)- No representations received.

Dwr Cymru Welsh Water- no objection subject to a condition requiring the approved drainage layout to be completed prior to occupation of the development.

Ecology Officer- No objection subject to a condition to require an Ecological Design Strategy.

Local ward members: Councillor Janice Charles has raised concerns in respect of drainage.

Natural Resources Wales- No objection and NRW have stated that the development (with the mitigation proposed) would not unacceptably impact upon bats.

REPRESENTATIONS

The neighbouring properties were consulted and the development has been advertised on site and in the press. Objections and representations have been received from 6 neighbouring properties, and the grounds are summarised as follows:

- Inappropriate footpath link to Greenbanks Drive.
- Adverse impact on traffic and congestion on port Road and Colcot Road.
- Noise pollution, particularly in respect of the outdoor pitches.
- Light pollution.
- There is no synergy between this proposal and that at the adjacent Whitmore High School site.
- The development would be cramped and there would be no scope for future expansion.

A number of other points were queried, particularly with reference to the costs of the scheme, the rationale for the sports provision, tree removal and construction timescales.

An example letter of representation is attached as Appendix A

REPORT

Planning Policies and Guidance

Local Development Plan:

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026, which was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

Strategic Policies:

POLICY SP1 – Delivering the Strategy

Managing Growth Policies:

POLICY MG6 – Provision of Educational Facilities

POLICY MG7 – Provision of Community Facilities

POLICY MG16 – Transport Proposals

Managing Development Policies:

POLICY MD2 - Design of New Development

POLICY MD5 - Development within Settlement Boundaries

POLICY MD7 - Environmental Protection

POLICY MD9 - Promoting Biodiversity

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 10, 2018) (PPW) is of relevance to the determination of this application.

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 11 – Noise (1997)
- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 16 - Sport, Recreation and Open Space (2009)
- Technical Advice Note 18 – Transport (2007)

Supplementary Planning Guidance:

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). The following SPG are of relevance:

- Biodiversity and Development
- Parking Standards
- Sustainable Development - A Developer's Guide
- Travel Plan
- Trees, Woodlands, Hedgerows and Development

Other relevant evidence or policy guidance:

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

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. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Issues

The main issues involved in the assessment of the application are:

- Scale, design and visual impact
- Impact on residential amenity
- Highways issues
- Sports pitch/open space provision
- Drainage

Scale, design and visual impact

The proposed extensions would increase the overall scope and extent of buildings within the site, but each is closely related to the existing complex in terms of scale and form. The extensions would be most highly visible from Greenbanks Drive and they are also likely to be visible from parts of Port Road, however, they would be viewed directly in the context of the existing group of buildings and they would not be visually intrusive from these locations. The extensions would be largely screened from view from the residential areas to the east, north and west of the site (other than from the rear gardens of dwellings).

Notwithstanding the above, the extensions are considered to be of a size and massing that are in keeping with the existing school complex, such that they would not appear over scaled in this context. The new entrance and circulation block would be more contemporary in appearance, while the sports, IT and DT blocks would be more conventional/utilitarian in form and appearance. The existing complex already comprises a relatively eclectic group of buildings and it is considered that the proposed designs (which each relate in appearance and character to one or more elements of the existing school) are compatible with the existing buildings and would not appear visually incongruous.

The new arrangement of pitches (and the associated enclosures and lights) would be visible from Greenbanks Drive and Port Road, however, these would not have a significant visual impact within the wider context.

The development is, therefore, considered acceptable in respect of the scale, form, design and visual impact of the respective sections.

