

## APPENDUM TO PAC REPORT

The outline planning application for the construction of the new Ysgol y Deri school was submitted following a comprehensive pre-application process in accordance with the TCP (DMP) Order Wales 2016.

The application was submitted with 'landscape' and 'appearance' being the only aspects that were proposed to be determined through a future submission of reserved matters. The original submission, however, included full details of proposed elevations and landscape plans, and further information has also been submitted during the planning determination process to address other issues which have been raised.

It is therefore considered prudent to replace the proposed outline planning application forms with application forms for the full permission to accord with the level of information that now comprises the application.

There is no significant change to the scheme in this replacement application, compared to the current position of the outline application. The replacement application will, of course, also be subject to a fresh formal consultation process.

It is considered then that the existing PAC report should continue to accompany the updated application as the development proposals remain in compliance with the consulted scheme, the issues that were raised in that PAC have been addressed, or are being addressed through the on-going planning process, and the scheme will now be subject to formal consultation again.

**September 2022**

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# PRE-APPLICATION CONSULTATION REPORT FOR A NEW SPECIALISED SCHOOL ON LAND AT LOWER COSMESTON FARM, LAVERNOCK

MAY 2021



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**APPLICANT:** *21<sup>st</sup> Century Schools Team, Vale of Glamorgan Council*

**LOCATION:** *Land at Lower Cosmeston Farm, Lavernock*

**PROPOSAL:** *New Specialised School and associated works.*

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## 1. INTRODUCTION

- 1.1. The Vale of Glamorgan Council's Planning Policy Department has been instructed by the 21<sup>st</sup> Century Schools Team (referred to as the applicant) to undertake a pre-application consultation in preparation for the submission of an outline planning permission application for a new Specialised Primary School known as an Additional Learning Needs (ALN) School. The proposal comprises a 2-storey school building with associated works to accommodate playing fields, car parking, and on-site traffic.
- 1.2. The 21<sup>st</sup> Century Schools Programme is a long-term strategic investment in educational estate throughout Wales and is a unique collaboration between Welsh Government, the Welsh Local Government Association (WLGA), local authorities, colleges, and diocesan authorities.
- 1.3. Article 1 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2016 as amended (DMPWO) requires all planning applications for major development to undertake a statutory pre-application consultation and subsequently submit a pre-application consultation report (PAC) as part of a future planning application.
- 1.4. The PAC has been undertaken during the Covid-19 pandemic while lockdown measures have been enforced by Welsh Government. In response to these measures Welsh Government released emergency legislation which amended the DMPWO at midnight on the 19<sup>th</sup> May 2020 which changed certain aspects of the PAC process to account for the lockdown measures and ensure the consultation is effective. Originally the emergency changes made to the DMPWO were due to be removed in September 2020, but this was extended to January 2021. However, lockdown restrictions were anticipated to continue beyond January 2021, therefore, on the 17<sup>th</sup> December 2020 Welsh Government confirmed in a letter to developers that the emergency amendments made to the DMPWO would continue to October 2021. Consequently, the PAC held for the proposed development has been undertaken in accordance with the amended DMPWO.

## 2. LEGISLATIVE AND POLICY CONTEXT

### 2.1. RELEVANT LEGISLATION

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#### THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) (AMENDMENT) ORDER 2016 (DMPWO)

2.1.1. The DMPWO places a requirement on developers to undertake a public consultation before applying for planning permission. This is known as a pre-application consultation. This form of consultation only applies to major development which is defined under Part 2 - Interpretation of the DMPWO. In regards to education proposals, major development is defined as “(d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or (e) development carried out on a site having an area of 1 hectare or more” (DMPWO, Part 2 (c), 2012).

2.1.2. The DMPWO outlines the legislative requirements that developers must undertake as part of a pre-application consultation. These include:

- Making draft planning application documents available to view
- Notifying the relevant consultees of the consultation
- Providing a 28-day consultation period and;
- Reporting how the pre-application consultation was undertaken and how people’s views were considered in a Pre-application Consultation Report submitted as part of the planning application.

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#### THE PLANNING APPLICATIONS (TEMPORARY MODIFICATIONS AND DISAPPLICATION) (WALES) (CORONAVIRUS) ORDER 2020

2.1.3. The Planning Applications (Temporary Modifications and Disapplication) (Wales) (Coronavirus) Order 2020 (“the Amendment Order”) has been made to enable the pre-application consultation process to take place and the subsequent submission of planning applications for major development. The Amendment Order makes changes to the PAC process outlined in the DMPWO.

2.1.4. The requirement to make information available for inspection at a location in the vicinity of the proposed development is removed for a temporary period. Developers must instead host all information online, with the web address clearly visible on the site notice (and on all direct neighbour notification letters if different from the site notice). The Amendment Order also requires developers to provide a contact telephone number. This will enable those without internet access to discuss the proposed development directly and request a hard copy of the documents to be sent to them. If hard copies are requested, an application must not be submitted before the period of 14 days beginning with the day on which the last document is sent.

## 2.2. NATIONAL POLICY

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### FUTURE WALES: THE NATIONAL PLAN 2040

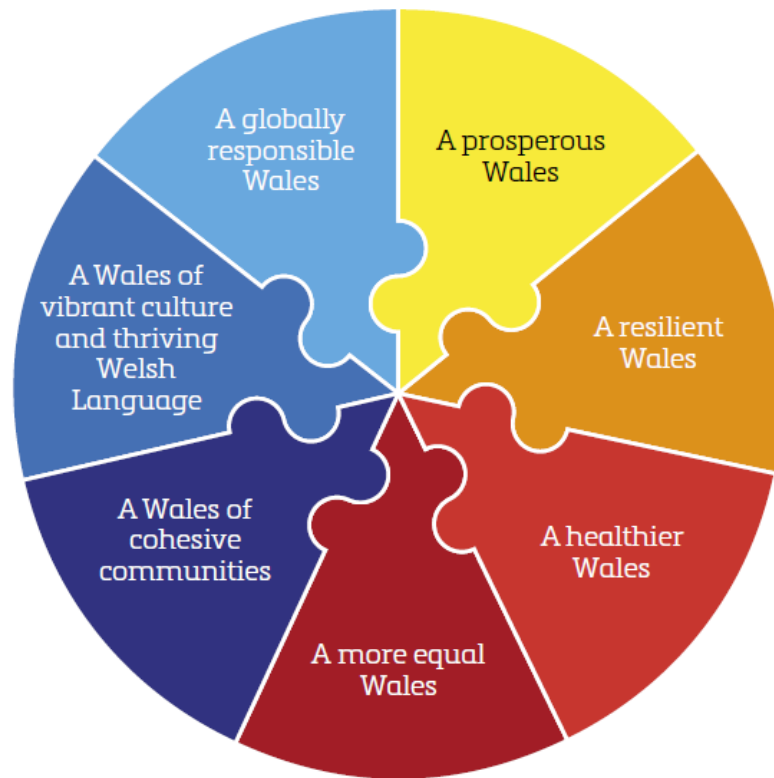
- 2.2.1. The Future Wales – National Plan 2040 document is the national development framework for Wales, setting out the direction of development for the country until 2040. The Future Wales Plan is the highest tier of development plan and is focused on solutions to issues and challenges at a national scale. Strategic and Local Development Plans are required to be in conformity with Future Wales and must be kept up to date to ensure they work together effectively. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole. Future Wales replaces the Wales Spatial Plan.
- 2.2.2. Future Wales sets out a series of strategic national policies to direct development in Wales in accordance with the Well-being of Future Generations Act (WBFGA). However, Future Wales does not seek to take decisions that are most appropriately taken at the regional or local level. It provides strategic direction for all scales of planning and sets out policies and key issues to be taken forward at the regional scale. It does not seek to identify the exact location for new development or the scale of growth in individual settlements. The regional and local tiers are the most appropriate level at which to take these decisions, involving communities as they do so.
- 2.2.3. There is no strategic policy on consultation. However, Future Wales promotes the 5 ways of working which includes (long-term thinking, prevention, collaboration, integration, and involvement). These principles have been incorporated into the PAC process.

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### PLANNING POLICY WALES (PPW) EDITION 11 (2021) AND WELL-BEING AND FUTURE GENERATIONS ACT (WBFGA)

- 2.2.4. PPW has been produced in accordance with the WBFGA (2015) which promotes sustainable development using the sustainable development principle which “means that a body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.” (PPW, p.7, 2021). To ensure the sustainable development principle is met the WBFGA has established 7 well-being goals (figure 1 refers). In order to demonstrate that appropriate consideration has been given to the Well-being goals and the sustainable development principle in the decision-making process the WBFGA sets out the five ways of working which require consideration of “involvement; collaboration; integration; prevention; and long-term factors.” (PPW, para.1.14, 2021).

Figure 1: The Well-being and Future Generation Goals (Source: Welsh Government)



- 2.2.5. In order to achieve the goals of the WBFGA and ensure development follows the sustainable development principle PPW promotes a ‘placemaking’ approach to the planning system which is “a holistic approach to the planning and design of development and spaces, focused on positive outcomes. It draws upon an area’s potential to create high quality development and public spaces that promote people’s prosperity, health, happiness, and well-being in the widest sense.” (PPW, p.14, 2021)
- 2.2.6. Paragraph 3.4 of PPW details the importance of early engagement within the development process stating “For those proposing new development, early engagement can help to secure public acceptance of new development. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales. These objectives can be categorised into five key aspects of good design” (PPW, para.3.4, 2021). Figure 2 outlines the components of good design as detailed in PPW:



Figure 2: Objectives of Good Design (Source: Welsh Government)



2.2.7. Specifically, in relation to pre-application consultations the Welsh Government has produced further guidance known as 'Pre-application Community Consultation: Best Practice Guidance for Developers' (2017). This document provides information to help developers achieve the most from the pre-application consultation process which not only meets the statutory requirements of legislation but suggests ways in which developers can go beyond the minimum requirements to ensure the consultation is not treated as a tick box exercise. The document concludes; "Engagement is a two-way process, by introducing the statutory pre-application consultation requirements under the Act, the Welsh Government encourages developers and communities to work together to create successful developments across Wales... there are a number of challenges and opportunities to achieving successful consultation and engagement. By delivering best practice consultation strategies will enable the community to take part in the process, assist in overcoming planning issues and improve planning successes." (Section 4.1, 2017)

### 2.3. LOCAL POLICY

2.3.1. In regards to local planning guidance on how developers should consult as part of the PAC process, the Vale of Glamorgan Council has an approved Community Involvement Scheme which sets out the Council's approach to engagement taken during the plan making process in relation to the Local Development Plan. This scheme does not go as far as advising on the approach to be taken in respect of individual planning applications or the PAC process.

2.3.2. However, the Vale of Glamorgan Council has produced a Well-being Plan 2018-2023 which sets out the specific well-being objectives for the authority which include “to enable people to get involved, participate in their local communities and shape local services” (VoG, p.5, 2018). To deliver upon this objective the Council has adopted the National Principles for Public Engagement in Wales which are:

1. Engagement is effectively designed to make a difference;
2. Encourage and enable everyone affected to be involved, if they so choose;
3. Engagement is planned and delivered in a timely and appropriate way;
4. Work with relevant partner organisations;
5. The information provided will be jargon free, appropriate, and understandable;
6. Make it easier for people to take part;
7. Enable people to take part effectively;
8. Engagement is given the right resources and support to be effective;
9. People are told the impact of their contribution;
10. Learn and share lessons to improve the process of engagement.

2.3.3. Although these principles are not specific to the planning process it is considered to represent best practice. Furthermore, as the applicant for the proposal is part of the Vale of Glamorgan Council these principles should be at the heart of the consultation strategy forming the PAC.

## 2.4. PRE-APPLICATION CONSULTATION REQUIREMENTS

2.4.1. The DMPWO places certain key requirements on developers when undertaking consultations. These include:

- Display a site notice in at least one place on or near the land to which the proposed application relates for a period of no less than 28 days prior to submitting a planning application;
- Write to any owner or occupier of any land adjoining the application site notifying them of the proposed development;
- Make the draft planning application publicly available. This must include all information that would be required to be submitted as part of a formal planning application and any information that would be needed to comply with local validation requirements;
- Consult community and specialist consultees. Community consultees comprise each town or community council in whose area the proposed development would be situated and each local member representing an electoral ward in which the proposal would be situated. Specialist consultees comprise the list of consultees set out in Schedule 4 of the DMPWO;
- Consider if an Environmental Impact Assessment (EIA) is required for the project;

- Submit a pre-application consultation report (PAC) as part of the planning application containing the information set out in Article 2F Paragraph 2 of the DMPWO.

### 3. CONSULTATION STRATEGY

#### 3.1. SITE NOTICE

3.1.1. In accordance with the requirements of the DMPWO and the Amendment Order schedule 1D a bi-lingual (English and Welsh) site notice was displayed at three locations in close proximity to the application site on the 4<sup>th</sup> January 2021. Figure 3 identifies the location of the notices in relation to the application site and Figure 4 provides photographic evidence of the notices being displayed. A copy of the site notice is included at Appendix 1 which contains a description of the proposal, reference to the land the proposal relates to, and how to access further information relating to the proposal in compliance with Schedule 1B Articles 2C and 2D of the DMPWO (as changed by the Amendment Order) in both English and Welsh.

Figure 3: Site Notice Location

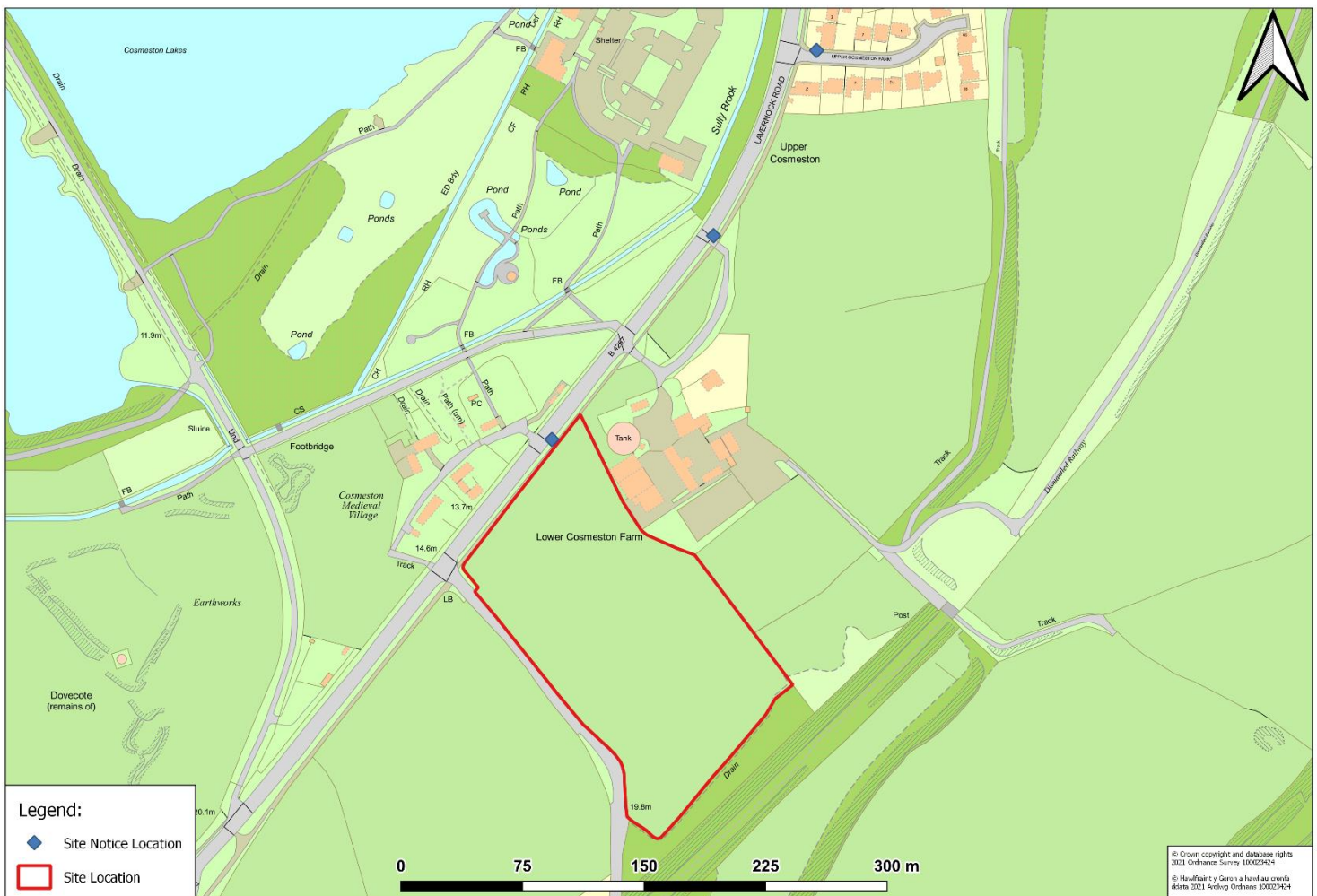
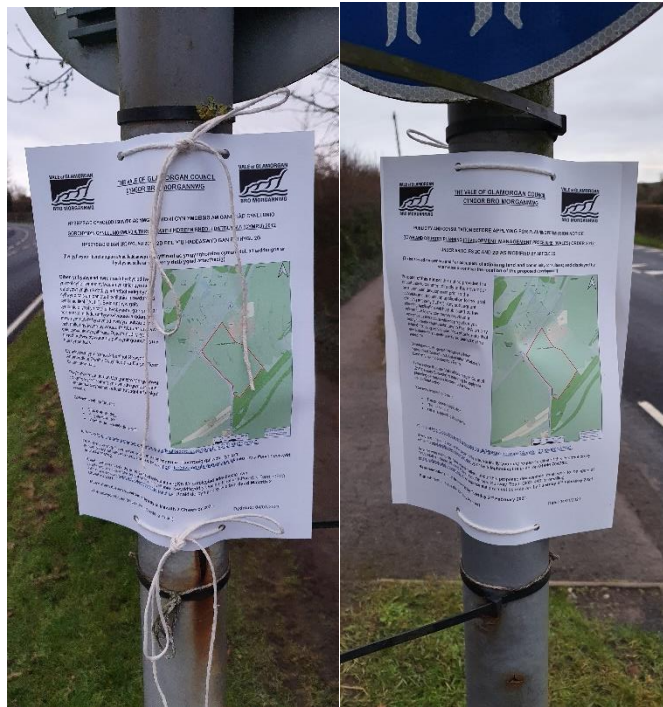
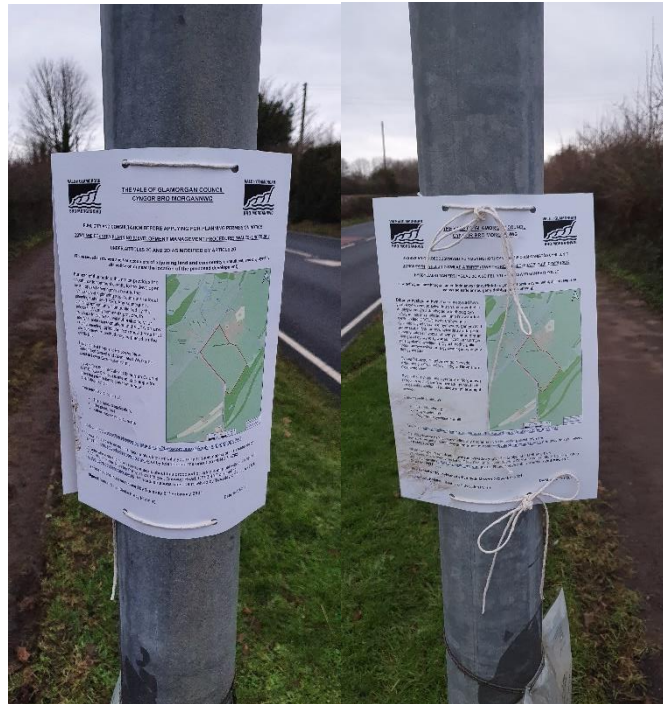
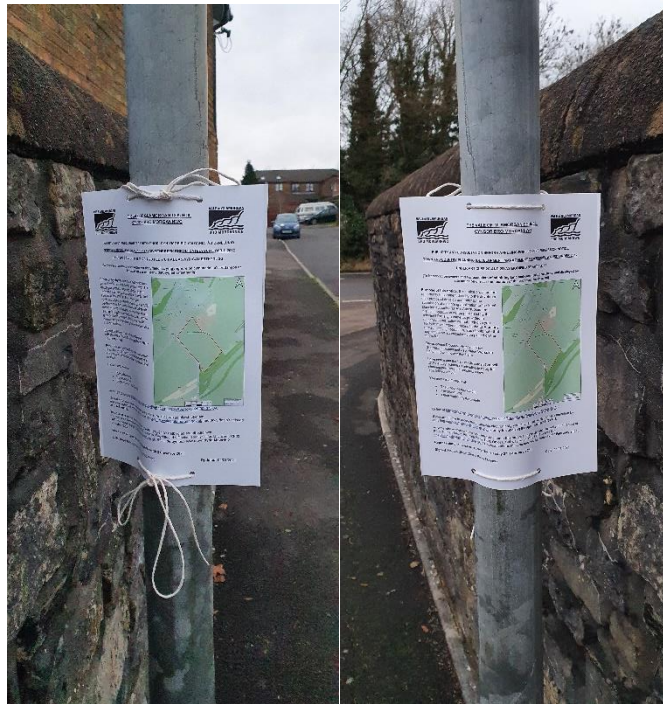


