

**Version 9**

**DEVELOPMENT BY THE VALE OF GLAMORGAN COUNCIL**

Town and Country Planning Act 1990  
Planning and Compulsory Purchase Act 2004  
The Town and Country Planning (Development Management Procedure) (Wales)  
Order 2012  
Town and Country Planning General Regulations 1992  
(Regulation 3)

**DEEMED PLANNING CONSENT**

Agent:  
Mr Nathan Slater  
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CF63 4RT

Applicant:  
Jane O'Leary  
21st Century Schools Programme  
Manager  
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**Proposed replacement primary school including associated works at St. Davids Church Of Wales Primary School, Lane - Colwinston Village to Golygfa, Colwinston**

The Council in pursuance of its powers under the above mentioned Act and Regulations hereby **GRANTS DEEMED PLANNING CONSENT** for the carrying out of the proposed development as described above and in accordance with the plans registered by the Council on 17 August 2020 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 and documents:

- SDPS-STL-XX-ZZ-DR-A-XXXX-0001 Rev PL08
- SDPS-STL-XX-ZZ-DR-A-XXXX-0002 Rev PL08
- SDPS-STL-XX-ZZ-DR-A-XXXX-0201 Rev PL08
- SDPS-STL-XX-ZZ-DR-A-XXXX-0101 Rev PL08
- SDPS-STL-XX-ZZ-DR-A-XXXX-0102 Rev PL08

- SDPS-STL-XX-XX-DR-L-9001 Rev PL09
- SDPS-STL-XX-XX-DR-L-9002 Rev PL09
- SDPS-STL-XX-XX-DR-L-9003 Rev PL09
- SDPS-STL-XX-XX-DR-L-9004 Rev PL09
- SDPS-STL-XX-XX-DR-L-9401 Rev PL09
- SDPS-STL-XX-XX-DR-L-9402 Rev PL09
- SDPS-RVW-ZZ-00-DR-C-2000 Rev P1
- SDPS-RVW-ZZ-00-DR-C-1000 Rev P2
- SDPS-RVW-ZZ-00-DR-C-3000 Rev P2
- Aecom Preliminary Ecological Appraisal February 2020
- Aecom Bat Roost Survey Report dated 5th September 2019
- SDPS-MCO-V1-00-DR-E-9000 Rev T02
- Indicative footway and car park plan- received 20/8/20

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 in the development, samples of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and maintained in accordance with the approved details.

Reason:

To safeguard local visual amenities, as required by Policies SP1 and MD2 (Design of New Development) of the Local Development Plan.

2020/00742/1/CD

Details Approved 26/11/20- Vale of Glamorgan Council

Plan SDPS-STL-XX-ZZ-DR-A-0201 Rev PL15, where the approved brick is Fortera Clumber Red.

4. No development shall commence until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;

- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- viii) hours of construction;
- ix) lighting;
- x) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xii) how the developer proposes to accord with the Considerate Constructors Scheme ([www.considerateconstructorsscheme.org.uk](http://www.considerateconstructorsscheme.org.uk)) during the course of the construction of the development; and
- xiii) a system for the management of complaints from local residents which will incorporate a reporting system.

The construction of the development shall be undertaken in accordance with the approved CEMP.

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

**2020/00742/1/CD**

**Details Approved 12/10/20- Vale of Glamorgan Council  
ISG Construction Phase Plan Project SWW0055**

5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place until a scheme to deal with the contamination found has been submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

6. Any topsoil (natural or manufactured) or subsoil, and any aggregate (other than virgin quarry stone) or recycled aggregate to be imported (and any site won material including soils, aggregates, recycled materials) shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason:

To ensure that the safety of future occupiers is not prejudiced and to ensure compliance with Policies MD1 and MD7 of the LDP.

**2020/00742/3/CD**

**Details approved 4/8/21- Vale of Glamorgan Council**

**Tim O'Hare Soil Analysis Report (Rain Gardens)**

**Technical Data sheet for soil - Bourne Amenity**

7. The drainage scheme for the site shall ensure that surface water and land drainage run-off shall not discharge, either directly or indirectly, into the public sewerage system.

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 SP1 (Delivering the Strategy) and MD7 of the LDP.

8. The development shall at all times be carried out in accordance with the recommendations contained within the Aecom Preliminary Ecology Appraisal February 2020.

Reason:

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

9. The development shall at all times be carried out in accordance with the recommendations contained within the Aecom Bat Roost Survey Report dated 5th September 2019.

Reason:

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

10. Prior to their use in the development, samples of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and maintained in accordance with the approved details.