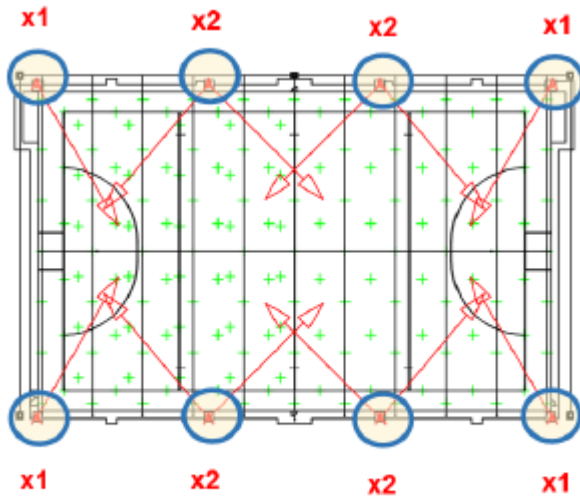
Trees and landscaping

There would be some trees removed around the perimeter of the site closest to Elan Close, however, these are not protected and the plans indicate new tree 'whip' planting in place of those that would be removed. Condition 4 requires full detail of the landscaping scheme to be approved. It is considered that the removal of those trees (which does not require consent) and their replacement with new planting would not unacceptably impact upon either visual amenity or residential amenity.

Impact on neighbours

The proposed extensions to the existing buildings would all be sited well away from the boundaries with residential properties around the site and consequently it is considered that they would not be overbearing or unneighbourly, and there would be no unacceptable impacts in respect of overshadowing. The extensions would be at least 50m away from neighbouring boundaries and consequently, there would be no unacceptable impacts in respect of privacy. There would be no significant change in levels that would affect amenity or privacy.

The proposals include a new 3G sports pitch in the northern part of the site. This would be lit and the applicant is seeking approval for its use up 10pm (i.e. school and community use outside of normal school hours). The application is accompanied by a lighting strategy, which shows that there would be four no. 15m high lighting columns on both sides of the pitch:



The lit pitch would be approximately 70m away from the gardens of properties on Brenig Close and between 25m and 30m from the gardens of properties on Elan Close. The applicant is proposing to light the pitch to 200 lux and given the distance to the nearest neighbouring properties, it is considered that there would not be an unacceptable level of light spill. For completeness, condition 9 requires further details of the lighting units (including details of the mechanisms to minimise light spill) to be submitted and approved prior to their erection. Subject to this, it is considered that residential amenity would not be unacceptably affected by light pollution.

The application proposes use of the pitch (and lights) up to 10pm, to enable the pitch to function as a comprehensive community facility, in addition to a school facility. The pitch would not be immediately adjacent to neighbouring properties and the parking and access arrangements would also not rely on the nearest residential streets. It is likely that parking or drop off demand for the pitch would be met by either the coach drop off area or car park (at the proposed Whitmore High School) that are accessed from Port Road, or the school car park that is accessed from Colcot Road.

Whilst each case is treated on its merits, members will note the recent case at Stanwell School that was reported to Planning Committee (2019/00368/FUL). While the pitch at that school is subject to more restrictive hours than those proposed in this case, the access arrangements (and their relationship to residential properties) are different in that case and there was concern with regard to potential noise and disturbance associated with comings and goings at later hours. In this case, it is considered that hours of 0800-2200 on weekdays and 0900-1700 on weekends would not unreasonably impact upon residential amenity.

The MUGA in the southern part of the site would not be lit and the application states that it would be operational during school hours only. This part of the development would be within approximately 20m of residential property boundaries at Elan Close and it is considered that use of these pitches/courts during school hours would not unreasonably impact upon residential amenity. While it is noted that the MUGA would formalise the use of this area, it is already part of the operational school area and use of it for outdoor activities is unrestricted. Similarly, the area closest to the properties on Brenig Close (indicated on the plan above as accommodating a grass pitch) is within the school's operational area and use of it does not require consent.

Highways issues

Description of existing and proposed arrangements

The application is accompanied by a transport assessment (TA) and travel plan, which assesses existing and proposed travel/transport arrangements and considers how the proposed development will impact upon the highway network.

The application proposes changes to the travel and transportation arrangements linked to the school. At present, all on site vehicular activity associated with the school occurs via the access point from Colcot Road (noting there are likely to be vehicular drop offs elsewhere within the surrounding highway network).