Figure 4: Displayed Site Notices







- 3.1.2. In accordance with the statutory requirements laid down in the DMPWO, the site notices were displayed for the 28-day consultation period. However, it is acknowledged the site notices could have been removed without the developer's knowledge, but sufficient measures were taken through the use of multiple site notices displayed to ensure one set of site notices were maintained for the full 28-day period. A copy of both the English and Welsh site notices are included at Appendix 1.

### 3.2. NOTICE TO OWNERS / OCCUPIERS

- 3.2.1. Bi-lingual notices addressed to owners / occupiers of neighbouring properties were delivered by mail carrier on behalf of the Policy Team. The consultation included 181 properties which are situated on the vicinity of the proposed development site. A full list of the properties which received a written notice is available from the Local Planning Authority upon request. The written notices were sent on the 31<sup>st</sup> December 2020 aiming to be delivered to recipients on the 4<sup>th</sup> January 2021.
- 3.2.2. A copy of the written letter giving notice of the PAC can be viewed at Appendix 2 of this Report. The notice identified the 2<sup>nd</sup> February 2021 as the closing date of the consultation, allowing for a minimum of 28-days for representations to be made. The plans and supporting information required for the consultation was made publicly available on the Vale of Glamorgan Council's Planning Register webpage. Hardcopies could be requested by telephone to be delivered by mail carrier.
- 3.2.3. The scope of neighbouring properties to be directly consulted was based upon those properties which would be closest to the potential development and therefore likely to be most impacted by the proposal. This went beyond the minimum requirements of the regulations which only requires adjoining landowners and properties.

### 3.3. NOTICE TO COMMUNITY CONSULTEES

3.3.1. Under the provision of Schedule 1B Articles 2C and 2D of the DMPWO (as changed by the Amendment Order), a bi-lingual notice was served on the following community consultees via email on the 4<sup>th</sup> January 2021:

- Councillor Kevin Mahoney (Elected member for Sully ward)
- Councillor Bob Penrose (Elected member for Sully ward)
- Councillor Ben Gray (Elected member for Plymouth ward)
- Councillor Kathryn McCaffer (Elected member for Plymouth ward)
- Sully and Lavernock Community Council
- Penarth Town Council

3.3.2. The notice identified the 2<sup>nd</sup> February 2021 as the consultation end date allowing a minimum of 28 days for representations to be made. A copy of the notice can be viewed at Appendix 3 of this report.

#### 3.4. NOTICE TO SPECIALIST CONSULTTEES

3.4.1. The bi-lingual notice for specialist consultees was completed under the provision of Schedule 1C Article 2D of the DMPWO in accordance with Schedule 4. A copy of the notice can be viewed at Appendix 3 of this report. The notice was served via email on the 4<sup>th</sup> January 2021 and stated that the closing date of the consultation was the 2<sup>nd</sup> February 2021 allowing for the minimum consultation period of 28 days for representations to be received. The following bodies were consulted as specialist consultees:

- Natural Resources Wales (NRW)
- Cadw
- Dwr Cymru Welsh Water Developer Services
- Vale of Glamorgan Highway Development
- Vale of Glamorgan Planning Department

#### 3.5. ADDITIONAL CONSULTTEES

3.5.1. Beyond the requirements of the DMPWO, additional consultees were also identified who would likely be interested in the proposal to ensure the consultation was effective. Notice was served via email on the 4<sup>th</sup> January 2021 and identified the 2<sup>nd</sup> February 2021 as the consultation end date allowing a minimum of 28 days for representations to be made. A copy of the letter can be viewed under Appendix 3. Those consulted included:

- Vale of Glamorgan Ecology Officer
- Sports Wales
- Glamorgan and Gwent Archaeological Trust (GGAT)
- Vale of Glamorgan Cabinet Member for Education and Regeneration - Councillor Lis Burnett
- Shared Regulatory Services (SRS): Environment Team

#### 3.6. PUBLICATION OF INFORMATION

3.6.1. The plans and supporting information listed in Table 2 were made available to view on the Council's Planning Register webpage (<http://vagonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2020/00007/PAC> refers) and physical copies could be requested to view as required during the consultation period.

**Table 1: List of Available Plans and Supporting Information**

Draft Planning Application	Planning, Design and Access Statement
Site Location Plan	Existing Site Layout
Proposed Site Layout	Proposed Elevations
Proposed Floor Plans	Proposed Roof Plan
Proposed Boundary Treatment Plan	Proposed Hard landscape & External Furniture Plan
Proposed Soft Landscape Plan	Topographical Survey
Archaeological Statement	Transport Assessment
Preliminary Ecology Appraisal Report	Topographical Survey
Bat Report	Flood Consequence Assessment and Drainage Strategy
Site Notice	Pre-Application Consultation Form

- 3.6.2. Representations could be made directly using the online form or by downloading a consultation form from the webpage and either emailing the response to [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk) or by post to Planning Policy, Dock Offices, Subway Road, Barry, CF63 4RT. Hard copies of the consultation form were available upon request by calling the Planning Policy department.

### 3.7. PUBLIC ENGAGEMENT EVENT

- 3.7.1. The PAC did not include an engagement event. It should be noted that holding a public engagement event is not a statutory requirement of the PAC process, but it does help to support the proposed development and help inform interested parties within the vicinity of the proposal. Unfortunately, this type of public event could not be held due to Welsh Government advice to stop any non-essential large meetings or gatherings in response to the ongoing Covid-19 outbreak and the lockdown measures set out for Wales. However, the consultation included telephone and email contact details for interested parties to get in contact with the agent if they had any queries or required further information. Additionally, hard copies of plans and supporting information were available to be delivered to local residents upon request to ensure interested parties were able to view the information if there were issues accessing the online resources.



## 4. CONSULTATION RESPONSES

- 4.1.1. This section details the pre-application responses received from the specialist and additional consultees and outlines how these responses have been considered and whether any amendments to the proposal are considered necessary.

### 4.2. SPECIALIST CONSULTTEES

- 4.2.1. Out of the five specialist consultees contacted (listed under section 3.4), 4 responses were received. There were from Dwr Cymru Welsh Water, Cadw, NRW and the Local Highway Authority. The representations received from the consultees have been summarised below with a response to any issues raised and an explanation on how this has been considered in the design of the proposal. The full representations received from the specialist consultee can be viewed at Appendix 4.

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#### DWR CYMRU WELSH WATER (DCWW)

- 4.2.2. A response was received from DCWW on the 21<sup>st</sup> January 2021. The representation did not object to the draft application stating, "Having reviewed the details submitted I would advise there is **no objection** to the proposed development".
- 4.2.3. Although DCWW did not raise an objection to the proposed development the representation offered standing advice which should be considered as part of a future planning application. The representation highlighted that the development site is crossed "by a large diameter strategic public sewer (4000 x 3880mm) with the approximate position being marked on the attached Statutory Public Sewer Record." The exact position of the asset will need to be accurately located and marked out before works commence on site, once accurately located no operational development shall be carried out within 10m either side of the centreline of the asset. The applicant will ensure the asset is accurately located and include a 10m buffer either side of the asset to ensure no operational development is undertaken in close proximity of the asset. The proposed site layout has been orientated to avoid the asset and the 10m buffer which has been identified on the relevant proposed plans.
- 4.2.4. In regard to sewerage, DCWW stated that "The foul flows only from the proposed development can be accommodated within the public sewerage system. Should a planning application be submitted for this development we will seek to control points of communication via appropriate planning conditions and therefore recommend that any drainage layout or strategy submitted as part of your application takes this into account." In response to this request the applicant will maintain contact with DCWW throughout the planning process to ensure the proposed development is brought forward alongside the reinforcement works.
- 4.2.5. Regarding sewerage treatment DCWW have confirmed "No problems are envisaged with the Wastewater Treatment Works for the treatment of domestic discharges from this site". In relation to connecting a water supply to the proposal DCWW state "A water supply can be made available to service this proposed development". Consequently, no further action is considered necessary concerning sewerage treatment and water supply connection at this stage.
- 4.2.6. The proposed development is for outline planning permission, therefore as no issues have been raised by DCWW which would affect the principle of the development no

amendments are proposed at this stage. Following a positive determination of an outline consent the proposed drainage strategy will be submitted to support a reserved matters application.

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#### CADW

4.2.7. A response was received from Cadw on the 19<sup>th</sup> January 2021. The comments received identified the following historical assets within a 3km buffer of the development site:

**Scheduled Monuments**

- GM035 Sully Island, "Danish" Fort
- GM378 Middleton Moated Site
- GM448 Anti-aircraft and Coastal Battery West of Lavernock Point
- GM535 Cogan Deserted Medieval Village
- GM619 St Mary's Well Bay Pillbox

**Registered parks and Gardens**

- PGW (Gm) 35(GLA) Penarth: Italian Gardens (grade II)
- PGW (Gm) 36(GLA) Penarth, Windsor Gardens (grade II)
- PGW (Gm) 37(GLA) Penarth, Alexandra Park (grade II\*)

4.2.8. However, Cadw acknowledges "Intervening topography, buildings and vegetation mean it is unlikely that the proposal will be inter-visible with the scheduled monuments or the registered park and gardens. It is unlikely that there will be any effect on the settings of the scheduled monuments or the registered park and gardens. We therefore have no comments to make."

4.2.9. Consequently, the proposal has not been amended in light of Cadw's comments which did not raise any concerns.

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#### NATURAL RESOURCES WALES (NRW)

4.2.10. A response was received from NRW on 2<sup>nd</sup> February 2021. The comments submitted by NRW raised concerns with the proposed development but recommended these could be addressed via conditions. If the proposed conditions are not incorporated into a positive determination of the Outline permission NRW would raise an objection to the proposal.

4.2.11. The following conditions are proposed by NRW to be attached to a recommendation for approval:

"Condition: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Justification: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks. A site investigation may not uncover all instances of contamination and this condition ensures that contamination encountered during the development phase is dealt with appropriately"

And

“Condition: No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Resource Management: details of fuel and chemical storage and containment and wastewater.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.”

4.2.12. Additionally, NRW also noted the material submitted to demonstrate the proposal would not be detrimental to the maintenance of the favourable conservation status of European Protected Species. Consequently, NRW have advised the following “We advise the site is subject to assessment to determine the likelihood of protected species being present in the area and likely to be affected by the proposals. Targeted species surveys should be undertaken for all species scoped in and:

- i. be undertaken by qualified, experienced, and where necessary, licensed ecologist; and
- ii. comply with current best practice guidelines.

In the event that the surveys deviate from published guidance, or there are good reasons for deviation, full justification for this should be included within the Ecological Impact Assessment (EclA).”

4.2.13. The response from NRW also identifies key areas an EclA should cover which includes; considering dormice, translocating any required hedgerow removal, additional surveys for bats where tree felling is required, and principles of a lighting strategy. Furthermore, should protected species be found during the surveys, information must be provided identifying specific impacts in the short, medium, and long term together with any mitigation and compensation measures proposed to offset the impacts identified.

4.2.14. Based on the comments submitted by NRW, the applicant has commissioned a full Preliminary Ecological Assessment (PEA) which will identify the site-specific ecological value of the site and the impacts of the proposed development. Any impacts identified would be supported by appropriate mitigation and compensation measures. The PEA will take account of the comments submitted by NRW and will be submitted as part of a formal planning application. Additionally, the Extended Phase 1 Habitat Assessment, by

WSP, dated 2016 which has been submitted with the outline application for the adjacent site 2020/01170/OUT, will be used to help inform this proposal.

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#### LOCAL HIGHWAY AUTHORITY (LHA)

4.2.15. A response from the LHA was received on 2<sup>nd</sup> February 2021. The comments submitted did not object to the proposal but did highlight concerns with the proposal which should be addressed. The concerns raised related to the following:

- Vehicular Access – The proposed development sought to create an access from the development site on to Lavernock Road. The LHA advised given the number of accesses along Lavernock Road, it is a requirement that the school be accessed off Fort Road. The speed limit on Fort Rd would need to be amended to limit speed to 30mph from the Fort Road / Lavernock Road junction to the new school access on Fort Road. The new access on Fort Road must allow for vehicular stacking along Fort Road. The Transport Assessment (TA) shall assess whether a 15m coach and 1.2m refuse vehicle can access the site by including a swept path analysis.
- Parking – The level of pick-up and drop-off provision is supported; however, the layout needs to be amended to allow safe parking of vehicles and to maintain free flow of traffic. The pick-up and drop off area should be provided as close to the school entrance as possible and kept separate from the staff parking area. No bus/coach parking has been provided on site and this is required. Additionally, clarification is required on the ancillary staff and their occupations due to the nature of ALN schools which require large amounts of support staff and classroom assistants on a full-time basis. A level of parking closer to the FTE amount might be more suitable. Increased disabled parking bays should be provided to reflect the nature of the school. The commercial space should be provided separate to the minibus parking bays as there is enough space on the site to provide separate provision for each parking type.
- Traffic Data - It is advised that additional traffic survey data is provided, and any surveys undertaken in the area should be sought as most recent as possible for us to make a determination on whether the data can be used. The afternoon time which starts at 15:30 is not considered accurate in determining school traffic data as often the peak school time begins earlier than this.
- Active Travel – The proposal should provide a 3.5m shared cycleway/footway for the site frontage which will link up to the existing route to the North and provide a controlled crossing across Lavernock Road. The development must provide a connection to the active travel route from the site entrance to improve connectivity through the village, promote the use of sustainable transport for the YYD School, allow better implementation of the Travel Plan and enable safe walking routes from the YYD School to the surrounding area.
- Other Comments - Provide visibility splays on a drawing for the proposed new access, ensure active travel route is illuminated, look at any TRO's required for Fort Road or Lavernock Road in conjunction with our Traffic Management Section, provide Travel Plan as early as possible for review.

- 4.2.16. In response to the concerns raised by the LHA the applicant has amended the proposal and created a new vehicle access onto Fort Road which has been included within an amended TA. In relation to the swept path analysis, it is considered this can be addressed at a reserved matters stage, the proposal is for an outline consent seeking confirmation that the principle of the proposal is considered acceptable. Therefore, the internal road layout is considered indicative at this stage and demonstrates that the proposal could provide sufficient capacity to support the development. Therefore, given that this is an outline planning application the TA has been adjusted to reflect that the layout is indicative, and more detail will follow at the appropriate reserved matters stage.
- 4.2.17. In relation to concerns raised on parking provision, the proposed layout has been amended and now indicatively includes provision for 70 spaces. Of these, four spaces (6%) are designated for disabled users. The total level of provision exceeds the maximum standard by four spaces. This is considered reasonable given there will likely be a higher than average visitor demand, from ALN professional services, associated with requirements of pupils of this education type. This represents an increase in the level of provision from what was presented in the PAC submission of four spaces. In its PAC response, the LHA suggested that a higher level of provision may be required given staffing levels. The applicant has endeavoured to accommodate a higher level of provision that achieves a suitable balance for accommodating vehicle travel, ensuring this is not excessive so as not to undermine objectives relating to the promotion of sustainable travel. The level of provision will be confirmed at the reserved matters stage. A commercial space is also provided, accessed via the drop-off / pick-up area. The fundamental issue is that the masterplan, at present, is a matter for reserved detail. The application seeks to demonstrate at this outline stage that the school and its parking and circulation areas can be accommodated within the site. There will be further detailed updates to the masterplan and associated demonstration of safe, adequate, and appropriate parking and circulation as part of a future detailed planning application.
- 4.2.18. In response to the LHA's concerns regarding the traffic data used in the TA, the traffic data was taken from publicly available information within the TA submitted for the neighbouring 'Land at Upper Cosmeston Farm', and therefore is not derived from surveys commissioned as part of this scheme. The traffic surveys were the subject of scoping discussions by the applicant of the adjacent site; the LHA responded to confirm agreement to the overall scope methodology, thereby inherently agreeing the validity of the surveys. To not accept the surveys as representative at this site would mean that the LHA would also need to express similar concern with the adjacent site, particularly given this also includes provision for a school. This can be confirmed as not being raised within the consultation response of that adjacent site. Therefore, the data, as presented and through previous agreement is considered appropriate for use, if following a consistent and fair approach.
- 4.2.19. Notwithstanding the above, in order to ameliorate any concerns, the TA has been undertaken in accordance with guidance on the collection of traffic data set out in the Department for Transport's (DfT) Transport Analysis Guidance (TAG), specifically TAG Unit M1.2: Data Sources and Surveys (May 2020), which is the most recent guidance. The guidance states that traffic data for assessment / analysis should be collected during neutral periods, defined as Mondays to Thursdays from March to November (excluding August and school holidays). Traditional founding guidance from the Design Manual for Roads and Bridges (DMRB), specifically Traffic Appraisal in Urban Areas (May 1996), also confirms that neutral periods include Mondays to Thursdays and all of November.