Reason:

To safeguard local visual amenities, as required by Policies SP1 and MD2 (Design of New Development) of the Local Development Plan.

**2020/00742/1/CD**

**Details Approved 26/11/20- Vale of Glamorgan Council**

**Plan SDPS-STL-XX-ZZ-DR-A-0201 Rev PL15, where the approved brick is Fortera Clumber Red.**

11. The landscaping scheme shown on plan SDPS-STL-XX-XX-DR-L-9002 POL11 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 and MD2 of the Local Development Plan.

12. Prior to commencement of the development hereby approved and notwithstanding the submitted plans, further details of the parking layout to include a minimum of 1:1 car parking for teaching staff, cycle store and traffic management plans shall be submitted to and approved in writing by the Local Planning Authority, to include full details of road markings within the site, signage, and a tracking plan for all vehicles that would need to access the site. The spaces and cycle store shall be provided prior to the first beneficial use of the school and shall be so retained at all times thereafter.

Reason:

In the interests of ensuring adequate parking to serve the development, and to ensure compliance with policy MD2 (Design of New Developments) of the Local Development Plan.

**2020/00742/1/CD**

**Details approved 12/10/20- Vale of Glamorgan Council**

**Aecom Traffic Management Plan Project number: 60607805**

**September 2020 and plans 60607805-1.6-005B, 60607805-1.6-004B and SDPS-STL-XX-XX-DR-L-9001 P14**

13. Prior to the first beneficial use of the development hereby approved, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, which shall include a package of measures tailored to the needs of the site and its future users, which aims to widen travel choices by all modes of transport, encourage sustainable transport and cut unnecessary car use. The Travel Plan shall thereafter be completed/implemented in accordance with the approved details.

Reason:

To ensure the development accords with sustainability principles and that site is accessible by a range of modes of transport in accordance with Policies SP1 (Delivering the Strategy), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

**2020/00742/4/CD**

**Details Approved 21/10/21- Vale of Glamorgan Council**

**Aecom Travel plan October 2021**

14. Prior to the school being occupied with more than 140 pupils, the following shall be provided/carried out:

- a footway in the area of verge along the western side of the highway that runs adjacent to the application site, to provide a pedestrian link to the car park that lies adjacent to the village hall,
- a crossing point from the new footway to the eastern side of the road.

- the laying out/demarcation of a formalised parking area (with lines to delineate parking bays) in the area adjacent to the village hall.

These works shall be carried out in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority (and those details shall be generally reflective of the indicative layout submitted on 20/8/20).

Reason:

In the interests of pedestrian/highway safety and to ensure compliance with Policies SP1 and MD2 of the LDP.

**2020/00742/5/CD**

**Details approved 6/8/21- Vale of Glamorgan Council**

**Drawing 002- Setting Out Plan**

**Drawing 000- Scheme Extents**

**Drawing 001- General Arrangement**

**Drawing 501- Drainage Details**

15. Notwithstanding the submitted plans, all means of enclosure associated with the development hereby approved shall be completed in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. The means of enclosure shall be completed in accordance with the approved details prior to the first beneficial use of the development.

Reason:

To safeguard local visual amenities, and to ensure compliance with Policies SP1 and MD2 of the Local Development Plan.

**2020/00742/2/CD**

**Details approved 2/2/21- Vale of Glamorgan Council**

**Barkers fencing plan- received 2/2/21**

**Barkers Fencing TwinGuard SL1 information sheet**

**Plan SDPS-STL-XX-XX-DR-L-9003 Rev P38 (noting fence will be green not black as stated on that plan)**

Reason for Granting Planning Permission

Having regard to Policies SP1, SP7, SP10, MG6, MD2, MD5, MD7, MD8 and MD9 of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, PPW 10, TANs 11, 12, 16 and 18 and the Council's SPG on Biodiversity and Development, Parking Standards, Sustainable Development - A Developer's Guide and Travel Plans, the proposed development is considered acceptable in principle, and in respect of design, residential amenity, highway safety, parking, ecology and drainage.

**NOTE:**

- 1. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)**

**The applicant is also advised that some public sewers and lateral drains may not be recorded on DCWW maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011.**

**The presence of such assets may affect the proposal. In order to assist DCWW in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.**

- 2. New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.**

**Further information of the SAB process can be found at our website or by contacting our SAB team: [sab@valeofglamorgan.gov.uk](mailto:sab@valeofglamorgan.gov.uk)**

- 3. 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.**

Dated: 3 September 2020

**M. J. Goldsworthy**

Head of Regeneration and Planning