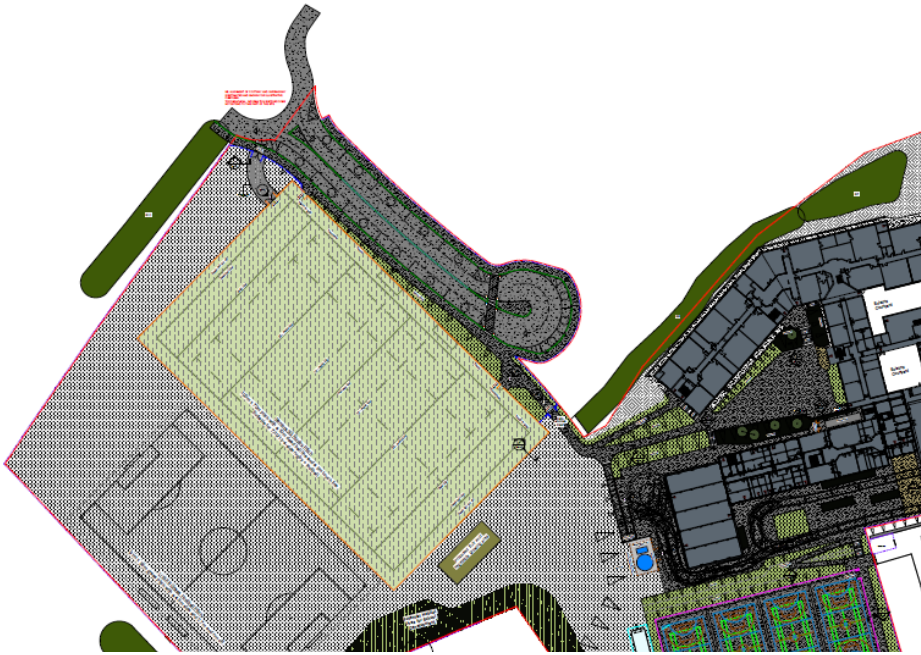
The existing car park comprises 88 spaces, and there is a separate car park located near the school reception which has capacity to accommodate 16 parking spaces (plus 2 parking spaces designated for disabled users and spaces for visitors). Another parking area, adjacent and separate to this provides parking for school minibuses. In addition to these, there is an unmade overflow car park located to the south of the main parking area that provides an additional informal 36 spaces. In terms of cycle parking there is an existing provision of 10 sheffield cycle parking stands providing spaces to park 20 bicycles.

The existing school population comprises 1,133 pupils (1,015 primary/secondary and 118 sixth form) and there is capacity for up to 1,361 pupils. The existing staff numbers total 109; of which 91 are connected with the secondary component (74 of those are teachers).

The proposals would give capacity for 1,660 pupils, of which 250 would be sixth form. The staff numbers are proposed to remain the same as currently exists. The proposals for expansion and refurbishment are solely for the comprehensive element of the school.

As context, there is a separate planning application currently before the Council for a new high school (Whitmore High) at the adjacent site, in place of the existing Barry Comprehensive School (application 2019/00435/RG3).

The proposed development involves creating a new bus drop off/pick up zone at the northern end of the site, which would be accessed from Port Road via a shared entrance with Whitmore High. See plan below:



The further plan below shows the existing layout of the site that is the subject of application 2019/00435/RG3, and that shows the link from the proposed bus drop off zone to the highway:



The school bus service provision is currently a mix of nine coaches and five minibuses, with a number of the buses running with spare capacity. The proposals would result in eleven coaches and three minibuses, thereby increasing the capacity of school bus places to allow for the proposed increase in pupils.

The school currently has a main car park for secondary staff, which is also used by sixth form students. This car park currently has 88 car parking spaces, seven motorcycle spaces and a drop off area used by school buses. This drop off area would remain in place, whereby one lane would facilitate parking for the three minibuses and the second lane and the adjacent layby would be used for parent pick up/drop off. The school has additional parking for visitors and disabled users at a car park located near the existing school entrance with capacity for 16 vehicles. In addition to these, there is an unmade overflow car park to the south of the existing main car park, this provides informal parking for 36 cars in unmarked bays. Therefore, the current car parking capacity at the comprehensive school equates to 140 parking spaces.

The proposals for car parking at the secondary school are as follows:

- Retain the 88 spaces in the existing general car park;
- Remove of the visitor and disabled parking at the existing entrance, to allow the expansion of the school building; and
- Formalise the unmade over flow car parking area, providing 34 parking spaces.