The survey was undertaken on Tuesday 27th November 2018 and therefore conforms to guidance.

- 4.2.20. In addition to the acceptable survey date, the assessment at Chapter 6 of the TA applies a further layer of robustness in selecting the information from the '2019 Base' scenario. This includes a year of growth in addition to the traffic surveyed. At the time of writing, the survey data is around 2½ years old, completely within reasonable and adequate usage. The TA uses a calculated '2019 Base', thereby theoretically reducing the age to under two years. Alternative existing data sources, such as within the LHA databases, are likely to be older and therefore less representative than that which has been used.
- 4.2.21. The network peak hours are the key concern to any LHA audit and any resultant development impact upon them. The school peak in the AM coincides with the network peak hour. In the AM, pupils and staff trips are compounded with the network peak hour. In the PM the school peak is earlier, with pupil-related traffic occurring outside of the network peak periods. Therefore, the network PM peak will not be impacted by the school finishing time and only by staff. Background traffic on the network at the time of school finish (school peak time) is also considerably lower than the network PM peak. The key worst-case periods have been considered in the TA and, in most cases in school development applications, the critical concern is considered to be the AM peak hour.
- 4.2.22. Overall, in consideration of all factors discussed, with reference to the LHA's response on the adjacent site, guidance on survey data collection, industry-standard approaches to school assessment and current restrictions on data collection, the use of the November 2018 survey data and assessment of associated time periods is considered appropriate.
- 4.2.23. In relation to Active Travel provision, the proposed layout has been amended to include a 3.5m footpath / cycleway along the site frontage which connect to the pedestrian and cycle entrance to the site located in the north west corner of the site which is within close proximity to the proposed entrance to the school building.
- 4.2.24. Regarding the other comments raised by the LHA, it is considered these can be addressed through a reserved matters planning application following a positive outcome for the outline proposal.

### 4.3. ADDITIONAL CONSULTEES

- 4.3.1. Out of the 5 additional consultees consulted as part of the proposed development, 3 responses were received. The summary of the issues raised in the representations received are detailed below with a response to the comments raised included. The full representations received from the Additional Consultees are listed under Appendix 4.

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#### SPORTS WALES

- 4.3.2. Initially a response was received from Sport Wales on 2<sup>nd</sup> February 2021, however they requested to submit additional comments following the close of the PAC consultation which were accepted and received on 5<sup>th</sup> February 2021. The comments submitted clarified the definition of team playing fields drawing a distinction between the School Standards and Framework Act 1998 definition for playing fields and the Regulations definition which states team game playing field areas as land "which having regard to their configuration, are suitable for the playing of team games and which are laid out for

that purpose". Sports Wales notes that Within the proposed layout of the school, only the Multi-use games area and perhaps the adjacent soft outdoor PE area can be defined as such and therefore counted. Consequently, based upon this clarification the applicant has amended the proposed layout to include an under 9/10 sport pitch within the site which results in the proposed school development providing 0.88ha of team playing fields which is in excess of the minimum 5000sq.m requirement for the proposed school.

- 4.3.3. Sport Wales also raised concerns regarding whether the proposed outdoor sports facilities available to the community on the site would be sufficient and appropriate to address local need. Sport Wales would ideally like to see a playing pitch strategy taken into account supply and demand (including likely demand from the new development) to ensure there are sufficient facilities. The comments also reference the concerns Sports Wales raised for the adjoining 2020/01170/OUT application which includes provision of a Primary School with a junior pitch.
- 4.3.4. In response to the comments on pitch provision raised by Sports Wales, the provision of a junior pitch on the 2020/01170/OUT application is a separate issue to the proposed ALN school. The proposed education uses in the first instance should address the need for outdoor sport facilities for pupils attending the school rather than the wider community. It is considered access to the supplied school sports facilities brought forward under education proposals should be viewed as an additional provision that is available to the wider community. If there is a local need for outdoor sports provision this can be addressed through the required open space as set through the LDP Policy MD 3 – Provision for Open Space and the Planning Obligations SPG. Although a playing pitch strategy would be beneficial it is not considered the responsibility of the applicant to bring this forward. The Local Planning Authority should consider whether a playing pitch strategy is appropriate under the relevant SPG or local policies to require developers to provide playing pitch provision. Therefore, it is not considered the applicant should take any further action on this point in relation to the proposed ALN school.

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#### GLAMORGAN AND GWENT ARCHAEOLOGICAL TRUST (GGAT)

- 4.3.5. A response was received from GGAT on 18<sup>th</sup> January 2021. The response did not object to the proposal but recommended further work be undertaken in relation to potential archaeological significant remains on the site. The desk based survey undertaken by HCUK in support of the proposal concluded "overall the archaeological potential of the Site is considered quite low, although moderate for stray finds of Mesolithic and Neolithic date as well as for medieval agricultural activity (including former field boundaries and remains of strip fields)." However, GGAT advise that a recent assessment submitted for the 2020/01170/OUT application on the adjoining site to the north identified a number of possible anomalies and several features were encountered during the trenching, the exact nature of which could not be determined in the context of the evaluation and they are awaiting further investigation. Additionally, Lower Cosmeston Farm itself, a farmstead composed of four main structures is of significance, whilst the Farm is located immediately adjacent to the application site, the proposed plans do not appear to impact the structures, preserving them in-situ. Nevertheless, as demonstrated by the nearby trial trenching, there is the potential for encountering archaeologically significant remains. Therefore, GGAT have advised an archaeological field evaluation be carried out prior to the determination of the application.
- 4.3.6. The comments raised by GGAT have been noted and passed onto the applicant's archaeological consultant. It is considered the additional archaeological work recommended by GGAT could be addressed via condition attached to an Outline

consent which would be addressed through reserved matters. However, if GGAT consider this would be required to determine the outline application the applicant will commission the additional survey for consideration under the outline proposal.

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#### SHARED REGULATORY SERVICES (SRS): ENVIRONMENT TEAM

- 4.3.7. Comments were received from SRS on the 28<sup>th</sup> January 2021. The comments did not raise an objection to the proposal but advised historical landfill sites have been identified within 250m of the proposed development. Such sites are associated with the generation of landfill gases, within subsurface materials, which have the potential to migrate to other sites. This may give rise to potential risks to human health and the environment for the proposed end use. Consequently, a contamination and ground gas assessment of the site will need to be submitted as part of the planning process, to identify any associated risks and to determine whether further assessment and/or remediation is required to ensure the site is made suitable for use.
- 4.3.8. Depending on the results of the contamination and ground gas assessment SRS have recommended that the following conditions may be attached to a determination to approve the proposal:

##### “PC13. GROUND GAS PROTECTION

Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases\* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required than no further actions will be required.

All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

- ‘Gases’ include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

Reason: To ensure that the safety of future occupiers is not prejudiced.

##### PC14A. CONTAMINATED LAND MEASURES – ASSESSMENT

Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person \* in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination



on the site, whether or not it originates on the site. The report of the findings shall include:

(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

(iii) an assessment of the potential risks to:

- human health,
- groundwaters and surface waters
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- ecological systems,
- archaeological sites and ancient monuments; and
- any other receptors identified at (i)

(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

\* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property, and ecological systems is sufficient to enable a proper assessment.

#### PC14B. CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN

Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

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 policy MD7 of the Vale of Glamorgan Local Development Plan:

#### PC14C. CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION

The remediation scheme approved by condition x (PC14B above) must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

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 policy MD7 of the Vale of Glamorgan Local Development Plan:

#### PC14D. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

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 unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. 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 policy MD7 of the Vale of Glamorgan Local Development Plan:

#### PC15A IMPORTED SOIL

Any topsoil [natural or manufactured], or subsoil, to be imported 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 in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan:

#### PC15B IMPORTED AGGREGATES

Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported 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 material 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 in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan:

#### PC15C USE OF SITE WON MATERIALS

Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan.”

4.3.9. The applicant is undertaking a Ground Investigation Survey which will assess the contamination on the site and recommend the relevant mitigations to address any health and safety issues raised. The Ground Investigation Survey will be submitted in support of a formal application for SRS to review.

#### 4.4. COMMUNITY CONSULTEES

4.4.1. The community consultees were identified as being the local councillors for the ward area of Sully and Plymouth, which are:

- Cllr Kevin Mahoney (Sully Ward)
- Cllr Bob Penrose (Sully Ward)
- Cllr Ben Gray (Plymouth Ward)
- Cllr Kathryn McCaffer (Plymouth Ward)

4.4.2. Additionally, Sully and Lavernock Community Council and Penarth Town Council were included.

4.4.3. Responses were received from Cllr Kevin Mahoney, Cllr Bob Penrose and Penarth Town Council which have been summarised in the table below with any issues raised addressed in the response to the comments. The full representations received by the applicant can be viewed at Appendix 5.

**Table 2: Summary of Comments received from the Community Consultees and Applicant's Response**

<b>Cllr Kevin Mahoney Representation</b>	
<b>Issue Summary</b>	<b>Response</b>
<p>Concerns over the health and wellbeing of pupils at proposed school due to close proximity of an adjoining historic landfill</p>	<p>The proposed development is located adjacent to a Historic Landfill site known as Cosmeston No.1 Old Tip. The site of the historic landfill is approximately 110m from the proposed development site, however, it is noted that the land does slope from the historic land fill towards Lavernock Rd resulting in the development site being approximately 10m lower than the historic landfill site.</p> <p>The proposed development site also adjoins the 2020/01170/OUT application for a mixed-use residential scheme, the majority of this application lies within a Housing Allocation as identified in the Vale of Glamorgan's LDP under Policy MG2 (24). Although the proposed school site falls outside of the 2020/01170/OUT application site the Phase 1 and Phase 2 Ground Investigation Report for that application includes the proposed school site with trial pits 16 to 21 of the report relating to the proposed school site and Window Sample 7. The Ground Investigation report undertaken for the 2020/01170/OUT application found varying amounts of Phenols, PAHs, Petroleum Hydrocarbons and Heavy Metals within the soil.</p> <p>The presence of contamination within the proposed development site does not preclude development taking place, however, this needs to be based upon the appropriate remediation works and mitigation measures being in place to ensure the proposed development is still viable. Consequently, the applicant for the proposed school site has commissioned its own ground investigation survey to determine the extent of contamination on the site and what remediation works and mitigation measures are required to make</p>

	<p>the site safe for the proposed use. This information will be submitted in support of the proposal for inspection by the relevant statutory bodies.</p>
<p>Site has not been regularly monitored or inspected for contamination.</p>	<p>There is no requirement to monitor historic landfill sites in legislation. Historic landfill sites relate to landfills which were operational between 1920 and 1999 and therefore under the Environmental Protection Act 1990, the Environment Agency UK is not required to monitor these historic landfill sites.</p> <p>Part 2A of the Environmental Protection Act 1990 establishes a legal framework for dealing with contaminated land in Wales and the Welsh Government have produced statutory guidance known as 'Contaminated Land Statutory Guidance for Wales 2012'<sup>1</sup> which is intended to explain to Local Authorities how to implement the regime agreed under the Environmental Protection Act 1990. Part 2A provides a means of dealing with unacceptable risks posed by land contamination to human health and the environment and enforcing authorities should seek to find and deal with such land.</p> <p>Under Part 2A of the legislation the starting point should be that land is not contaminated land unless there is reason to consider otherwise. Only land where unacceptable risks are clearly identified, after a risk assessment has been undertaken in accordance with the statutory guidance, should be considered as meeting the Part 2A definition of contaminated land.</p> <p>Enforcing authorities should seek to use Part 2A only where no appropriate alternative solution exists. The Part 2A regime is one of several ways in which land contamination can be addressed. For example, land contamination can be addressed when land is developed (or redeveloped) under the planning system, during the building control process, or where action is taken independently by landowners. Other legislative regimes may also provide a means of dealing with land contamination issues, such as building regulations; the regimes for waste, water, and environmental permitting; and the Environmental Damage (Prevention and Remediation) Regulations 2009. Consequently, as part of the Historic Landfill forms part of an allocation the likely contamination of the site can be dealt with through the planning process. In relation to the proposed school site, due to the location of the Historic Landfill in close proximity with the development site, the applicant has undertaken a Ground Investigation Survey and will seek to address the contamination issues via the planning system in conjunction with the relevant regulatory bodies such as NRW and Vale of Glamorgan Council's SRS Team.</p>
<p>The proposed entrance to the site is from Lavernock Road is on a flood plain</p>	<p>The proposed development site does not lie within an identified flood plain as confirmed by the Development Advice Maps produced by NRW. Lavernock Road also does not lie within Zone C1 or C2 area which are known floodplains but the section of road to the north of the site is within a Zone B flood area which is defined as "areas known to have been flooded in the past evidenced by sedimentary deposits." (TAN15, p.5, 2004). These areas are used as part of a precautionary approach to indicate where site levels should be checked against the extreme (0.1%) flood level. If site</p>

<sup>1</sup> Welsh Government Contaminated Land Guidance - <https://gov.wales/sites/default/files/publications/2019-08/contaminated-land-statutory-guidance-2012.pdf>

	<p>levels are greater than the flood levels used to define adjacent extreme flood outline there is no need to consider flood risk further.</p> <p>However, Lavernock Road is susceptible to surface water flooding. The NRW Surface Water Flood Risk Mapping shows the majority of the site as being at 'very low' risk of flooding from surface water, however the road from which access to the site is provided (Lavernock Road) is shown to be at 'medium' and 'high' risk.</p> <p>The proposal is supported by a Flood Consequences Assessment (FCA) which assesses the flood risk of the proposal. The FCA concludes the site is shown to be within a 'low' risk area / Zone A.</p> <p>Site-specific analysis has identified potential fluvial, surface water, groundwater, and infrastructure failure flood risks.</p> <p>Owing to the proposed building being within the 'low' risk Zone it is considered that the finished floor level of the proposed building is 'flood free' in the 1 in 100 year +25% 'design' flood. However, it is recommended that, where practicable, a further 150mm 'freeboard' be provided above immediately surrounding ground levels to mitigate against any residual flood risk.</p> <p>To ensure the proposal does not exacerbate surface water flooding in the area including along Lavernock Road, a comprehensive Drainage Strategy will be produced. As the proposal is seeking outline consent, it is not considered necessary to submit drainage information at this stage as it can be appropriately addressed through a reserved matters application if the principle of development in this location is agreed through outline consent.</p> <p>No development can commence following the determination of an outline application before the reserved matters have been addressed and agreed with Local Planning Authority. Furthermore, due to the scale of the proposal the drainage strategy would also be subject to approval via the SAB Authority before development could commence on site. Therefore, it is considered appropriate to address the drainage strategy under the SAB Authority in conjunction with a relevant reserved matters application.</p>
<p>Proposal would create an unacceptable increase in road traffic volumes</p>	<p>The proposed development has been subject to a Transport Assessment which concludes the proposed development would result in additional traffic within the highway network equating to 74 two-way movements during the pupil arrival and departure periods. A further 80 vehicle trips during the AM and PM peak hours would take place due to staff traffic generation. Overall, the proposed development is forecast to generate 154 two-way movements during the AM peak hour, of which 110 two-way trips will be to / from the west of the site access and 44 two-way movements to / from the east of the site access. During the PM peak hour, the proposed development will generate 80 trips associated with staff departures from the site.</p> <p>In terms of the impact on the wider highway network, it is considered the additional traffic generation as a result of the proposed development is unlikely to result in a material deterioration in junction performance, with the increase equating to less than one additional vehicle movement per minute. The development traffic impact during the pupil departure period has been confirmed to be less than that assessed for the PM peak hour as</p>

	<p>the number of pupil trips is lower than staff trips and background traffic is lower outside of the PM peak hour.</p> <p>Overall, the proposed development is not considered to result in a significant impact on the surrounding highway network.</p>
<p>Increased air pollution levels caused by increased traffic volumes</p>	<p>Pupil traffic generation has been calculated pro-rota based on existing pupil travel to / from YYD. The majority of pupils currently travel by arranged transport, as would be expected of the specialist facility. There are currently 45 vehicles travelling to / from the school during the drop-off and collection periods. This equates to 28 vehicles for the proposed development. The remaining pupils are provided with funding to arrange their own transport. Pro-rota, this equates to nine pupils for the proposed development. These pupils are assumed to arrive as the sole passenger of a vehicle. This results in a total traffic generation of 37 vehicles equating to 74 two-way movements during the pupil arrival and departure periods.</p> <p>Staff traffic generation has been derived by applying a mode share to the proposed number of staff (103 FTE). The mode share has been calculated from 2011 census data, using the 'Vale of Glamorgan 004' MSOA as the 'place of work'. The 'Vale of Glamorgan 004' MSOA provides a robust vehicle mode share compared to the 'Vale of Glamorgan 008' MSOA, the location of the proposed development site. The mode share calculates that 80 staff will travel to / from the school by car, equating to 80 vehicle trips during the AM and PM peak hours.</p> <p>Pupil and staff traffic have been distributed and assigned onto the local highway network using home postcode data of existing staff / pupils. The route between the pupil / staff home postcodes and the proposed development site has been determined using an online route planning software for a neutral peak hour period (pre-COVID). The route with the shortest distance / time has been selected for the traffic assignment.</p> <p>The proposed development is forecast to generate 154 two-way movements during the AM peak hour, of which 110 two-way trips will be to / from the west of the site and 44 two-way movements to / from the east of the site. During the PM peak hour, the proposed development will generate 80 trips associated with staff departures from the site.</p> <p>Due to the traffic volumes predicted for the proposed development it is not considered this would have an adverse impact upon air pollution within the immediate vicinity. Furthermore, the proposed development will be separated from Lavernock Road by a mature hedgerow which will be mainly retained helping to reduce air pollution from the road. Additionally, the proposal includes additional tree planting throughout the site to help improve the local amenity and environment.</p>
<p>Proposed site would result in the loss of existing farmland</p>	<p>The proposal would result in the loss of existing farmland which is currently used for grazing. Although the site is classed as agricultural land it has not been identified as Best and Most Versatile (BMV) land using Welsh Governments Predictive Agricultural Land Classification (ALC). The Predictive ALC identifies the land as Grade 4 which is poor agricultural land. The Predictive ALC Map (Wales) takes the best available data and applies the current ALC assessment guidelines and criteria to predict the grade of agricultural land. It also sub-divides ALC Grade 3 into Grade 3a (good land - BMV) and 3b (moderate land – Non-BMV).</p> <p>Furthermore, the loss of the agricultural use needs to be weighed against the significant need for school places in the existing Ysgol Y Deri School</p>

