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Your ref: 2019/00690/FUL

23<sup>rd</sup> October 2019

Mr SD Butler  
Vale of Glamorgan Council  
Dock Office  
Barry Docks  
Barry  
CF63 4RT

Dear Mr Butler,

**RE: APPLICATION FOR PLANNING PERMISSION FOR CHANGE OF USE OF EXISTING BUILDING TO SCHOOL AT THE SPINNEY, TWYNCYN, DINAS POWYS, CF64 4AS**

I have given additional thought to the proposed change of use of an existing building at The Spinney, Twyncyn, Dinas Powys to a school (D1 use class) and would like to emphasise the fact that my client is committed to ceasing use of the site as a school at the end of the current school year, 17<sup>th</sup> July 2020.

Whilst an alternative site has not yet been secured, I can provide assurance that a search is ongoing – indeed, the process is part of the school curriculum and enables the pupils to have a greater amount of control over their school environment. The current proposal is a ‘stop-gap’ measure which provides a partial realisation of the principles of the Applicant’s Awen project, providing pupils with greater autonomy and control over their learning processes. This initial ‘test’ year will provide valuable information regarding the needs parameters for this type of school.

As outlined in the Planning Statement accompanying the application, the Applicant has already considered a number of sites for the next school year and beyond. These are:

- A former hotel on Cathedral Rd, Cardiff;
- A site that has previously been used for the provision of additional learning needs education in Barry;
- A former lawn bowls club and green in Cardiff;
- A farm with forest land in Cardiff; and
- A former hospital in Cardiff.

There is an urgency to commit to an alternative site because the pupil roll numbers will increase for the next school year as additional school years above and below the existing one will be incorporated into the system. The existing building is at capacity for current pupil numbers and so is self-limiting to a single year’s use. Under Estyn rules a school would not be able to operate at over-capacity.

Furthermore, you will be aware that the application has been accompanied by two legally binding documents:

- a Unilateral Undertaking relating to school operating procedures; and
- a car parking licence between the school owners and the Dinas Powys Bowling Club Ltd.

The Unilateral Undertaking states that:

*“The Owner covenants with the Council:*

*.....4. That the use of the Site for the purposes of the Development will cease by 17 July 2020.”*

In addition, Section 4 of the Car Parking Licence states at paragraph 4.1:

*“This Licence shall end on the earliest of:*

*(a) 31 July 2020; or*

*(b) the Licensor giving notice to the Licensee to terminate this Licence with immediate effect if the Licensee breaches any of the obligations contained in clause **Error! Reference source not found.**;...”*

In the absence of a parking area/drop-off site for the pupils, the school is unable to operate.

If planning permission for the temporary use of the site for a school is granted, it is anticipated that the use will be time limited and that this will be noted in one of the conditions, with a suggested text:

*“The use of the site for a school hereby approved and any paraphernalia associated with its educational use for those not residing at the premises shall be discontinued in its entirety and the site shall be restored to its former use on or before 30th July 2020.”*

It is within the Council’s powers to enforce against non-compliance with the terms of any approved planning permission.

I trust that the above provide adequate reassurance to both the Council and any neighbours who may have concerns about the prospect of use of the site as a school beyond the end of the 2019-2020 school year.

If you have any queries or concerns please address them to me in the first instance.

Yours sincerely,

Ieuan Williams