This would result in 122 spaces, 18 less than at present.

Parking

The Council's parking guidelines require 1 space per each member of teaching staff, 1 space per 2 ancillary staff, 1 space per 20 students of age 17 (or above) and 3 visitor spaces. This would equate to 108 spaces based on the pupil and staff numbers and consequently, while the overall level of parking would decrease, the 122 spaces are considered to be sufficient to meet the needs of the school as extended.

The coach and mini bus parking in the northern part of the school would accommodate 11 coaches and 3 mini buses, and this reflects the larger capacity of the proposed school (compared to an existing service of nine coaches and 5 mini buses). This provision is also considered acceptable and commensurate to need.

In summary, it is considered that the proposed parking capacity is appropriate and satisfies the requirements of the Council's Supplementary Planning Guidance.

Traffic impacts

The proposed development would accommodate an increase in capacity of 299 pupils. The development at Whitmore High School would (if approved and implemented) result in a reduction of 323 pupils, meaning that there would be no overall increase in pupil capacity across the two schools. While travel patterns may vary across the two schools it is also unlikely that the two developments would together result in additional traffic across the wider highway network. However, in the interests of robustness the application must be considered alone, given that application 2019/00435/RG3 has not been approved and given that the two schools are accessed (other than proposed bus provision) from different roads. i.e. there are potentially different traffic implications for different parts of the highway network.

The TA concludes that the proposed development would result in an increase in traffic flows at the Colcot Road junction of approximately 12% during the peak AM and PM hours (considering the likely change between existing and proposed pupil numbers). However, the variation in traffic flows at this junction when considering total existing capacity and proposed capacity is approximately 5%, which the applicant considers is within the scope of 'daily variation'. i.e. not a significant change to traffic patterns. The impact would be further reduced (to approximately a 4% increase) by the re-location of coach/mini-bus movements to Port Road.

The Highways Engineer initially requested further modelling of the junction, and no further comments have been received since the applicant's clarification (as summarised above) on the potential traffic % impacts at this junction. Consequently, it is for the Local Planning Authority and Members to consider the magnitude of these impacts and to weigh them against the education benefits. In this case, it is likely that the additional pupil numbers will result in additional waiting time along Colcot Road during the peak hours. However, while it is acknowledged that the school is not currently at full capacity, it is considered reasonable to have regard to that capacity when assessing the magnitude of impact that would be caused by this development. It is considered that a 4% increase in flows is not significant in its own right and while that would potentially result in some extra queuing time along Colcot Road as a consequence, it is considered that the additional time would not be significant.

Weighed against that is the benefits in terms of education provision. The Local Education Authority is required to provide educational facilities to meet the demand in the area, and this application (along with application 2019/00435/RG3) demonstrates an evolving change in demand towards Welsh secondary education in this area. Consequently the LEA is required to increase capacity at this site and, while it is acknowledged that there are likely traffic impacts, it is considered that there are not reasonable and practicable alternative means to provide this capacity. There is not scope to undertake significant highway works that would locally resolve existing queuing issues and consequently the merit of the application must be considered on the basis of the likely impacts described above.

The proposed bus/coach arrangements would result in extra vehicle movements on Port Road, however, it is considered that these would not be significant in the context of the overall levels of traffic already using that road, and would not result in undue congestion in their own right.

In summary, it is considered in this case that the adverse traffic impacts are outweighed by the need to provide the appropriate and fundamentally necessary improvements to capacity and education provision at the school and, therefore, it is considered that the application should not be refused on this basis.

Highway safety

While traffic flows would be increasing at the Colcot Road signalised junction, this is an existing junction which is considered to operate safely. It is considered that the additional traffic would not render it unsafe and the additional vehicle movements that would be a consequence of the development would benefit from adequate visibility along the carriageway. The coaches and mini buses using the new drop off/pick up zone on Port Road would utilise the existing entrance and exit from and onto Port Road, and these are also considered to be safe junctions that enable users to see appropriately along the highway. It is considered that the increased use of these junctions would also not adversely impact upon highway safety.