	<p>which the proposal would accommodate. The existing school was originally constructed to accommodate 205 pupils but currently has 262 pupils on roll. The number of pupils leaving the school in the short to medium term is much lower than those entering which is causing the significant pressure on capacity. In 2018-19 there were 18 school leavers and 39 entrants, in 2019-20 there were again 39 entrants against 25 leavers. At the end of the 2019-20 academic year there were only 10 leavers and a significant increase in entrants to 48. In order to accommodate the September 2020 intake, Ty Deri Residential Respite facility has been temporarily closed and communal areas have been converted into additional classroom space. This has enabled the Council to provide places for those requiring placements this year, however all available space has now been utilised and the school will be unable to expand any further. In 2021-22 the number of leavers will be 18, it is impossible to provide a precise number of pupils that will require places in September 2021 as this will depend on a number of factors, however, current projections would indicate that a minimum of 44 pupils will require a place at the school. Therefore, a minimum of an additional 26 places will be required to create the capacity for the September 2021 intake. In 2022-23 there will be 26 leavers and current projections would indicate that the number of pupils requiring a placement will again be in the mid-forties. This would mean that an additional 18 places will be required in September 2022. In total, approximately 44 additional places will be needed at Ysgol Y Deri prior to the completion of the new building.</p> <p>Consequently, as the land is not classified as BMV it is considered the loss of the agricultural land is in accordance with national and local planning policy contained within PPW and under LDP Policies MD1 and MD7.</p>
<p>Proposed site would result in the loss of green wedge land</p>	<p>The proposed development is also located within a green wedge designation as identified under Policy MG18 - Green Wedges (South Penarth to Sully). The green wedge is a local designation which seeks to prevent the coalescence of settlements and retain the openness of land along the urban fringe. The areas identified as green wedges are considered to be more vulnerable and susceptible to change, therefore they require additional protection. In these areas there is a presumption against inappropriate development which contributes to urban coalescence, prejudices the open nature of the land, or has an adverse impact upon the setting of an urban area. The reasons for designating the South Penarth to Sully area as a green wedge are contained within the Vale of Glamorgan Council Green Wedge Background Paper 2013.</p> <p>The boundary justification for the South Penarth to Sully green wedge was based upon the settlement boundaries of Penarth and Sully, the coastal edge and the main highway network which are considered to provide permanent and robust boundaries. PPW states there is a presumption against development within the boundaries of green wedges and inappropriate development should only be granted permission in very exceptional circumstances where other considerations clearly outweigh the harm the development would do to the green wedge. However other forms of development may be appropriate where they maintain the openness of the green wedge and do not conflict with the purposes of the designation.</p> <p>The proposed education use allows for an element of versatility regarding its layout allowing the built form to be positioned in a sensitive manner to prevent urban coalescence and maintain openness by utilising features which retain a sense of openness which include outdoor sport and</p>



	<p>recreation areas, and parking areas. PPW considers outdoor sport and outdoor recreation facilities an appropriate form of development in green wedges. Approximately 1.7ha of the 2.62ha development site would remain as greenspace or be used for outdoor sport or recreation which equates to 64.9% of the development site. A further 0.74ha relates to the school parking area (28.2%) with the remaining area of 0.18ha accommodating the footprint of the proposed school building. This means the built form of the development accounts for 6.8% of the site. It is noted that although the parking area would maintain openness it would have a greater urbanising affect than the outdoor sport facilities and greenspace, however, the developer proposes to use grass-crete to help soften the urban character of the parking layout. Although the proposed school building would account for a small percentage of the overall development site, it would impact on the openness of the site. To help mitigate the impact on the openness of the wider green wedge, the building has been located to the north western corner of the development site within close proximity to the existing farm complex (set away for the farm boundary by 5.2m). Furthermore, the design of the building utilises a low pitch roof reducing the overall height of the building and proposes cladding to 1st storey which creates a building form reminiscent of a large barn structure reflecting the agricultural nature of the green wedge.</p> <p>Although it is considered the proposed school would represent a modest impact upon the designation of the Green Wedge, PPW is clear that any form of inappropriate development should not be granted planning permission except in very exceptional circumstances. The proposed development is for an education use based upon an immediate need for more pupil spaces at the existing Ysgol Y Deri school which has already exceeded capacity. Furthermore, the proposal relates to a special needs school which requires specific requirements to accommodate the pupil's education needs which restricts the viability of other site locations due to the specific site requirements for a school of this type. The proposed development has been subject to a review of all available sites across the Vale of Glamorgan to deliver the scheme which resulted in the proposed development site being identified as the preferred option. Consequently, it is considered there is an exceptional need for a new school which outweighs the impact on the green wedge which has been reduced by the proposed layout of the development and the design of the proposed building.</p> <p>Additionally, the presence of the existing road known as Fort Road which runs to the south west of the site is considered to be a stronger, defensible and logical boundary to protect against urban coalescence between Sully and Penarth than the current boundary which relates to the existing housing allocation. This approach is considered to be appropriate as it reflects the original justification for the green wedge boundary outlined in the Background Paper to ensure there is no further erosion of the green wedge designation. Moreover, the applicant has commissioned a Landscape Visual Impact Assessment (LVIA) to understand how the proposed development would be viewed in the landscape and its likely impact upon the coalescence of Penarth and Sully. The LVIA will be submitted as part of a formal planning application to be assessed by the Local Planning Authority and relevant interest parties as part of the planning application process.</p>
Development of the site would have a	LDP Policy MD9 requires new development to conserve and enhance biodiversity interests unless it can be demonstrated "the need for the

<p>detrimental impact on fauna and flora</p>	<p>development clearly outweighs the biodiversity value of the site and the impacts of the development can be satisfactorily mitigated and acceptably managed” (LDP, p.112, 2017).</p> <p>Furthermore, PPW and the Environment (Wales) Act 2016 require that the planning system promotes approaches to development which maintain biodiversity and create new opportunities to enhance biodiversity. PPW states “The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement... development proposals must consider the need to: secure enhancement of and improvements to ecosystem resilience by improving diversity, condition, extent and connectivity of ecological networks.” (PPW, para. 6.4.3, 2021). The Environment (Wales) Act 2016 also places a duty on local authorities to seek to maintain and enhance biodiversity in the exercise of its functions which includes the development management process.</p> <p>To understand the ecological issues on the site and whether the biodiversity can be enhanced an ecological scoping report has been undertaken and a Preliminary Ecological Appraisal (PEA) report. Initially an Ecology Scoping Report was undertaken to support the draft proposal which outlined the likely ecology considerations on the site while access to the site was agreed for a PEA to be undertaken. It should be noted that the 2020/01170/OUT planning application has been supported by extensive surveys and analysis which include ecology surveys. These ecology surveys also include the land falling outside of the LDP Housing Allocation and considers the adjoining agricultural field, which is being separately proposed for a school development site. The ecology surveys under the 2020/01170/OUT application provide further detailed information on the ecology matters on the site giving additional context to the ecological value in the area.</p> <p>The site does not contain any ecological designations which would grant greater protection of the ecological interest of the site. However, as a greenfield site the proposal is likely to have biodiversity value. Additionally, a Site of Interest and Nature Conservation (SINC) is situated within close proximity to the site, approximately 35m from the site boundary. There is potential for damage to the adjacent Ty-yr-Orsaf SINC during works due to run-off of pollutants. Furthermore, there is potential the development could disturb species using the SINC as a wildlife corridor should there be any light spill onto the SINC.</p> <p>The site has been identified as improved neutral grassland which was considered as being of negligible conservation value under the 2016 Phase 1 Habitat Assessment carried out on the site and the wider housing allocation. However, it is considered an up to date Phase 1 Habitat survey with full access to the area of proposed development and the production of a PEA report is required to support a planning application. This will include an assessment of all trees/buildings/structures to be assessed for suitability to support roosting bats. Evidence of badgers should be searched for within the site and within 50m of the site including setts and field signs such as tracks, snuffle holes and latrines – this can be undertaken in conjunction with the Phase 1 survey if access allows. Depending on the requirement for hedgerow removal, it may be necessary to undertake an ‘Important’ hedgerow survey in the period late April – early June; this can be undertaken in conjunction with the Phase 1 survey, if instructed to do so</p>
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	<p>late April – early June. Following the Phase 1 Habitat survey, reptile surveys should be undertaken along the field margins to determine presence/likely absence.</p> <p>Based upon the Ecological Scoping Report and assessing the existing ecological surveys for the site the following recommendations have been incorporated into the proposed layout:</p> <ul style="list-style-type: none"> <li>• Removal of hedgerows has been kept to a minimum, with only one vehicular access to the site proposed resulting in a loss of 20m of existing hedgerow.</li> <li>• No lighting is proposed along the south eastern boundary to ensure there is no impact to the SINC. The proposal will be designed to avoid light spill onto retained and newly created habitat, features with the potential to support roosting bats (including adjacent buildings) and the vegetated boundaries of the site.</li> <li>• Standard pollution prevention and control measures to be implement during construction to limit and control the impacts of any incidents on retained and surrounding habitats and the adjacent SINC.</li> <li>• Landscaping will include native species which benefit local wildlife.</li> <li>• A strip of improved neutral grassland is retained along all boundaries (with the exception of the vehicle access).</li> <li>• Include invertebrate habitats, bird boxes and bat boxes, and hedgehog shelters throughout the landscaping scheme.</li> <li>• The layout creates green corridors through the site and retains the existing woodland buffer to the south east.</li> </ul> <p>Considering the potential ecological impacts of the proposed development, the proposed mitigation and enhancements are considered to satisfy LDP Policy MD9 and PPW guidance which states that “development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity” (PPW, para.6.4.5, 2021). The full PEA contains further details on the ecological matters for the proposal and has been submitted alongside the proposal.</p>
<p>Council should have commissioned a comprehensive fully Independent investigative drilling report of historic landfill site prior to proposal</p>	<p>In accordance with the relevant legislation and the Part 2A regime under the Environmental Protection Act (1999), enforcing authorities should seek to use Part 2A only where no appropriate alternative solution exists. The Part 2A regime is one of several ways in which land contamination can be addressed. For example, land contamination can be addressed when land is developed (or redeveloped) under the planning system. Other legislative regimes may also provide a means of dealing with land contamination issues, such as building regulations; the regimes for waste, water, and environmental permitting; and the Environmental Damage (Prevention and Remediation) Regulations 2009.</p> <p>Consequently, as part of the historic landfill forms part of a housing allocation the likely contamination of the site can be dealt with through the planning process. In relation to the proposed school site, due to the location of the historic landfill in close proximity to the development site, the applicant has undertaken a Ground Investigation Survey and will seek to address the contamination issues via the planning system in conjunction with the relevant regulatory bodies such as NRW and Vale of Glamorgan Council’s SRS Team to ensure the contamination on the site is addressed appropriately.</p>

<p>The proposal represents poor forward planning of the Education Authority due to recent re-development of St Cyres School</p>	<p>The numbers of children and young people requiring a placement at Ysgol Y Deri has continued to increase at a faster pace than previously predicted.</p> <p>The allocations for education facilities within the LDP was based upon the Education Facilities Background Paper 2013 which was produced in collaboration with the Vale of Glamorgan's Education Department. This stated the proposed increase in housing is anticipated to result in an additional 30 children with Additional Learning Needs over the Plan period. Their needs will be wide ranging, for example; hearing and vision impairment, physical disability, Downs syndrome and Autism Spectrum Disorder which cannot be accurately predicted.</p> <p>The cost per place for children with Additional Learning Needs (ALN) can be considerably more than standard pupil costs, and allowance should therefore be given to this as part of Education Infrastructure Planning. It is probable that additional ALN children would be accommodated in new units or expansion of existing units at existing or proposed schools to meet their educational needs although the number and location of these units cannot be determined at present. Nevertheless, the cost of such provision will be calculated upon an assumed number of additional children in each unit, based on the 30 children anticipated to be generated by the proposed increase in housing over the Plan period.</p> <p>However, since the adoption of the LDP the projected need for ALN spaces has changed significantly. It is very difficult to project demand for special education as it is dependent on a number of factors and historical trends and birth rates are not a reliable indicator as variations in individual need and complexity of provision required can develop over time.</p> <p>Since the adoption of the LDP, Ysgol Y Deri is the main school providing specialist education in the Vale of Glamorgan and there has been a significant increase in demand for school places. The numbers of children and young people requiring a placement at Ysgol Y Deri has continued to increase at a faster pace than previously predicted, with the school currently over capacity by 57 pupils. This has been caused, in part, by the number of pupils leaving the school in the short to medium term being much lower than those entering which is causing significant pressure on capacity. This trend is not specific to the Vale of Glamorgan and is consistent with other Local Authorities and is likely to continue for the foreseeable future. Based upon current trends the school admission roll is projected to increase from 262 pupils to 351 by 2023. Additionally, Welsh Government have introduced the ALN Act which will bring together the separate systems for special educational needs (SEN) in schools and learning difficulties and/or disabilities (LDD) in further education, to create a unified system for supporting learners from 0 to 25 with ALN. For the time being, local authorities and all those who work with children and young people with SEN, must ensure that they continue to comply with the duties placed upon them by the Education Act 1996. The SEN / LDD system will come to an end by summer 2023. This will also increase pupil numbers which has now been factored into the projections further requiring a windfall ALN school in the Vale of Glamorgan.</p>

	<p>Although it is regretful additional land for the expansion of the existing school could not be safeguarded as part of the LDP, at the time of its development the evidence suggested it was not required.</p>
<p><b>Cllr Bob Penrose Representation</b></p>	
<p>The proposal is conditional on the adjoining application coming forward which is considered unlikely due to local opposition</p>	<p>The adjoining site to the north has been allocated for a mixed-use residential housing scheme in the adopted LDP and an outline planning application is currently under consideration by the Local Planning Authority (application 2020/01170/OUT refers). The potential development of a mixed residential proposal adjoining the site to the north does change the context in which the development site is considered. The adjoining site to the north is allocated in the LDP and the active planning application demonstrates the likelihood of the allocation coming forward. Therefore, although the proposed development site is currently surrounded by open countryside it should be viewed in light of the proposed residential development which would create a more urban environment immediately to the north of the development site.</p> <p>However, the Local Planning Authority will need to decide how much weight can be attributed to the presence of the adjoining housing allocation and the application currently under consideration. This is one of the reasons why the applicant is submitting an outline application to determine whether the Local Planning Authority consider the principle of a School in this location acceptable before the site is purchased by the applicant and additional surveys are undertaken.</p>
<p>Proposal would represent an unacceptable increase in traffic generation when viewed with the additional increase caused by the adjoining residential proposal</p>	<p>The Traffic Impact Assessment produced as part of the TA is based upon 2019 traffic flows which have been 'growthed' to 2023 using a growth forecast which includes TEMPro growth factors as well as the manual application of traffic flows from local developments. The local developments considered include the adjacent 'Land at Upper Cosmeston Farm' application which, although not yet granted planning consent, is an allocated development site in the VoG Local Development Plan. The TEMPro growth factors have been locally adjusted for 'All' road types within the 'Vale of Glamorgan 008' MSOA. The factors have also had alternative assumptions applied to remove the housing growth accounted for through the manual application of local development flows. This avoids double counting growth on the network and provides for a more accurate assessment method.</p> <p>The impact of the proposed development on the wider highway network has been examined in terms of the percentage changes in traffic flows at each junction (in terms of both total flows and by individual arm) within the study area for the network AM and PM peak hour periods. The AM peak hour includes both pupil and staff arrival trips to the development site. The PM peak hour includes only staff departures as pupils are assumed to depart from the site earlier in the day in accordance with the proposed school timetable. Analysis of the results demonstrate that, the increase in traffic as a result of the proposed development is unlikely to result in a material deterioration in junction performance, with the increase equating to less than one additional vehicle movement per minute. The development traffic impact during the pupil departure period has been confirmed to be less than that assessed for the PM peak hour as the number of pupil trips is lower than staff trips and background traffic is lower outside of the PM peak hour.</p>

	<p>Overall, the proposed development is not considered to result in a significant impact on the surrounding highway network.</p>
<p>The proposal is in an unsustainable location</p>	<p>Policy MD1 of the LDP (p.99, 2017) directs new development proposals to locations that are considered to offer a range of services and facilities and are accessible by sustainable transport and therefore reduce dependence on the private car. Policy MD1 sets out the following criteria which new development on unallocated sites should meet:</p> <ol style="list-style-type: none"> <li>1) "Have no unacceptable impact on the countryside;</li> <li>2) Reinforce the role and function of the key settlement of Barry, the service centre settlements, primary settlements, or minor rural settlements as key providers of commercial, community and healthcare facilities;</li> <li>3) Where appropriate promote new enterprises, tourism, leisure, and community facilities in the Vale of Glamorgan;</li> <li>4) In the case of residential development, support the delivery of affordable housing in areas of identified need;</li> <li>5) Have access to or promote the use of sustainable modes of transport;</li> <li>6) Benefit from existing infrastructure provision or where necessary make provision for new infrastructure without any unacceptable effect on the natural or built environment;</li> <li>7) Where possible promote sustainable construction and make beneficial use of previously developed land and buildings;</li> <li>8) Provide a positive context for the management of the water environment by avoiding areas of flood risk in accordance with the sequential approach set out in national policy and safeguard water resources; and</li> <li>9) Have no unacceptable impact on the best and most versatile agricultural land." (LDP, p.99, 2020).</li> </ol> <p>Regarding criterion 2, the proposal should reinforce the role of Penarth as a service centre settlement as a key provider of commercial, community and healthcare facilities. The proposal does fall outside of the Penarth settlement boundary but it's close proximity to the settlement would allow the proposed development to form part of the facilities which serve Penarth. Criterion 3 promotes new enterprises, tourism, leisure, and community facilities where appropriate. The proposed development would primarily be an education use; however, the development includes facilities which would be available to the wider community outside of school hours. This would include the sports facilities and rooms within the school. To maintain security on site access to these facilities would need to be organised through the school management once the proposal is complete.</p> <p>In terms of criterion 5, the proposed development is within close proximity to sustainable transport options along Lavernock Road (B4267). The nearest bus stop is located 30m from the site and runs the westerly 94 bus service which departs frequently throughout the day to Barry Dock, Morrison's. The easterly 94 bus service runs from a bus station approximately 280m from the site and links to Cardiff Westgate Street. Although the site is located within close proximity to bus services the majority of pupils accessing the proposed school require private transport due to the type of school proposed. Where possible minibuses are used to drop off and collect pupils to reduce the number of private cars travelling to and from the site.</p> <p>Criterion 6 seeks to locate sites in areas which benefit from existing infrastructure. In respect of the proposed school the development site</p>