Pedestrian and cycle access/facilities

There are comprehensive pedestrian and cycling links to the school that would serve the needs of the increased pupil capacity. Footways along Colcot Road have sufficient capacity to deal with the increased capacity and there are further links from Port Road along the footpath/cycleway that starts opposite Highlight Lane and through the education site itself (adjacent to the new bus drop off/pick up zone).

The Highways Engineer has requested upgraded facilities within the site, particularly to link the main access from Colcot Road to the cycle shelter area. There is not space to provide this within the confines of the site, however, it is considered that vehicle speeds and flows within the internal school road will be low and it is considered that the absence of a comprehensive cycle way link to the cycle shelter area would not render cycle use unsafe or be likely to discourage cycle trips to the school. The Council's standards would require provision for 72 bicycles to be stored (on stands/in shelters), however, only 36 are proposed (in light of current local take up). It is considered that there should be additional cycle provision made available within the site, to encourage greater cycle use, which in itself would reduce traffic pressures around the site. The submitted TA suggests that further cycle provision could potentially be provided as part of on-going Travel Plan measures, however, it is considered to be necessary now and this is the subject of condition 6.

The Highways Engineer has requested off site works to provide a pedestrian crossing at the signalised junction adjacent to Stirling Road, however, there are already a number of pedestrian crossing points along Port Road, and it is considered that the additional need for pedestrian crossing facilities as a consequence of the development (specifically to deal with pupils walking from Stirling Road) is very limited. It is, therefore, considered that works to provide an additional pedestrian crossing as a consequence of the development would not be justified. The application proposes the removal of the footway on the northern side of the site access road, given that this terminates at the mouth of the site access road, where there are not crossing facilities for pedestrians. The removal of this footway would encourage pupils to use the footway on the southern side, which leads to the more formal crossing point adjacent to Colcot Road.

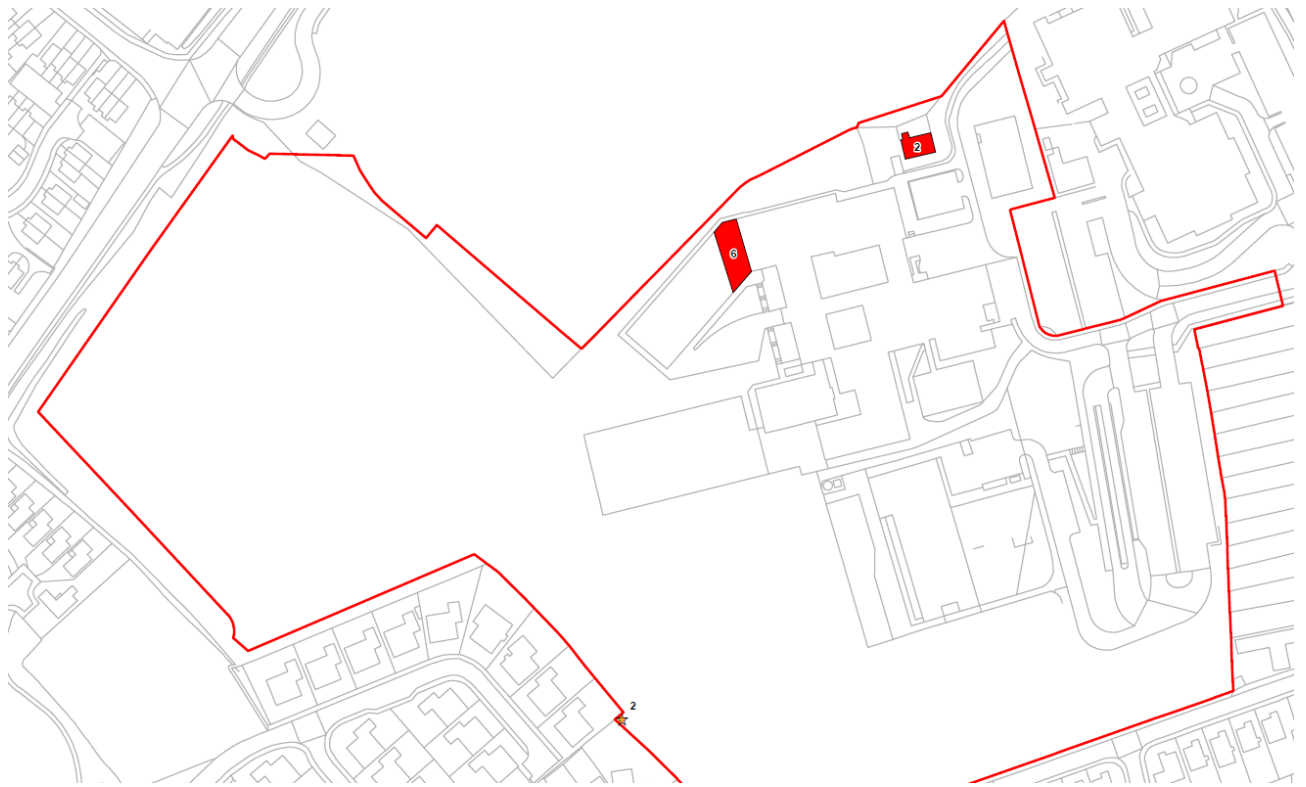
Representations make reference to a footpath link to Greenbanks Drive, and this was incorrectly contained within the TA. This link was omitted from the scheme following concerns being raised by local residents during the statutory Pre-Application Consultation process.