	<p>adjoins the settlement of Penarth and would involve the creation of a new special needs school which would support the existing Ysgol Y Deri Special Needs School which is located in the western area of Penarth as part of the Penarth Learning Community Complex. Although the proposed site is not located within Penarth, it does adjoin the settlement boundary. The settlement of Penarth has been subject to a sustainability appraisal which informed the classification of each settlement and determined whether it was identified in the LDP's settlement hierarchy. The Settlement Sustainability Appraisal Background Paper 2016 contains the methodology and results of the appraisal for each settlement. Penarth is one of the highest scoring sustainable settlements sharing the same score of 37 as the key settlement Barry. Based on this score the settlement was classified as a service centre in the LDP settlement hierarchy. A service centre is described as "predominantly urban and are the main centres of population within the Vale of Glamorgan. They are well served by public transport to other main settlements as well as surrounding rural areas and act as important transport hubs. These settlements will contain a wide range of facilities which serve the wider area as well as local needs. In this respect these key settlements will act as important service centres for surrounding settlements and the rural hinterland" (para.5.8, 2016). Consequently, as the development site adjoins the settlement boundary of Penarth, which includes the allocated mixed housing allocation known as Land at Upper Cosmeston Farm, Lavernock (LDP Policy MG2 (24) refers), which is currently subject to an active outline planning application (2020/01170/OUT refers), it is well located to utilise the various facilities and services found in Penarth. Furthermore, the infrastructure which is proposed under the Outline Application for the housing allocation would also be accessible to the proposed school.</p> <p>The proposed development would be situated on a greenfield site; however, the proposed building would be constructed to modern design standards. The construction of the proposed school would seek to meet the BREEAM excellent classification ensuring the new build is sustainable and enhances the wellbeing of people using the building.</p> <p>Consequently, although the proposal is located outside of a settlement boundary its close proximity to Penarth and public transport provision is considered to demonstrate it is in a sustainable location in accordance with the criteria outlined in LDP Policy MD1.</p>
<b>Penarth Town Council</b>	
<p>Plans and Reports submitted for formal planning must reflect the ambitions of the proposal described in the PAC</p>	<p>Comments noted. The proposed plans have been amended to reflect comments received during the PAC process. However, these are still considered to be in accordance with the objectives of the proposal.</p> <p>In addition, further survey work has been undertaken to support the proposal in relation to ecology and contamination to ensure the proposal appropriately addresses the relevant issues on the site.</p>
<p>Support location within Green Wedge based on the exceptional</p>	<p>Comments noted. The location on the site within the green wedge is based upon the exceptional need for a new school which outweighs the potential impact on the green wedge which has been reduced by the proposed layout of the development and the design of the proposed building.</p>

<p>circumstances identified</p>	<p>Additionally, the applicant has commissioned a Landscape Visual Impact Assessment (LVIA) to understand how the proposed development would be viewed in the landscape and its likely impact upon the coalescence of Penarth and Sully. The LVIA will be submitted as part of a formal planning application to be assessed by the Local Planning Authority and relevant interest parties as part of the planning application process.</p>
<p>Consult Town Council on the results of the traffic study given that there are two other junctions to the North, plus Fort Road, planned to access the Upper Cosmeston Allocation</p>	<p>Comments noted. The PAC included a copy of the draft TA which was available for scrutiny during the consultation period for the PAC.</p> <p>Following the PAC consultation, a number of amendments have been made to the TA based upon comments received from the LHA. The amended TA will be submitted alongside a formal planning application which will be available for comment following the consultation held by the Local Planning Authority who will contact the Town Council directly as part of the consultation process for the application.</p>
<p>Improve existing Active Travel route along Lavernock Road</p>	<p>Comments noted. The proposed development does include provision to improve the active travel route along the site frontage facing towards Lavernock Road. A dedicated pedestrian and cycle access will be provided directly from the existing footway / cycleway on the B4267. This will provide a segregated route to the school entrances. As part of the access proposals for 'Land at Upper Cosmeston Farm', the existing shared footway / cycleway on the B4267 is to be widened to form an active travel route between the junctions with Upper Cosmeston Farm and Fort Road. The pedestrian and cycle access to this proposed development will directly connect with the widened shared footway / cycleway, this will be an appropriate active travel connection as requested by the LHA. Areas outside the school entrances will link to the drop-off / pick-up and car parking areas, with provision of suitable crossing facilities and waiting areas.</p>
<p>The development should be considered in relation to the adjoining residential application which includes provision of a primary school</p>	<p>The proposed development does consider the adjoining residential application in a limited capacity which is reflected in the proposed building position and the potential to create a shared pedestrian access along the northern boundary if the primary school on the adjoining site comes forward.</p> <p>However, as the proposed layout for the residential application has not been agreed the proposal presented needs to be acceptable on its own merits. It is considered highly likely that the residential development will come forward on the adjoining site to the north due to its allocation within the LDP which confirms residential development in this location is acceptable in principle. The proposed adjoining development has been considered when assessing the impact upon the green wedge although the layout of the adjoining site is still to be determined.</p>

#### 4.5. PUBLIC CONSULTATION

- 4.5.1. 29 formal representations were received as part of the original consultation. All representations received objected to the proposal. The concerns raised by the representations received have been summarised and responded to in Table 3 below.



Although not all comments were received on the consultation form a copy of the form can be found at Appendix 6. The full representations received by the applicant can be viewed at Appendix 7.

**Table 3: Summary of Comments received from the Public Consultation and Applicant's Response**

Issue Summary	Response
<p>Proposal should not be developed on greenfield land</p>	<p>Regarding national policy contained within PPW, there is a presumption in favour of sustainable development with a preference for previously developed land (brownfield land). However, where there is evidenced need for the development and a lack of brownfield sites readily available, a greenfield site can be considered for development. PPW promotes the use of a sequential search for new education sites stating "The sequential approach applies to retail and all other uses complementary to retail and commercial centres. Other complementary uses include, for example, financial and professional services (A2), food and drink (A3), offices (B1), hotels (C1), educational and other non-residential establishments (D1), leisure (D2) and certain other uses such as launderettes and theatres. However, some education, healthcare and community uses may have specific accessibility requirements which mean they need to be located close to the communities they serve. Planning authorities should be flexible in their approach where it is necessary. The nature of a proposed use is likely to determine what type of centre (i.e. higher or lower order centre) is most appropriate as a starting point for the sequential approach process." (PPW, para.4.3.21, 2021).</p> <p>In the first instance expanding the existing Ysgol Y Deri was considered, however expanding the school on the existing site was ruled out as there was insufficient space to accommodate the required expansion without significantly impacting on the external space available to pupils at the Penarth Learning Community. Any expansion of the existing site would also significantly impact the local infrastructure which already caters for a large number of pupils. Consequently, based upon the need for school places and the design requirements for a special needs school the potential development site requires a minimum site size of approximately 2ha. This resulted in a land search which did not identify any land available within town centres or settlement locations that could accommodate a site of this size. The search was widened to sites which adjoined settlement boundaries which resulted in a number of sites being identified with potential to progress further. However, the proposed education use relates to the extension of the existing Ysgol Y Deri which is currently located on the St Cyres School site. The potential new school would need to be located near to the Penarth area to ensure the school would have a close relationship with the existing Ysgol Y Deri facility which would remain.</p> <p>Due to the lack of available brownfield sites within the area and the site requirements of the proposal it is considered in this instance the use of a greenfield site is appropriate to address the education need for this type of school.</p>

<p>Road infrastructure needs to be improved prior to proposal coming forward</p>	<p>The proposal has been subject to a TA which assesses the potential impact the proposal would have on the highway network. The TA found, the increase in traffic as a result of the proposed development is unlikely to result in a material deterioration in junction performance, with the increase equating to less than one additional vehicle movement per minute. The development traffic impact during the pupil departure period has been confirmed to be less than that assessed for the PM peak hour as the number of pupil trips is lower than staff trips and background traffic is lower outside of the PM peak hour.</p> <p>Overall, the proposed development is not considered to result in a significant impact on the surrounding highway network.</p> <p>However, the proposal is seeking outline consent at this stage and improvements to Fort Road and Lavernock Road would need to be determined under a reserved matters application. The Local Planning Authority can attach conditions to decisions to ensure required road improvements are carried out before development commences, but whether this is required would need to be assessed by the Local Planning Authority.</p>
<p>Adjoining Residential Application includes a school, why was proposal not included in the residential application</p>	<p>The allocations for education facilities within the LDP were based upon the Education Facilities Background Paper 2013 which was produced in collaboration with the Vale of Glamorgan's Education Department. This stated the proposed increase in housing is anticipated to result in an additional 30 children with Additional Learning Needs over the Plan period. Their needs will be wide ranging, for example; hearing and vision impairment, physical disability, Downs syndrome and Autism Spectrum Disorder which cannot be accurately predicted.</p> <p>The cost per place for children with Additional Learning Needs (ALN) can be considerably more than the standard pupil costs, and allowance should therefore be given to this as part of Education Infrastructure Planning. It is probable that additional ALN children would be accommodated in new units or expansion of existing units at existing or proposed schools to meet their educational needs although the number and location of these units cannot be determined at present. Nevertheless, the cost of such provision will be calculated upon an assumed number of additional children in each unit, based on the 30 children anticipated to be generated by the proposed increase in housing over the Plan period.</p> <p>However, since the adoption of the LDP the projected need for ALN spaces has changed significantly. It is very difficult to project demand for special education as it is dependent on a number of factors and historical trends and birth rates are not a reliable indicator as variations in individual need and complexity of provision required can develop over time. The numbers of children and young people requiring a placement at Ysgol Y Deri has continued to increase at a faster pace than previously predicted. Additionally, Welsh Government have introduced the ALN Act which will bring together the separate systems for special educational needs (SEN) in schools and learning difficulties and/or disabilities (LDD) in further education, to create a unified system for supporting learners from 0 to 25 with ALN. For the time being, local authorities and all those who work with children and young people with SEN, must ensure that they continue to comply with the duties placed upon them by the Education Act 1996. The SEN / LDD system will come to an end by summer 2023. This will also increase pupil numbers</p>

	<p>which has now been factored into the projections further requiring a windfall ALN school in the Vale of Glamorgan.</p> <p>Consequently, the Education Authority in accordance with their responsibilities need to identify and develop a new school to meet the identified need. Therefore, a site was identified independently of the residential allocation and would be considered as a windfall site in planning terms.</p>
<p>Proposal will have a detrimental impact on existing congestion</p>	<p>The proposed development has been subject to a Transport Assessment which concludes the proposed development would result in additional traffic within the highway network equating to 74 two-way movements during the pupil arrival and departure periods. A further 80 vehicle trips during the AM and PM peak hours would take place due to staff traffic generation. Overall, the proposed development is forecast to generate 154 two-way movements during the AM peak hour, of which 110 two-way trips will be to / from the west of the site access and 44 two-way movements to / from the east of the site access. During the PM peak hour, the proposed development will generate 80 trips associated with staff departures from the site.</p> <p>In terms of the impact on the wider highway network, it is considered the additional traffic generation as a result of the proposed development is unlikely to result in a material deterioration in junction performance, with the increase equating to less than one additional vehicle movement per minute. The development traffic impact during the pupil departure period has been confirmed to be less than that assessed for the PM peak hour as the number of pupil trips is lower than staff trips and background traffic is lower outside of the PM peak hour.</p> <p>Overall, the proposed development is not considered to result in a significant impact on the surrounding highway network.</p>
<p>Proposal will result in the loss of habitats</p>	<p>LDP Policy MD9 requires new development to conserve and enhance biodiversity interests unless it can be demonstrated “the need for the development clearly outweighs the biodiversity value of the site and the impacts of the development can be satisfactorily mitigated and acceptably managed” (LDP, p.112, 2017).</p> <p>Furthermore, PPW and the Environment (Wales) Act 2016 require that the planning system promotes approaches to development which maintain biodiversity and create new opportunities to enhance biodiversity. PPW states “The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement... development proposals must consider the need to: secure enhancement of and improvements to ecosystem resilience by improving diversity, condition, extent and connectivity of ecological networks.” (PPW, para. 6.4.3, 2021). The Environment (Wales) Act 2016 also places a duty on local authorities to seek to maintain and enhance biodiversity in the exercise of its functions which includes the development management process.</p> <p>To understand the ecological issues on the site and whether the biodiversity can be enhanced an ecological scoping report has been</p>

undertaken and a Preliminary Ecological Appraisal (PEA) report. Initially an Ecology Scoping Report was undertaken to support the draft proposal which outlined the likely ecology considerations on the site while access to the site was agreed for a PEA to be undertaken. It should be noted that the 2020/01170/OUT planning application has been supported by extensive surveys and analysis which include ecology surveys. These ecology surveys also include the land falling outside of the LDP Housing Allocation and considers the adjoining agricultural field, which is being separately proposed for a school development site. The ecology surveys under the 2020/01170/OUT application provide further detailed information on the ecology matters on the site giving additional context to the ecological value in the area.

The site does not contain any ecological designations which would grant greater protection of the ecological interest of the site. However, as a greenfield site the proposal is likely to have biodiversity value. Additionally, a Site of Interest and Nature Conservation (SINC) is situated within close proximity to the site, approximately 35m from the site boundary. There is potential for damage to the adjacent Ty-yr-Orsaf SINC during works due to run-off of pollutants. Furthermore, there is potential the development could disturb species using the SINC as a wildlife corridor should there be any light spill onto the SINC.

The site has been identified as improved neutral grassland which was considered as being of negligible conservation value under the 2016 Phase 1 Habitat Assessment carried out on the site and the wider housing allocation. However, it is considered an up to date Phase 1 Habitat survey with full access to the area of Proposed Development and the production of a PEA report is required to support a planning application. This will include an assessment of all trees/buildings/structures to be assessed for suitability to support roosting bats. Evidence of badgers should be searched for within the site and within 50m of the site including setts and field signs such as tracks, snuffle holes and latrines – this can be undertaken in conjunction with the Phase 1 survey if access allows. Depending on the requirement for hedgerow removal, it may be necessary to undertake an 'Important' hedgerow survey in the period late April – early June; this can be undertaken in conjunction with the Phase 1 survey, if instructed to do so late April – early June. Following the Phase 1 Habitat survey, reptile surveys should be undertaken along the field margins to determine presence/likely absence.

Based upon the Ecological Scoping Report and assessing the existing ecological surveys for the site the following recommendations have been incorporated into the proposed layout:

- Removal of hedgerows has been kept to a minimum, with only one vehicular access to the site proposed resulting in a loss of 20m of existing hedgerow.
- No lighting is proposed along the south eastern boundary to ensure there is no impact to the SINC. The proposal will be designed to avoid light spill onto retained and newly created habitat, features with the potential to support roosting bats (including adjacent buildings) and the vegetated boundaries of the site.
- Standard pollution prevention and control measures to be implemented during construction to limit and control the impacts of any incidents on retained and surrounding habitats and the adjacent SINC.

	<ul style="list-style-type: none"> <li>• Landscaping will include native species which benefit local wildlife.</li> <li>• A strip of improved neutral grassland is retained along all boundaries (with the exception of the vehicle access).</li> <li>• Include invertebrate habitats, bird boxes and bat boxes, and hedgehog shelters throughout the landscaping scheme.</li> <li>• The layout creates green corridors through the site and retains the existing woodland buffer to the south east.</li> </ul> <p>Considering the potential ecological impacts of the proposed development, the proposed mitigation and enhancements are considered to satisfy LDP Policy MD9 and PPW guidance which states that “development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity” (PPW, para.6.4.5, 2021). The full PEA contains further details on the ecological matters for the proposal and has been submitted alongside the proposal.</p>
<p>The proposal would exacerbate existing flooding issues, particularly along Lavernock Road</p>	<p>The proposed development site does not lie within an identified flood plain as confirmed by the Development Advice Maps produced by NRW. Lavernock Road also does not lie within a Zone C1 or C2 area which are known floodplains but the section of road to the north of the site is within a Zone B flood area which is defined as “areas known to have been flooded in the past evidenced by sedimentary deposits.” (TAN15, p.5, 2004). These areas are used as part of a precautionary approach to indicate where site levels should be checked against the extreme (0.1%) flood level. If site levels are greater than the flood levels used to define adjacent extreme flood outline there is no need to consider flood risk further.</p> <p>However, Lavernock Road is susceptible to surface water flooding. The NRW Surface Water Flood Risk Mapping shows the majority of the site as being at 'very low' risk of flooding from surface water, however the road from which access to the site is provided (Lavernock Road) is shown to be at 'medium' and 'high' risk.</p> <p>The proposal is supported by a Flood Consequences Assessment (FCA) which assesses the flood risk of the proposal. The FCA concludes the site is shown to be within a 'low' risk area / Zone A.</p> <p>Site-specific analysis has identified potential fluvial, surface water, groundwater, and infrastructure failure flood risks.</p> <p>Owing to the proposed building being within the 'low' risk Zone it is considered that the finished floor level of the proposed building is ‘flood free’ in the 1 in 100 year +25% ‘design’ flood. However, it is recommended that, where practicable, a further 150mm ‘freeboard’ is provided above immediately surrounding ground levels to mitigate against any residual flood risk.</p> <p>To ensure the proposal does not exacerbate surface water flooding in the area including along Lavernock Road, a comprehensive Drainage Strategy will be produced. As the proposal is seeking outline consent, it is not considered necessary to submit drainage information at this stage as it can be appropriately addressed through a reserved matters application if the principle of development in this location is agreed through outline consent.</p>

	<p>No development can commence following the determination of an outline application before the reserved matters have been addressed and agreed with Local Planning Authority. Furthermore, due to the scale of the proposal the drainage strategy would also be subject to approval via the SAB Authority before development could commence on site. Therefore, it is considered appropriate to address the drainage strategy under the SAB Authority in conjunction with a relevant reserved matters planning application.</p>
<p>The proposal would cause coalescence with Sully</p>	<p>The proposed education use allows for an element of versatility regarding its layout allowing the built form to be positioned in a sensitive manner to prevent urban coalescence and maintain openness by utilising features which retain a sense of openness which include outdoor sport and recreation areas, and parking areas. PPW considers outdoor sport and outdoor recreation facilities an appropriate form of development in green wedges. Approximately 1.7ha of the 2.62ha development site would remain as greenspace or be used for outdoor sport or recreation which equates to 64.9% of the development site. A further 0.74ha relates to the school parking area (28.2%) with the remaining area of 0.18ha accommodating the footprint of the proposed school building. This means the built form on the development accounts for 6.8% of the site. It is noted that although the parking area would maintain openness it would have a greater urbanising affect than the outdoor sport facilities and greenspace, however, the developer proposes to use grass-crete to help soften the urban character of the parking layout. Although the proposed school building would account for a small percentage of the overall development site, it would impact on the openness of the site. To help mitigate the impact on the openness of the wider green wedge, the building has been located to the north western corner of the development site within close proximity to the existing farm complex (set away for the farm boundary by 5.2m). Furthermore, the design of the building utilises a low pitch roof reducing the overall height of the building and proposes cladding to 1st storey which creates a building form reminiscent of a large barn structure reflecting the agricultural nature of the green wedge.</p> <p>Although it is considered the proposed school would represent a modest impact upon the designation of the Green Wedge, PPW is clear that any form of inappropriate development should not be granted planning permission except in very exceptional circumstances. The proposed development is for an education use based upon an immediate need for more pupil spaces at the existing Ysgol Y Deri school which has already exceeded capacity. Furthermore, the proposal relates to a special needs school which requires specific requirements to accommodate the pupil's education needs which restricts the viability of other site locations due to the specific site specifications required for a school of this type.</p> <p>Additionally, the presence of the existing road known as Fort Road which runs to the south west of the site is considered to be a stronger, defensible and logical boundary to protect against urban coalescence between Sully and Penarth than the current boundary which relates to the existing housing allocation. This approach is considered to be appropriate as it reflects the original justification for the green wedge boundary outlined in the Background Paper to ensure there is no further erosion of the green wedge designation. Moreover, the applicant has commissioned a Landscape Visual Impact Assessment (LVIA) to understand how the proposed development would be viewed in the landscape and its likely impact upon the coalescence of Penarth</p>