Summary of Highways issues

Having regard to the above, it is considered that the proposed development would be served by safe access points for vehicles, pedestrians and cyclists, and sufficient parking. While existing congestion along Colcot Road is likely to be affected to a degree, it is considered that the impacts would not be so significant that they would warrant the refusal of an application which has significant education benefits.

Ecology

The application is accompanied by a Bat Activity Survey Report and a Bat Roost Survey Report. Building 2 (the right hand building in red on the plan below) has been confirmed as a non-maternity, summer roost for at least one common pipistrelle bat. No refurbishment is proposed to Building 2 and, therefore, there will be no direct impact to roosting bats within Building 2 as a consequence of the proposed development.



Building 6 (the left hand red building on the plan above) was confirmed as a non-maternity, summer roost for at least one lone roosting common pipistrelle bat. The report states that the bat is likely to have emerged from a feature either on the north-east corner of Building 6, from the soffit box along the eastern face of Building 6 or where the lower roof of Building 5 joins Building 6.

The exact emergence location point could not be identified due to the height of the building and angle of the roofline, however, the application states that there will not be any external roofing works or works to soffits on Building 6. Consequently, the roost will be retained, however, if works are completed between April and Mid October, when bats are active, there is the potential for roosting bats to be disturbed or injured by the proposed refurbishment works which include the construction of a mezzanine in building 6.

The application proposes an alternate roost location away from the temporary disturbance in order to mitigate against these impacts. One bat roost box is proposed in a tree in the broadleaved plantation woodland strip, north of Building 6, situated away from light spill, with clear flight paths towards corridors and foraging areas known to be used by bats.

As a competent authority under the Conservation of Habitats and Species Regulations 2010 ('habitat regulations'), the Local Planning Authority must have regard to the Habitats Directive's requirement to establish a system of strict protection and to the fact that derogations are allowed only where the three conditions under Article 16 of the EC Habitats Directive are met (the 'three tests') (TAN5, 6.3.6). The three tests are:

- Test i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- Test ii) There is no satisfactory alternative.
- Test iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

If the tests cannot be satisfied, then refusal of planning permission may be justified. A proportional approach can adapt the application of the tests, i.e. the severity of any of the tests will increase with the severity of the impact of derogation on a species / population.

In terms of Test 1, it is considered that the proposed development is in the public interest, due to the contribution it would make towards meeting local education need.

In terms of Test 2, there is considered to be no satisfactory alternative, given that the element of the proposal which may affect the bat would make the most efficient use of the existing educational building (as opposed to constructing a wholly new building to meet the same purpose)

In terms of Test 3, NRW have advised that having regard to the proposed mitigation measures, the development would not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

The application is also accompanied by a reptile survey, at the request of the Council's Ecologist. The reptile survey found a single slow worm and concludes that it is very likely a larger population is present on site. The slow-worm was found at the south-east boundary of the site, with residential gardens being in close proximity. This makes it likely that there is a continuous interchange/movement between the site and the surrounding properties.

The report states that prior to any development works occurring, an Ecological Method Statement (EMS) must be provided, to set out the various processes for protecting against harm to slow worms during the course of works, including a timetable for works. The Council's Ecologist has considered the survey and raises no objection, subject to a condition to require an Ecological Design Strategy to be submitted and approved, to include a method statement for conserving reptiles during and after construction, details of ecological enhancements, provision of dark, vegetated flight lines and gaps under fences.

On this basis, there is no ecological objection to the development and it is considered that the proposal satisfied the requirements of Policy MD9 of the LDP.

Open space and outdoor sports provision

The development, which involves a new sports hall, new and larger games court and a floodlit 3G pitch will improve the site's sporting capacity, particularly with the new floodlit 3G pitch allowing greater intensity of use (and community use). Sport Wales have received no objection on this basis.

While Sport Wales have raised concerns in respect of playing field provision, it is considered that overall sport/play space would be improved as a consequence of the development. It is noted that part of that provision would be on the 3G pitch and hard surfaced MUGA, however, this would still enable comprehensive outdoor use for pupils. The LEA have confirmed that alternative playing field provision can also be made available at other local schools, should the need arise.

Drainage

The site currently drains to a surface water outfall in the south west corner of the site and there is a further surface water at the eastern part of the site, to drain the car park and access road. Foul water is drained to a pumping station on the southern boundary with the primary school.

The submissions outline the proposed drainage principles and there is a preliminary drainage plan. The scheme proposes that all surface water runoff from previously undeveloped areas would be limited to greenfield runoff rates. Surface water drainage catchments have been identified at the bus drop off/pick up loop, the 3G sports pitch, the car park extension, the Multi Use Games Area, the DT unit are external dining area and from the other extensions (excluding the DT unit). New foul drainage sewers and a new pumping station are proposed to deal with increased foul sewerage demand.

The drainage proposals are to be subject to the Suds Approval Body (SAB) regulations and the Council's Drainage Engineer has noted this in the consultation response, however, no concerns are raised in principle with the drainage proposals. Dwr Cymru Welsh Water have similarly offered no objection in principle to the proposals and have requested a condition which requires the approved drainage scheme to be implemented prior to occupation of the development (and that thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system).

Part of the site is located in a Development Advice Map Zone B (known to have flooded in the past and Natural Resources Wales (NRW) maps indicate that there is a low - medium risk of surface water flooding to the site. Notwithstanding that, subject to the design of an appropriate surface water drainage scheme, there is no objection to the proposed development in respect of flood risk outside of the site and NRW have raised no objection to the development.

Subject to a condition to require the detailed scheme to be approved and subject to the approval of the development by the SAB, it is considered that the proposed development is acceptable in respect of drainage.

Other points of representation

While the representations in respect of synergies with the adjacent school site have been considered, ultimately the application must be treated on its own merit. The two proposals would make use of shared access facilities onto and from Port Road, and while there are no other significant synergies, this is principally a matter for the Local Education Authority (LEA) and does not render this proposal unacceptable. The queries in relation to costs are also matters for the LEA and are not considered to be matters which affect the planning merits of the application. Should there be a requirement for future expansion, that would have to be considered on its merits, or the LEA would need to consider the merits of alternative sites, if any such expansion could not be appropriately accommodated here. There are no protected trees at the site and the construction period is not likely to be significant, due to LEA requirements to deliver the development to meet imminent need.

REASON FOR RECOMMENDATION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

Having regard to Policies SP1 – Delivering the Strategy, MG6 – Provision of Educational Facilities, MG7 – Provision of Community Facilities, MG16 – Transport Proposals, MD2 - Design of New Development, MD5 - Development within Settlement Boundaries, MD7 - Environmental Protection and MD9 - Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, Planning Policy Wales (Edition 10, 2018) (PPW), Technical Advice Notes 11, 12, 16 and 18 and the Council's Supplementary Planning Guidance on Biodiversity and Development, Parking Standards, Sustainable Development - A Developer's Guide, Travel Plans and Trees, Woodlands, Hedgerows and Development, the proposed development is considered acceptable in terms of design, impact on residential amenity, highway safety, traffic, parking, drainage, play/sport space and ecology.