	<p>and Sully. The LVIA will be submitted as part of a formal planning application to be assessed by the Local Planning Authority and relevant interest parties as part of the planning application process.</p>
<p>New access onto Lavernock Road would result in increased congestion</p>	<p>The proposed development has been amended to move the access to the site onto Fort Road which would reduce the amount of accesses on to Lavernock Road in the area.</p> <p>The proposed site access junction with Fort Road and the existing junction of Fort Road with the B4267 Lavernock Road will be subject to junction capacity modelling to demonstrate that the proposed access design can accommodate peak hour development traffic without undue impact on the operation of the existing highway. This will be carried out upon confirmation of the final form of the junction and prior to a reserved matters planning application. Experience of such assessments suggests the traffic flows to be assessed are well within the capacity of a priority junction. Details on the required upgrades to the existing Fort Road Junction will be submitted as part of a reserved matters planning application when consent is granted under the outline proposal.</p> <p>However, the TA supporting the proposal demonstrates that, the increase in traffic as a result of the proposed development is unlikely to result in a material deterioration in junction performance, with the increase equating to less than one additional vehicle movement per minute. The development traffic impact during the pupil departure period has been confirmed to be less than that assessed for the PM peak hour as the number of pupil trips is lower than staff trips and background traffic is lower outside of the PM peak hour.</p> <p>Consequently, the proposed development is not considered to result in a significant impact on the surrounding highway network.</p>
<p>The increased traffic caused by the proposal would result in air pollution</p>	<p>Pupil traffic generation has been calculated pro-rota based on existing pupil travel to / from YYD. The majority of pupils currently travel by arranged transport, as would be expected of the specialist facility. There are currently 45 vehicles travelling to / from the school during the drop-off and collection periods. This equates to 28 vehicles for the proposed development. The remaining pupils are provided with funding to arrange their own transport. Pro-rota, this equates to nine pupils for the proposed development. These pupils are assumed to arrive as the sole passenger of a vehicle. This results in a total traffic generation of 37 vehicles equating to 74 two-way movements during the pupil arrival and departure periods.</p> <p>Staff traffic generation has been derived by applying a mode share to the proposed number of staff (103 FTE). The mode share has been calculated from 2011 census data, using the 'Vale of Glamorgan 004' MSOA as the 'place of work'. The 'Vale of Glamorgan 004' MSOA provides a robust vehicle mode share compared to the 'Vale of Glamorgan 008' MSOA, the location of the proposed development site. The mode share calculates that 80 staff will travel to / from the school by car, equating to 80 vehicle trips during the AM and PM peak hours.</p> <p>Pupil and staff traffic have been distributed and assigned onto the local highway network using home postcode data of existing staff / pupils. The route between the pupil / staff home postcodes and the proposed development site has been determined using an online route planning software for a neutral peak hour period (pre-COVID). The route with</p>

	<p>the shortest distance / time has been selected for the traffic assignment.</p> <p>The proposed development is forecast to generate 154 two-way movements during the AM peak hour, of which 110 two-way trips will be to / from the west of the site and 44 two-way movements to / from the east of the site. During the PM peak hour, the proposed development will generate 80 trips associated with staff departures from the site.</p> <p>Due to the traffic volumes predicted for the proposed development it is not considered this would have an adverse impact upon air pollution within the immediate vicinity. Furthermore, the proposed development will be separated from Lavernock Road by a mature hedgerow which will be mainly retained helping to reduce air pollution from the road. Additionally, the proposal includes tree planting throughout the site to help improve the local amenity and environment.</p>
<p>Proposal is adjacent to historic landfill raising contamination concerns on the site which have not been addressed.</p>	<p>The proposed development is located adjacent to a Historic Landfill site known as Cosmeston No.1 Old Tip. The site of the historic landfill is approximately 110m from the proposed development site, however, it is noted that the land does slope from the historic land fill towards Lavernock Road resulting in the development site being approximately 10m lower than the historic landfill site.</p> <p>The proposed development site also adjoins the 2020/01170/OUT application for a mixed-use residential scheme, the majority of this application lies within a Housing Allocation as identified in the Vale of Glamorgan's LDP under Policy MG2 (24). Although the proposed school site falls outside of the 2020/01170/OUT application the Phase 1 and Phase 2 Ground Investigation Report for that application includes the proposed school site with trial pits 16 to 21 of the report relating to the proposed school site and Window Sample 7. The Ground Investigation report undertaken for the 2020/01170/OUT application found varying amounts of Phenols, PAHs, Petroleum Hydrocarbons and Heavy Metals within the soil.</p> <p>The presence of contamination within the proposed development site does not preclude development taking place, however, this needs to be based upon the appropriate remediation works and mitigation measures being in place to ensure the proposed development is still viable. Consequently, the applicant for the proposed school site has commissioned its own ground investigation survey to determine the extent of contamination on the site and what remediation works and mitigation measures are required to make the site safe for the proposed use. This information will be submitted in support of the proposal for inspection by the relevant statutory bodies.</p>
<p>Proposal needs to address identified deficiencies in the ecology reports submitted for the adjoining residential site</p>	<p>The draft planning document produced for PAC included initial Ecology reports undertaken by the landowner in relation to the adjoining residential development. These were assessed by the applicant's ecology consultant and a scoping report was produced. Based upon the Ecological Scoping Report and assessing the existing ecological surveys for the site the following recommendations have been incorporated into the proposed layout:</p> <ul style="list-style-type: none"> <li>• Removal of hedgerows has been kept to a minimum, with only one vehicular access to the site proposed resulting in a loss of 20m of existing hedgerow.</li> </ul>



	<ul style="list-style-type: none"> <li>• No lighting is proposed along the south eastern boundary to ensure there is no impact to the SINC. The proposal will be designed to avoid light spill onto retained and newly created habitat, features with the potential to support roosting bats (including adjacent buildings) and the vegetated boundaries of the site.</li> <li>• Standard pollution prevention and control measures to be implemented during construction to limit and control the impacts of any incidents on retained and surrounding habitats and the adjacent SINC.</li> <li>• Landscaping will include native species which benefit local wildlife.</li> <li>• A strip of improved neutral grassland is retained along all boundaries (with the exception of the vehicle access).</li> <li>• Include invertebrate habitats, bird boxes and bat boxes, and hedgehog shelters throughout the landscaping scheme.</li> <li>• The layout creates green corridors through the site and retains the existing woodland buffer to the south east.</li> </ul> <p>The proposal is now supported by a full Preliminary Ecological Assessment Report (PEA) building upon the above findings and recommendations from NRW received during the PAC process. Consequently, it is considered the proposal appropriately addresses the ecological issues on the site in accordance with planning policy and the relevant legislation.</p>
<p>Proposal needs to address identified deficiencies in the archaeological reports submitted for the adjoining residential site</p>	<p>A desk based survey undertaken by HCUK in support of the proposal concluded “overall the archaeological potential of the Site is considered quite low, although moderate for stray finds of Mesolithic and Neolithic date as well as for medieval agricultural activity (including former field boundaries and remains of strip fields).” However, GGAT submitted comments during the PAC process advising that a recent assessment submitted for the 2020/01170/OUT application on the adjoining site to the north identified a number of possible anomalies and several features were encountered during the trenching, the exact nature of which could not be determined in the context of the evaluation and they are awaiting further investigation.</p> <p>Additionally, Lower Cosmeston Farm itself, a farmstead composed of four main structures is of significance, whilst the Farm is located immediately adjacent to the application, the proposed plans do not appear to impact the structures, preserving them in-situ. Nevertheless, as demonstrated by the nearby trial trenching, there is the potential for encountering archaeologically significant remains. Therefore, GGAT have advised an archaeological field evaluation be carried out prior to the determination of an application.</p> <p>The comments raised by GGAT have been noted and passed onto the applicant’s archaeological consultant. It is considered the additional archaeological work recommended by GGAT could be addressed via condition attached to an Outline consent which would be addressed through reserved matters. However, if it is considered an additional field survey is required to determine the outline application the applicant will commission the additional survey for consideration under the outline proposal and in accordance with advice from GGAT ensuring the assessment is appropriate and in accordance with national policy and best practices.</p>
<p>Has the Applicant received any legal advice</p>	<p>This is not a material consideration in planning terms, however, the applicant as the developer has responsibility to appropriately remediate</p>

<p>regarding possible liabilities regarding contamination from adjacent historic landfill</p>	<p>the site and put in place relevant mitigation measures for contamination which is identified on the site and for any unforeseen contamination. Consequently, the applicant has commissioned a detailed Ground Investigation Report to determine the likely contaminates on the site and the required measures necessary to remediate the site in accordance with the relevant regulations.</p>
<p>Concerns over the criteria used to identify the site as a preferred option for development</p>	<p>The applicant is not required to undertake a formal candidate site search for potential development opportunities however, it is good practice to assess land options before committing to a preferred site. This resulted in a search of current Council assets to determine if there was any council owned land which could accommodate the proposal and complied with the relevant planning policies. The proposed school also required a site with a minimum of 2ha and preferably would be within close proximity to the existing Ysgol Y Deri School to allow for the sharing of facilities.</p> <p>In the first instance expanding the existing Ysgol Y Deri was considered, however expanding the school on the existing site was ruled out as there was insufficient space to accommodate the required expansion without significantly impacting on the external space available to pupils at the Penarth Learning Community. Any expansion of the existing site would also significantly impact the local infrastructure which already caters for a large number of pupils.</p> <p>Other sites identified did not meet the size requirements for the site or were not located in appropriate locations such as within the open countryside and not adjoining settlements and therefore would be unlikely to be considered sustainable. Consequently, the search was widened to include land adjoining settlement boundaries within the vicinity of the existing school which was readily available due to the urgent need for additional school places.</p> <p>This identified Land at Lower Cosmeston Farm which is a parcel of land measuring approximately 2.6ha would meet the required size of the proposal. Additionally, the site adjoins an existing housing allocation known as Land at Upper Cosmeston Farm which is currently subject to an outline planning application which has yet to be determined. Land at Lower Cosmeston Farm is currently in private ownership and would require a land purchase subject to the principle of a school in this location being approved by the Local Planning Authority. However, it is considered the site is relatively unconstrained and located within close proximity to the existing Ysgol Y Deri school to allow for the sharing of facilities. It would also meet the size requirements for the proposed expansion. Therefore, it was considered that this site is the preferred location for the school development.</p>
<p>Siting of proposal in Penarth is unsustainable increasing travel distances for pupils</p>	<p>Pupil locations vary year on year with pupils traveling from different locations to the current ALN provision within the Vale of Glamorgan. The proposal will ensure the provision is maintained within close proximity to the existing Ysgol Y Deri School and will be supported by special transportation measures which are currently offered at the existing school.</p> <p>Due to the special requirements of the pupils regardless of the site location, pupils would be required to travel to the school via specialist transport arrangements. However, the current proposal benefits from</p>

	being within close proximity to services and facilities within Penarth improving sustainable travel options for staff while minimising travel for pupils between the existing and proposed school.
Proposed New school will result in additional costs such as new headteacher	The proposed school will be run as an expansion of the existing Ysgol y Deri school and will be managed by the same headteacher and governing body. This approach is considered appropriate as it is recognised that Ysgol Y Deri is the organisation with the experience and skills to best support ALN pupils. Their most recent National Categorisation Report noted that 'standards in the school are very good and most pupils make good or excellent progress relative of their low starting points and additional learning needs' and in their most recent Estyn inspection, Ysgol y Deri's leadership was assessed to be 'Excellent'. This proposal would ensure Ysgol Y Deri is able to continue providing high quality education whilst catering for a greater pupil population without the risk of establishing a new management structure. Establishing a new special school not associated with Ysgol Y Deri would also result in increased revenue costs, such as an additional headteacher. Expanding Ysgol Y Deri ensures continuity across special education provision in the Vale of Glamorgan.
Proposal represents an intrusion into the open countryside	<p>It is agreed the proposal is located within the countryside. However, it is not considered to be in the 'open' countryside as the site adjoins the settlement boundary of Penarth. The proposed development site is an agricultural field relating to the Lower Cosmeston Farm Complex. This farm complex forms part of the current outline planning application under 2020/01170/OUT and if approved this farm would cease to function. This would result in the remaining agricultural field being sold or tenanted to another farm in the area or maintained by the existing landowner. The development site has been classified as improved grassland and is primarily used for grazing. The proposed school development would result in the loss of the agricultural use; however, the majority of the site would remain open in nature and a large element would be maintained as grassland. The proposed building would be located to the north western corner of the site near the existing farm complex. Consequently, although the proposal would result in the loss of agricultural land it would not have a detrimental impact on the character of the countryside due to its close relationship to the settlement boundary of Penarth and the element of openness of the land the proposal would retain.</p> <p>Furthermore, the need for the school must be balanced against the intrusion into the countryside. Based on the projected need for ALN places to reach 351 in the existing Ysgol Y Deri school which has a capacity of 205 pupils it is evident that a new school is urgently required to ensure the Local Authority meets its education responsibilities. However, it is the role of the Local Planning Authority to consider the reasoned justification for the proposal and recommend a determination upon considering the relevant material considerations.</p> <p>Consequently, the applicant is submitting an outline application to confirm whether the principle of development in this location is acceptable before the land is purchased and additional work is undertaken in support of a reserved matters planning application.</p>
Criteria for close proximity to existing YYD is not met as this could be met on	Land located along Cog Road also lies within the countryside and it is considered land in this location is more sensitive, as it is also located in a Green Wedge which seeks to stop the coalescence of Penarth with Dinas Powys. There is considerably less distance between Penarth

greenfield site on Cog Road	<p>and Dinas Powys than there is between Penarth and Sully. Therefore, it is likely the proposal would have less of an impact upon the green wedge designation in its current location than along Cog Road.</p> <p>Additionally, the infrastructure along Cog Road is not as sustainable as the proposed location which is served regular public transport and has existing active travel routes within close proximity.</p>
Proposal could be located on adjoining residential application site	<p>The proposal relates to additional education need which was not predicted as part of the LDP process. This is known as windfall development. The existing residential allocation which adjoins the proposed site was allocated to meet the residential requirement within the plan and includes the provision of a primary school on the site amongst other mixed uses such as open space.</p> <p>Therefore, based upon the competing needs already on the allocated site, it is considered there is insufficient room to support the proposal within the existing allocation site.</p> <p>Additionally, the location of the school is restricted to land that is available which in this instance is the proposed development site.</p>
Proposal will use s.106 money allocated to Sully Village	<p>The expansion of Ysgol Y Deri has been included as part of Band B of the Council's 21st Century Schools Programme. £11m has been allocated to this scheme which is part funded by Welsh Government. As a special school, 75% of the funding would be provided by Welsh Government (£8.25m) and 25% would be funded by the Council. The Council's contribution of £2.75m is included within the capital programme and is funded via general capital reserves and Section 106 contributions received from various housing developments in the Vale.</p>
Proposal would have a detrimental impact on sound quality	<p>The proposed development would be subject to a noise assessment to ensure the proposed school meets the required standards. This will be considered under the reserved matters application if outline consent is approved.</p>
Proposal does not link to former railway line which is planned to become a footpath and cycleway	<p>There is limited certainty as to when this proposal will come forward. Consequently, the priority for the proposal at the outline stage is to demonstrate the site can be accessed by existing active travel routes which is shown on the proposed layout.</p> <p>The Education Authority can consider adding in an additional active travel access when the proposed footpath and cycleway come forward, however, this would need to be balanced against the need to retain important biodiversity features on the site which is bordered by mature vegetation.</p>
Proposal should include provision to upgrade railway path	<p>This is considered to relate to a reserved matters application. The need for financial contributions to the railway path will need to be determined by the Local Planning Authority through the planning obligations process.</p>
Proposal has an over provision for car parking	<p>It is accepted the proposal currently over provides on parking provision. However, there are no specific standards relating to ALN</p>

	<p>schools under the Council's current Parking Standards SPG. Therefore, the maximum provision has been based upon applying the standards for each education type to the proposed development (103 FTE staff, of which 18 are teaching staff and 85 are ancillary staff) to identify a range for the maximum parking provision requirements. At the high end of the education types, total provision of 66 spaces (61 spaces for teaching / ancillary staff and five spaces for visitors) is the maximum provision. At the low end, total provision of 64 spaces (61 spaces for teaching / ancillary staff and three spaces for visitors) is the maximum provision. 5% of total parking provision is required to be designated for disabled use. One additional space (commercial) for operational use is also required.</p> <p>The proposed layout indicatively includes provision for 70 spaces. Of these, four spaces (6%) are designated for disabled use. The total level of provision exceeds the maximum standard by four spaces. This is considered reasonable given there will likely be a higher than average visitor demand, from ALN professional services, associated with requirements of pupils of this education type. This represents an increase in the level of provision from what was presented in the PAC submission of four spaces. In its PAC response, the LHA suggested that a higher level of provision may be required given staffing levels. The applicant has endeavoured to accommodate a higher level of provision that achieves a suitable balance for accommodating vehicle travel, ensuring this is not excessive so as not to undermine objectives relating to the promotion of sustainable travel. The level of provision will be confirmed at the reserved matters stage. A commercial space is also provided, accessed via the drop-off / pick-up area.</p>
<p>Proposed Lavernock Road Access will need to have pedestrian and cyclist priority crossing measures</p>	<p>The proposed Lavernock Road Access has been removed and the site access is now on Fort Road. However, suitable crossings at the junction of Fort Road are likely to be required. This will be determined by the LHA under a reserved matters application if an outline consent is granted.</p>
<p>Lavernock Road cycleway needs to be upgraded as part of the proposal.</p>	<p>A dedicated pedestrian and cycle access will be provided directly from the existing footway / cycleway on the B4267. This will provide a segregated route to the school entrances. As part of the access proposals for 'Land at Upper Cosmeston Farm', the existing shared footway / cycleway on the B4267 is to be widened to form an active travel route between the junctions with Upper Cosmeston Farm and Fort Road. The pedestrian and cycle access to this proposed development will directly connect with the widened shared footway / cycleway, this will be an appropriate active travel connection as requested by the LHA. Areas outside the school entrances will link to the drop-off / pick-up and car parking areas, with provision of suitable crossing facilities and waiting areas.</p>
<p>Existing YYD school should be extended to accommodate the additional need</p>	<p>In the first instance expanding the existing Ysgol Y Deri was considered, however expanding the school on the existing site was ruled out as there was insufficient space to accommodate the required expansion without significantly impacting on the external space available to pupils at the Penarth Learning Community. Any expansion of the existing site would also significantly impact the local infrastructure which already caters for a large number of pupils.</p>
<p>Proposal does not benefit local children or existing community</p>	<p>The education authority has a duty to provide provision for all learners including ALN pupils. Although the proposed school would cater for pupils within the whole of the Vale of Glamorgan this will include the local area. Furthermore, the location of the school within close</p>