It is considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION

Deemed planning consent be GRANTED subject to the following condition(s):

1. The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

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

200 P4, 201 P4, 202 P4, 203 P4, 251 P5, 252 P5, 253 P6, 254 P6, 256 P5, 257 P2, 258 P2, 900 P17, 925 P2, 928 P2, 940 P1 and 630-3001 Rev T00.

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

3. Prior to their use, a schedule of materials (including samples) to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.

Reason:

To safeguard local visual amenities, as required by Policy MD2 (Design of New Development) of the Local Development Plan.

4. Notwithstanding the submitted plans, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of any element of the development hereby approved. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments of the Local Development Plan.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

6. Notwithstanding the submitted plans, the development shall not be brought into beneficial use until facilities for the secure storage of cycles have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and they shall be retained in perpetuity.

Reason:

To ensure that satisfactory parking for cycles is provided on site to serve the development, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

7. No part of the development hereby approved shall be brought into beneficial use (and no hard surfaces shall be laid- including the MUGA and 3G sports pitch) until a scheme of foul, land and surface water drainage has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details prior to the first beneficial use of the development and retained in perpetuity.

Reason:

To prevent hydraulic overloading of the public sewerage system, pollution of the environment and to protect the health and safety of existing residents and ensure no detriment to the environment and to comply with the terms of Policies MD2 of the Local Development Plan.

8. The 3G pitch shall only be open for use between the following hours:

08:00 until 22:00 on Mondays to Fridays
09:00 until 17:00 on Saturdays and Sundays

and the associated flood lights shall also only be operational within those hours.

Reason:

In the interests of residential amenity and to ensure compliance with Policies MD2 and MD7 of the LDP.

9. Prior to their first operational use, further details of the floodlights and measures to minimise light spill shall be submitted to and approved in

writing by the Local Planning Authority. The lights shall thereafter only be operated in accordance with the approved details.

Reason:

In the interests of residential amenity and to ensure compliance with Policies MD2 and MD7 of the LDP.

10. Prior to the laying of any new hard surfaces (including the 3G pitch) an Ecological Design Strategy to conserve and enhance biodiversity must be submitted to the Local Planning Authority and approved in writing. The scheme shall include, but not exclusively limited to:

- Method Statement for conserving reptiles during and after construction
- Ecological enhancements
- (Bat) provision of dark, vegetated flight lines,
- Gaps under fences.

The development shall thereafter be carried out in accordance with the strategy and any measures/recommendation in the strategy shall be implemented and retained at all times.

Reason:

In the interests of biodiversity and to ensure compliance with Policy MD9 of the LDP.

11. The development shall be carried out at all times in accordance with the Aecom Travel plan: March 2019.

Reason:

In the interests of sustainable travel and to ensure compliance with Policies MD2 and MD5 of the LDP.

12. Prior to the first beneficial use of the development hereby approved, the new parking and drop off areas shall be constructed and laid out in full, and they shall be retained at all times thereafter to serve the school.

Reason:

In the interests of highway safety and to ensure compliance with Policies SP1, MS2 and MD5 of the LDP.

13. Notwithstanding the submitted plans and prior to the first beneficial use of the development hereby approved, the following shall be submitted to and approved in writing by the Local Planning Authority:

1. Further details of pedestrian and cycle accesses into the school and the network of pedestrian and cycle routes/provision within the site.
2. Further details of parking areas, circulation spaces, turning areas and laybys, including signage to direct users as to their purpose.

The development shall thereafter be implemented in accordance with the approved plans/details, prior to the first beneficial use of the development.

Reason:

In the interests of highway safety, to ensure that the development site is adequately served by facilities to encourage a range of transport modes and to ensure compliance with Policies MD2 and MD5 of the LDP.

NOTE:

- 1. Warning: An European protected species (EPS) Licence is required for this development.**

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.