	<p>proximity to the existing Ysgol Y Deri School is considered to be beneficial to allow for shared facilities. Additionally, the proposal forms part of the 21<sup>st</sup> Century Schools scheme which allows school facilities to be available to the wider community adding further benefits to the area.</p>
<p>Limited cycle storage area provided</p>	<p>The outline proposal includes an indicative layout, the number of cycle parking spaces will be confirmed at the reserved matters stage. However, based upon Appendix 4 of the Parking Standards SPG there could be a requirement of 23 spaces at the low end and 28 spaces at the high end based upon an assessment of each type of school as a ALN schools are not listed in the SPG.</p> <p>The illustrative masterplan shows a cycle storage area located between the pedestrian / cycle access and the visitor entrance demonstrating it is positioned in an area which has priority access to the building.</p>
<p>Over development of Grade A farmland</p>	<p>The proposal would result in the loss of existing farmland which is currently used for grazing. Although the site is classed as agricultural land it has not been identified as Best and Most Versatile (BMV) land using Welsh Governments Predictive Agricultural Land Classification (ALC). The Predictive ALC identifies the land as Grade 4 which is poor agricultural land. The Predictive ALC Map (Wales) takes the best available data and applies the current ALC assessment guidelines and criteria to predict the grade of agricultural land. It also sub-divides ALC Grade 3 into Grade 3a (good land - BMV) and 3b (moderate land – Non-BMV).</p> <p>Furthermore, the loss of the agricultural use needs to be weighed against the significant need for school places in the existing Ysgol Y Deri School which the proposal would accommodate. The existing school was originally constructed to accommodate 205 pupils but currently has 262 pupils on roll. The number of pupils leaving the school in the short to medium term is much lower than those entering which is causing the significant pressure on capacity. In 2018-19 there were 18 school leavers and 39 entrants, in 2019-20 there were again 39 entrants against 25 leavers. At the end of the 2019-20 academic year there were only 10 leavers and a significant increase in entrants to 48. In order to accommodate the September 2020 intake, Ty Deri Residential Respite facility has been temporarily closed and communal areas have been converted into additional classroom space. This has enabled the Council to provide places for those requiring placements this year, however all available space has now been utilised and the school will be unable to expand any further. In 2021-22 the number of leavers will be 18, it is impossible to provide a precise number of pupils that will require places in September 2021 as this will depend on a number of factors, however, current projections would indicate that a minimum of 44 pupils will require a place at the school. Therefore, a minimum of an additional 26 places will be required to create the capacity for the September 2021 intake. In 2022-23 there will be 26 leavers and current projections would indicate that the number of pupils requiring a placement will again be in the mid-forties. This would mean that an additional 18 places will be required in September 2022. In total, approximately 44 additional places will be needed at Ysgol Y Deri prior to the completion of the new building.</p> <p>Consequently, as the land is not classified as BMV it is considered the loss of the agricultural land is in accordance with national and local</p>

	<p>planning policy contained within PPW and under LDP Policies MD1 and MD7.</p>
<p>Proposal does not include appropriate road junction to create a safe site entrance</p>	<p>The road junction into the site has been moved with access now located along Fort Road. This was based upon comments submitted by the LHA.</p> <p>Vehicle access to the proposed development will be via a new priority T-junction onto Fort Road. Vehicles will access and egress via the same junction. An indicative junction arrangement is shown for information purposes in the masterplan. Junction geometric parameters will be confirmed at the detailed design stage. A reduction from the national speed limit of 60mph to 30mph will be introduced on Fort Road along the site frontage, as necessary to encompass the proposed access and associated visibility splays. Emerging visibility commensurate with a speed limit of 30mph is achievable along the site frontage. As part of the access proposals, there will be a requirement to ensure for efficient two-way movements on Fort Road between its junction with the B4267 and the site access. This is likely to necessitate widening of the carriageway within the site boundary / extent of the public highway. Proposals for widening and tie-in with / modifications to the existing B4267 / Fort Road junction will be prepared based on topographical survey information and will be set out at the detailed design stage. The access strategy will result in an intensification in use of the B4267 / Fort Road junction; emerging visibility commensurate with both the potential and existing speed limit on the B4267 is achieved.</p> <p>Given the status of the application, which is sought as outline planning permission, the masterplan presented is for indicative purposes to show that the building, access arrangements and internal service and circulation routes can be accommodated. Swept Path Analysis (SPA) will be undertaken on the masterplan at the detailed reserved matters stage to demonstrate that the arrangements are suitable and appropriate to accommodate the largest vehicle types anticipated to serve the development.</p>
<p>Proposal does not include provision for light rail / trams or new bus routes</p>	<p>There are no identified allocations for light rail and trams within this location within the LDP. It is considered the scale of the development would not warrant the provision of a light rail or tram spur to the site. It is noted that within the region the South East Metro is being developed which seeks to improve public transport provision. This is being considered at a regional level and is not the responsibility of the applicant.</p> <p>If the Local Planning Authority, consider improved bus provision is necessary to support the proposal this can be addressed through the planning obligations process. However, the site is served by two bus services which provide a good level of public transport accessibility to Barry, Penarth, and Cardiff. There is a half-hourly bus service between Cardiff and Barry which would be available for future pupil / staff use to access the proposed development. It is acknowledged that the special requirements of future pupils may limit the number of pupils who would be permitted or able to use bus services unaccompanied.</p>
<p>PAC consultation timing was inappropriate during lockdown</p>	<p>Due to the current Covid-19 restrictions the consultation strategy included a significant number of local properties which were contacted directly via letter (181 properties) beyond the minimum requirements</p>

	<p>set out in legislation which only relate to adjoining land and properties, to ensure people were made aware of the proposal.</p> <p>The length of the consultation period met the 28-day requirement of legislation and additional site notices were placed within the area to further advertise the consultation. In accordance with the emergency Covid-19 regulations relating to PACs a telephone number was provided on the consultation material for people to call if they had any issues accessing the consultation documents or had any questions relating to the consultation.</p> <p>Consequently, it is considered the PAC was undertaken in accordance with the relevant legislation and it is considered appropriate efforts were made to ensure the consultation exceeded the minimum requirements of the regulations.</p>
Only small section of proposal allocated for SUDs insufficient to mitigate surface flooding	The proposal is for an outline consent and the drainage strategy which includes SUDs can be addressed through a reserved matters application and through the SAB Authority which is responsible for determining SUDs applications for surface water drainage on sites of this scale.
No weather protection included for users at pick-up / drop-off zones	This is not a requirement of the school design standards contained in building bulletin 104. However, the application is at the outline stage and additional cover for access in and out of vehicles could be considered under reserved matters if considered necessary to the proposal. The proposed layout reflects a balance between providing the requirements of the school against maintaining openness within the site to reduce the impact upon the countryside and green wedge designation.
Design of the School looks like a barn which is considered inappropriate	The proposed elevations are indicative at the outline stage and are used to give an impression of the intended scale and massing of the proposal. However, the design of the school has been influenced by heritage and modern buildings from across the wider Vale of Glamorgan area to help inspire the overall form of the proposals. The chosen form is considered to reflect the spectrum of community, domestic and agricultural buildings, reflecting the holistic influence of a School and its context.
Proposal does not support future expansion of the site	<p>The site does exceed the required 2ha size of a site by 0.6ha this allows for potential future expansion to be factored into the site masterplan.</p> <p>However, the internal layout of the new building for the proposed school will be flexible and adaptable to meet varying needs of pupils.</p> <p>Additional provision in the interim will be provided by utilising capacity at the Ty Deri building run by Ysgol Y Deri. This facility has been changed from a respite centre into additional classrooms to help meet demand in the short-term and could continue if capacity is reached at the new school and expansion on the site is considered inappropriate.</p>
No justification for the proposed development	The justification for the development is based upon the significant need for the education use. The existing school was originally constructed to accommodate 205 pupils but currently has 262 pupils on roll. The number of pupils leaving the school in the short to medium term is much lower than those entering which is causing the significant



	<p>pressure on capacity. In 2018-19 there were 18 school leavers and 39 entrants, in 2019-20 there were again 39 entrants against 25 leavers. At the end of the 2019-20 academic year there were only 10 leavers and a significant increase in entrants to 48. In order to accommodate the September 2020 intake, Ty Deri Residential Respite facility has been temporarily closed and communal areas have been converted into additional classroom space. This has enabled the Council to provide places for those requiring placements this year, however all available space has now been utilised and the school will be unable to expand any further. In 2021-22 the number of leavers will be 18, it is impossible to provide a precise number of pupils that will require places in September 2021 as this will depend on a number of factors, however, current projections would indicate that a minimum of 44 pupils will require a place at the school. Therefore, a minimum of an additional 26 places will be required to create the capacity for the September 2021 intake. In 2022-23 there will be 26 leavers and current projections would indicate that the number of pupils requiring a placement will again be in the mid-forties. This would mean that an additional 18 places will be required in September 2022. In total, approximately 44 additional places will be needed at Ysgol Y Deri prior to the completion of the new building. This results in a projected demand of 351 pupils by 2023 resulting in a need of 146 places.</p> <p>The above figures are based on the number of expected leavers against the estimated number of pupils who will require a place. This represents the minimum anticipated pupil numbers and demand could be higher. Therefore, it is evident that a new school is urgently required to ensure the Local Authority meets its education responsibilities. However, it is the role of the Local Planning Authority to consider the reasoned justification for the proposal and recommend a determination upon considering the relevant material considerations.</p>
<p>Proposal contrary to Wellbeing and Future Generations Act</p>	<p>The Wellbeing and Future Generations Act places a duty on public bodies to carry out sustainable development which is defined in the Act as the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle (acting in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs), aimed at achieving the well-being goals.</p> <p>The planning system plays an important role in achieving the goals set out in the Act, as such the “primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.” (PPW, para.1.2, 2021). Therefore, it is considered if the proposed development complies with national planning policy it would meet the objectives outlined within the Act.</p> <p>Furthermore, the adopted LDP was also considered to appropriately reflect the objectives of the Act as demonstrated by the Independent Inspector’s Report which stated “The Planning (Wales) Act 2015 sets out a series of legislative changes to deliver reform of the planning system in Wales to ensure that it is fair, resilient and enables development. Moreover, the Well-being of Future Generations (Wales) Act 2015 (the WCFG Act) sets out a duty to improve the economic,</p>

	<p>social, environmental, and cultural well-being of Wales, in accordance with the sustainable development principle. As the Plan was submitted prior to April 2016, it does not have to directly correlate with the well-being goals identified in the WBFG Act. However, I have had regard to the updated legislative framework and considered the ways of working set out at section 5 of the WBFG Act. The Council has also demonstrated that the Plan aligns with the identified well-being goals. Indeed, the Plan, as modified, will contribute towards improving the economic, social, environmental, and cultural well-being of Wales and, in this respect, I am satisfied that it complies with the overarching principle of achieving sustainable development.” (Inspectors Report, para.2.7, 2017).</p> <p>Consequently, the draft planning, design and access statement and supporting documentation to the proposed development is considered to adequately outline the relevant national and local planning policies and demonstrate how the proposed development complies with these policies.</p> <p>Additionally, the response to representations from the PAC process contained within this document also elaborates on how the proposed development meets national and local planning policy and identifies where the design of the proposal needs to be amended or where further technical information is required which will be submitted alongside a full planning application.</p>
<p>Proposal contrary to Welsh Government’s targets to reduce carbon and environmental footprint</p>	<p>The proposed development would include additional tree planting on the site and further planting along the existing hedgerow. Although the proposal will primarily be accessed by vehicle this reflects the needs of the pupils who in general are unable to access the site via active travel methods. Where pupils are able to attend via active travel the proposal has included adequate provision to allow for this by improving the existing active travel route along the site frontage, providing bicycle parking and prioritising access via active travel methods onto the site. The proposal also includes mini-bus provision to reduce the number of journeys required by pupils as this allows for multiple pupils to travel at one time representing a more sustainable form of travel than private vehicles.</p> <p>Additionally, the school will be constructed to a minimum of BREEAM excellent accreditation ensuring the building is sustainable.</p>
<p>Proposal does not justify the loss of green wedge land</p>	<p>The proposed development is also located within a green wedge designation as identified under Policy MG18 - Green Wedges (South Penarth to Sully). The green wedge is a local designation which seeks to prevent the coalescence of settlements and retain the openness of land along the urban fringe. The areas identified as green wedges are considered to be more vulnerable and susceptible to change, therefore they require additional protection. In these areas there is a presumption against inappropriate development which contributes to urban coalescence, prejudices the open nature of the land, or has an adverse impact upon the setting of an urban area. The reasons for designating the South Penarth to Sully area as a green wedge are contained within the Vale of Glamorgan Council Green Wedge Background Paper 2013.</p> <p>The boundary justification for the South Penarth to Sully green wedge was based upon the settlement boundaries of Penarth and Sully, the</p>

coastal edge and the main highway network which are considered to provide permanent and robust boundaries. PPW states there is a presumption against development within the boundaries of green wedges and inappropriate development should only be granted permission in very exceptional circumstances where other considerations clearly outweigh the harm the development would do to the green wedge. However other forms of development may be appropriate where they maintain the openness of the green wedge and do not conflict with the purposes of the designation.

The proposed education use allows for an element of versatility regarding its layout allowing the built form to be positioned in a sensitive manner to prevent urban coalescence and maintain openness by utilising features which retain a sense of openness which include outdoor sport and recreation areas, and parking areas. PPW considers outdoor sport and outdoor recreation facilities as an appropriate form of development in green wedges. Approximately 1.7ha of the 2.62ha development site would remain as greenspace or be used for outdoor sport or recreation which equates to 64.9% of the development site. A further 0.74ha relates to the school parking area (28.2%) with the remaining area of 0.18ha accommodating the footprint of the proposed school building. This means the built form on the development accounts for 6.8% of the site. It is noted that although the parking area would maintain openness it would have a greater urbanising affect than the outdoor sport facilities and greenspace, however, the developer proposes to use grass-crete to help soften the urban character of the parking layout. Although the proposed school building would account for a small percentage of the overall development site, it would impact on the openness of the site. To help mitigate the impact on the openness of the wider green wedge, the building has been located to the north western corner of the development site within close proximity to the existing farm complex (set away for the farm boundary by 5.2m). Furthermore, the design of the building utilises a low pitch roof reducing the overall height of the building and proposes cladding to 1st storey which creates a building form reminiscent of a large barn structure reflecting the agricultural nature of the green wedge.

Although it is considered the proposed school would represent a modest impact upon the designation of the Green Wedge, PPW is clear that any form of inappropriate development should not be granted planning permission except in very exceptional circumstances. The proposed development is for an education use based upon an immediate need for more pupil spaces at the existing Ysgol Y Deri school which has already exceeded capacity. Furthermore, the proposal relates to a special needs school which requires specific requirements to accommodate the pupil's education needs which restricts the viability of other site locations due to the specific site specifications required for a school of this type. The proposed development has been subject to a review of all available sites across the Vale of Glamorgan to deliver the scheme which resulted in the proposed development site being identified as the preferred option. Consequently, it is considered there is an exceptional need for a new school which outweighs the impact on the green wedge which has been reduced by the proposed layout of the development and the design of the proposed building.

Additionally, the presence of the existing road known as Fort Road which runs to the south west of the site is considered to be a stronger, defensible and logical boundary to protect against urban coalescence between Sully and Penarth than the current boundary which relates to

	<p>the existing housing allocation. This approach is considered to be appropriate as it reflects the original justification for the green wedge boundary outlined in the Background Paper to ensure there is no further erosion of the green wedge designation. Moreover, the applicant has commissioned a Landscape Visual Impact Assessment (LVIA) to understand how the proposed development would be viewed in the landscape and its likely impact upon the coalescence of Penarth and Sully. The LVIA will be submitted as part of a formal planning application to be assessed by the Local Planning Authority and relevant interest parties as part of the planning application process.</p>
<p>Land should be used for tree planting rather than proposed use</p>	<p>The need for additional tree planting needs to be balanced against the need for education provision. However, the site will include additionally tree planting as part of the proposal increasing the number of trees in the local area.</p>

## 5. ADDITIONAL CHANGES TO THE PROPOSAL

- 5.1. Following the conclusion of the Pre-Application Consultation process the proposal has been subject to several changes. The changes have been made to address concerns raised during the consultation process.
- 5.2. The proposed changes are summarised below for information:
- Moving the access from Lavernock Road to Fort Road,
  - Re-arranging the internal road layout to reflect the new access,
  - Identifying additional land for sports pitch provision,
  - Creating an active travel access to the north west corner of the site,
  - Increasing the parking provision on site by 4 spaces to reflect LHA comments,
  - Commissioning Ground Investigation Survey to support the proposal and address contamination concerns,
  - Commissioning a PEA report to address ecology concerns on the site,
  - Amending the TA to reflect the new access and address concerns raised by the LHA.
- 5.3. In relation to the changes to the proposed layout, Figure 5 shows the layout submitted as part of the PAC process and Figure 6 shows the amended site layout changed in response to comments received during the consultation.

**Figure 5: Proposed Site Layout submitted for PAC**



**Figure 6: Amended Proposed Site Layout**



## 6. CONCLUSION

- 6.1. The PAC has been carried out in accordance with the relevant legislative framework. It has been demonstrated that the concerns of consultees have either been addressed through revisions to the design / layout or are considered to be unjustified in planning terms.
- 6.2. It is considered the pre-application consultation exercise has been completed and following the outcome of the process the proposed development is ready to move to the formal submission stage to be considered by the LPA.

## 7. APPENDICES

### 7.1. APPENDIX 1: ENGLISH AND WELSH SITES NOTICES

**PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION NOTICE**

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012**

**UNDER ARTICLES 2C AND 2D AS MODIFIED BY ARTICLE 2G**

**(To be served on owners and / or occupiers of adjoining land and community consultees; and displayed by site notice on or near the location of the proposed development)**

**Purpose of this notice:** this notice provides the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the local planning authority ("LPA"). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.

Development Proposal: Proposed New Specialised School and Associated Works on Land at Lower Cosmeston Farm.

I give notice that the Vale of Glamorgan Council (21<sup>st</sup> Century Schools) is intending to apply for planning permission to construct a new specialised school.

You may inspect copies of:

- The proposed application;
- The plans; and
- Other supporting documents



Online at <http://vogonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2020/00007/PAC>.

If you are unable to access the documents electronically you may request copies of this information by emailing [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk) or by telephoning the agent on **01446 704762**.

Anyone who wishes to make representations about this proposed development must write to the agent at FOA: Nathan Slater, Planning Policy, Dock Offices, Subway Road, CF63 4RT or emailing [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk). All representations must be received by **Tuesday 2<sup>nd</sup> February 2021**.

**Representations must be received by Tuesday 2<sup>nd</sup> February 2021.**

**Signed:** Nathan Slater (Senior Policy Planner)

**Date:** 04/01/2021



HYSBYSIAD CYHOEDDUSRWYDD AC YMGYNGHORI CYN YMGEISIO AM GANIATÂD CYNLLUNIO  
GORCHYMYN CYNLLUNIO GWLAD A THREF (GWEITHDREFN RHEOLI DATBLYGU) (CYMRU) 2012

HYSBYSIAD O DAN ERTHYGLAU 2C A 2D FEL Y'U HADDASWYD GAN ERTHYGL 2G

(I'w gyflwyno i berchnogion a/neu feddianwyr tir cyffiniol ac ymgynghoreion cymunedol; a'i arddangos ar hysbysiad safle ar neu ger y datblygiad arfaethedig)

**Diben yr hysbysiad hwn:** mae'r hysbysiad hwn yn rhoi cyfle i wneud sylwadau yn uniongyrchol i'r datblygwr ynglŷn â datblygiad arfaethedig cyn cyflwyno cais am ganiatâd cynllunio i'r awdurdod cynllunio lleol ("ACLI"). Bydd unrhyw gais cynllunio dilynol yn cael ei hysbysebu gan yr ACLI perthnasol; ni fydd unrhyw sylwadau a ddarperir mewn ymateb i'r hysbysiad hwn yn lleihau dim ar eich gallu i gyflwyno sylwadau i'r ACLI ar unrhyw gais cynllunio cysylltiedig. Dylech nodi y gellir gosod unrhyw sylwadau a gyflwynir gennych yn y ffeil gyhoeddus.

**Cynnig Datblygu:** Ysgol Arbenigol Newydd Arfaethedig a Gwaith Cysylltiedig ar Dir yn Fferm Cosmeston Isaf.

Rwy'n rhoi rhybudd bod Cyngor Bro Morgannwg (Ysgolion yr 21 Ganrif) yn bwriadu gwneud cais am ganiatâd cynllunio i adeiladu ysgol arbenigol newydd.

Gallwch weld copïau o'r:

- Cais arfaethedig;
- Y cynlluniau; a'r
- Dogfennau cysylltiedig eraill

Ar-lein yn <http://vogonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2020/00007/PAC>.

Os nad ydych yn gallu cael mynediad at y dogfennau yn electronig gallwch ofyn am gopïau o'r wybodaeth hon drwy anfon e-bost at [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk) neu drwy ffonio'r ceisydd ar **01446 704762**.

Rhaid i unrhyw un sy'n dymuno gwneud sylwadau ynglŷn â'r datblygiad arfaethedig hwn ysgrifennu at y ceisydd/yr asiant yn Polisi Cynllunio, Swyddfeydd y Dociau, Heol yr Isffordd, y Barri, CF63 4RT neu e-bostio [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk). Rhaid derbyn pob sylw erbyn **dydd Mawrth 2 Chwefror 2021**.

**Mae'n rhaid derbyn sylwadau erbyn dydd Mawrth 2 Chwefror 2021.**

**Llofnodwyd:** Nathan Slater (Uwch Swyddog Polisi)

**Dyddiad:** 04/01/2021





Date/Dyddiad: 31/12/2020

Ask for/Gofynwch am: Nathan Slater

Telephone/Rhif ffon: (01446) 704762

e-mail/e-bost: npslater@valeofglamorgan.gov.uk

The Vale of Glamorgan Council  
Dock Office, Barry Docks, Barry CF63 4RT  
Tel: (01446) 700111

Cyngor Bro Morgannwg  
Swyddfa'r Doc, Dociau'r Barri, Y Barri CF63 4RT  
Ffôn: (01446) 700111



[www.valeofglamorgan.gov.uk](http://www.valeofglamorgan.gov.uk)

Owner / Occupier  
Address 1  
Address 2  
Address 3  
Postcode

Dear Sir/Madam

**Town and Country Planning (Development Management Procedure) (Wales) Order 2012  
PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION NOTICE  
UNDER ARTICLES 2C AND 2D AS MODIFIED BY ARTICLE 2G  
(to be served on owners and/or occupiers of adjoining land and community consultees; and  
displayed by site notice on or near the location of the proposed development)**

**Purpose of this notice:** this notice provides the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the local planning authority ("LPA"). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.

Proposed Development is situated on Land at Lower Cosmeston Farm, Lavernock.

I give notice that the 21<sup>st</sup> Century Schools Team, Vale of Glamorgan Council is intending to apply for outline planning permission for a: Proposed New Specialised School and associated works.

You may inspect copies of:

- The proposed application;
- The plans; and
- Other supporting documents,

Online at <http://vogonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2020/00007/PAC>.

If you are unable to access the documents electronically you may request copies of this information by emailing [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk) or by telephoning the agent on **01446 704762**.

Anyone who wishes to make representations about this proposed development must write to the agent at FOA: Nathan Slater, Planning Policy, Dock Offices, Subway Road, CF63 4RT or emailing [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk). All representations must be received by **Tuesday 2<sup>nd</sup> February 2021**.

**Representations must be received by Tuesday 2<sup>nd</sup> February 2021.**

**Signed:** Nathan Slater (Senior Policy Officer)

**Date:** 31/12/2020

Date/Dyddiad: 31/12/2020

Ask for/Gofynwch am: Nathan Slater

Telephone/Rhif ffon: (01446) 704762

e-mail/e-bost: npslater@valeofglamorgan.gov.uk

The Vale of Glamorgan Council  
Dock Office, Barry Docks, Barry CF63 4RT  
Tel: (01446) 700111

Cyngor Bro Morgannwg  
Swyddfa'r Doc, Dociau'r Barri, Y Barri CF63 4RT  
Ffôn: (01446) 700111



[www.valeofglamorgan.gov.uk](http://www.valeofglamorgan.gov.uk)

Annwyl Syr/Madam

**Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012  
CYHOEDDUSRWYDD AC YMGYNGHORI CYN GWNEUD CAIS AM GANIATÂD CYNLLUNIO  
HYSBYSIAD O DAN ERTHYGLAU 2C a 2D FEL Y'U HADDASWYD GAN ERTHYGL 2G**

**Diben yr hysbysiad hwn:** mae'r hysbysiad hwn yn rhoi cyfle i wneud sylwadau yn uniongyrchol i'r datblygwr ynglŷn â datblygiad arfaethedig cyn cyflwyno cais am ganiatâd cynllunio i'r awdurdod cynllunio lleol ("ACLI"). Bydd unrhyw gais cynllunio dilynol yn cael ei hysbysebu gan yr ACLI perthnasol; ni fydd unrhyw sylwadau a ddarperir mewn ymateb i'r hysbysiad hwn yn lleihau dim ar eich gallu i gyflwyno sylwadau i'r ACLI ar unrhyw gais cynllunio cysylltiedig. Dylech nodi y gellir gosod unrhyw sylwadau a gyflwynir gennych yn y ffeil gyhoeddus.

Mae'r Datblygiad Arfaethedig wedi'i leoli ar Dir yn Fferm Cosmeston Isaf, Larnog.

Rwy'n rhoi rhybudd bod Tîm Ysgolion yr 21ain Ganrif, Cyngor Bro Morgannwg yn bwriadu gwneud cais am amlinellu caniatâd cynllunio ar gyfer: Ysgol Arbenigol Newydd Arfaethedig a gweithiau cysylltiedig.

Gallwch weld copïau o'r:

- Cais arfaethedig;
- Y cynlluniau; a'r
- Dogfennau cysylltiedig eraill,

Ar-lein yn <http://vagonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2020/00007/PAC>.

Os nad ydych yn gallu cael mynediad at y dogfennau yn electronig gallwch ofyn am gopïau o'r wybodaeth hon drwy anfon e-bost at [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk) neu drwy ffonio'r ceisydd ar **01446 704762**.

Rhaid i unrhyw un sy'n dymuno gwneud sylwadau ynglŷn â'r datblygiad arfaethedig hwn ysgrifennu at y ceisydd/yr asiant yn Polisi Cynllunio, Swyddfeydd y Dociau, Heol yr Isffordd, y Barri, CF63 4RT neu e-bostio [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk). Rhaid derbyn pob sylw erbyn **Dydd Mawrth 2 Chwefror 2021**.

**Mae'n rhaid derbyn sylwadau erbyn dydd Mawrth 2 Chwefror 2021.**

**Llofnodwyd:** Nathan Slater (Uwch Swyddog Polisi)

**Dyddiad:** 31/12/2020

7.3. APPENDIX 3: SPECIALIST, COMMUNITY AND ADDITIONAL CONSULTEE LETTER

Date/Dyddiad: 31/12/2020

Ask for/Gofynwch am: Nathan Slater

Telephone/Rhif ffon: (01446) 704762

e-mail/e-bost: np Slater@valeofglamorgan.gov.uk

The Vale of Glamorgan Council  
Dock Office, Barry Docks, Barry CF63 4RT  
Tel: (01446) 700111

Cyngor Bro Morgannwg  
Swyddfa'r Doc, Dociau'r Barri, Y Barri CF63 4RT  
Ffôn: (01446) 700111



[www.valeofglamorgan.gov.uk](http://www.valeofglamorgan.gov.uk)

Dear Sir/Madam

**Town and Country Planning (Development Management Procedure) (Wales) Order 2012  
CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION NOTICE UNDER 2D  
(To be served on specialist consultees, as defined by article 2(1) of the Town and Country  
Planning (Development Management Procedure) (Wales) Order 2012)**

**Purpose of this notice:** This notice comprises a formal request for pre-application consultation response under article 2D of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

Proposed Development is situated on Land at Lower Cosmeston Farm, Lavernock.

I give notice that the 21st Century Schools Team, Vale of Glamorgan Council is intending to apply for outline planning permission for a: Proposed New Specialised School and associated works.

A copy of the proposed application; plans; and other supporting documents are attached can be viewed online at <http://vogonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2020/00007/PAC>.

In accordance with the requirements of article 2E of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, a consultation response must be sent to [np Slater@valeofglamorgan.gov.uk](mailto:np Slater@valeofglamorgan.gov.uk) by **Tuesday 2<sup>nd</sup> February 2021**.

**Signed:** Nathan Slater (Senior Policy Officer)

**Date:** 31/12/2020

Date/Dyddiad: 31/12/2020

Ask for/Gofynwch am: Nathan Slater

Telephone/Rhif ffon: (01446) 704762

e-mail/e-bost: [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk)

The Vale of Glamorgan Council  
Dock Office, Barry Docks, Barry CF63 4RT  
Tel: (01446) 700111

Cyngor Bro Morgannwg  
Swyddfa'r Doc, Dociau'r Barri, Y Barri CF63 4RT  
Ffôn: (01446) 700111

[www.valeofglamorgan.gov.uk](http://www.valeofglamorgan.gov.uk)



Annwyl Syr/Madam

**Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012  
YMGYNGHORI CYN CAIS AM HYSBYSIAD CANIATÂD CYNLLUNIO DAN 2D  
(I'w gyflwyno ar ymgynghoreion arbenigol, fel y'u diffinnir gan erthygl 2 (1) o Orchymyn Cynllunio  
Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012).**

**Pwrpas yr hysbysiad hwn:** Mae'r hysbysiad hwn yn cynnwys cais ffurfiol ar gyfer ymateb ymgynghori cyn cyflwyno cais dan erthygl 2D o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012.

Mae'r Datblygiad Arfaethedig wedi'i leoli ar Dir yn Fferm Cosmeston Isaf, Larnog.

Rwy'n rhoi rhybudd bod Tîm Ysgolion yr 21ain Ganrif, Cyngor Bro Morgannwg yn bwriadu gwneud cais am amlinellu caniatâd cynllunio ar gyfer: Ysgol Arbenigol Newydd Arfaethedig a gweithiau cysylltiedig.

Copi o'r cais arfaethedig; cynlluniau; a dogfennau ategol eraill i'w gweld ar-lein yn <http://vagonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2020/00007/PAC>.

Yn unol â gofynion erthygl 2E o Orchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012, mae'n rhaid anfon ymateb i [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk) erbyn **dydd Mawrth 2 Chwefror 2021**.

**Llofnodwyd:** Nathan Slater (Uwch Swyddog Polisi)

**Dyddiad:** 31/12/2020

7.4. APPENDIX 4: SPECIALIST & ADDITIONAL CONSULTEE REPRESENTATIONS



Mr Nathan Slater  
Vale of Glamorgan Council  
Dock Offices  
Subway Road  
Barry  
CF63 4RT

Date: 21/01/2021  
Our Ref: PPA0005425

Dear Mr Slater,

**Grid Ref: 317875 168833**

**Site Address: Land at Lower Cosmeston Farm, Lavernock**

**Development: Schedule 1C Article 2D - Proposed New Specialised School and associated works**

I refer to the Schedule 1C - Article 2D notice received and your formal request for a pre-application consultation response before applying for planning permission from Dwr Cymru Welsh Water as a 'Specialist Consultee' as defined by Paragraph (y) of Schedule 4 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016. It is acknowledged that the consultation request relates to a major development site and thus seeks a substantive response within 28 days from the date of the notice, as per the requirements of Article 2E. This request includes our views on the capacity of our network of assets and infrastructure to accommodate your proposed development. Having reviewed the details submitted I would advise there is **no objection** to the proposed development and offer the following standing advice which should be taken into account within any future planning application for the development.

### **ASSET PROTECTION**

The proposed development site is crossed by a large diameter strategic public sewer (4000 x 3880mm) with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located and marked out on site before works commence and no operational development shall be carried out within 10 metres either side of the centreline of the public sewer.

### **SEWERAGE**

The foul flows only from the proposed development can be accommodated within the public sewerage system. Should a planning application be submitted for this development we will seek to control points of

communication via appropriate planning conditions and therefore recommend that any drainage layout or strategy submitted as part of your application takes this into account.

Please note we would not permit a new direct connection to the large diameter sewer located within the development site as this is a strategic asset.

### **Surface Water Drainage**

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the Local Authority, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

### **Advisory Notes**

You are also advised that some public sewers and lateral drains may not be recorded on our 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 you may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus in and around your site. Please be mindful that under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

### **SEWAGE TREATMENT**

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

### **POTABLE WATER SUPPLY**

A water supply can be made available to service this proposed development.

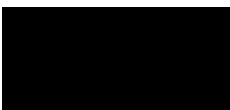


I trust the above information is helpful and will assist you in forming water and drainage strategies that should accompany any future planning application. I also attach copies of our water and sewer extract plans for the area, and a copy of our Planning Guidance Note which provides further information on our approach to the planning process, making connections to our systems and ensuring any existing public assets or infrastructure located within new development sites are protected.

Please note that our response is based on the information provided in your enquiry and should the information change we reserve the right to make a new representation. Should you have any queries or wish to discuss any aspect of our response please do not hesitate to contact our dedicated team of planning officers, either on [REDACTED] or via email at [REDACTED]

Please quote our reference number in all communications and correspondence.

Yours faithfully,



**Owain George**  
**Planning Liaison Manager**  
**Developer Services**

***Please Note that demands upon the water and sewerage systems change continually; consequently the information given above should be regarded as reliable for a maximum period of 12 months from the date of this letter.***

## Slater, Nathan P

---

**From:** [REDACTED]  
**Sent:** 19 January 2021 12:12  
**To:** Slater, Nathan P  
**Subject:** Cadw - Pre Application Consultation on Land at Lower Cosmeston Farm for Proposed New Specialised School - Response (no comments)

Dear Nathan

Thank you for your consultation.

Located within a 3km buffer of the application area are:

### Scheduled Monuments

GM035 Sully Island, "Danish" Fort  
GM378 Middleton Moated Site  
GM448 Anti-aircraft and Coastal Battery West of Lavernock Point  
GM535 Cogan Deserted Medieval Village  
GM619 St Mary's Well Bay Pillbox

### Registered parks and Gardens

PGW (Gm) 35(GLA) Penarth: Italian Gardens (grade II)  
PGW (Gm) 36(GLA) Penarth, Windsor Gardens (grade II)  
PGW (Gm) 37(GLA) Penarth, Alexandra Park (grade II\*)

Intervening topography, buildings and vegetation mean it is unlikely that the proposal will be inter-visible with the scheduled monuments or the registered park and gardens. It is unlikely that there will be any effect on the settings of the scheduled monuments or the registered park and gardens. We therefore have no comments to make.

Kind regards,

Nichola

Nichola Davies  
Rheolwr Gwaith Achos/ Casework Manager  
Diogelu a Pholisi / Protection and Policy  
Amgylchedd Hanesyddol / Historic Environment  
Cadw / Cadw  
Llywodraeth Cymru/ Welsh Government

[REDACTED]

---

**From:** Slater, Nathan P [REDACTED]  
**Sent:** 04 January 2021 07:29  
**Subject:** Pre Application Consultation on Land at Lower Cosmeston Farm for Proposed New Specialised School

Dear Sir/Madam

I am contacting in regards to a Pre-Application Consultation (PAC) for the construction of a **New Specialised School and associated works on Land at Lower Cosmeston Farm, Lavernock**. You have been identified as a Specialist Consultee as set out in Schedule 4 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) or as a Community Consultee with an interest in the proposed development.

Please find attached the formal consultation letter detailing the proposed development and how to respond. Further information on the application and the consultation can be found using the following link: <http://vogonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2020/00007/PAC>. Please ensure any comments you wish to make are returned to [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk) by **Tuesday 2<sup>nd</sup> February 2021**.

If you have any queries regarding the proposal or the consultation please do not hesitate to get in contact.

Kind regards,

Nathan Slater  
Senior Planner / Cynllunydd Myfyrwyr  
Planning and Transportation Services / Gwasanaethau Cynllunio a Thrafnidiaeth  
Vale of Glamorgan Council / Cyngor Bro Morgannwg  
tel / ffôn: [REDACTED]  
mob / sym:  
e-mail / e-bost: [REDACTED]

*Consider the environment. Please don't print this e-mail unless you really need to.  
Ystyriwch yr amgylchedd. Peidiwch ag argraffu'r neges hon oni bai fod gwir angen.*

Visit our Website at [www.valeofglamorgan.gov.uk](http://www.valeofglamorgan.gov.uk)  
Ewch i'n gwefan yn [www.bromorgannwg.gov.uk](http://www.bromorgannwg.gov.uk)

[Find us on Facebook / Cewch ddod o hyd i ni ar Facebook](#)  
[Follow us on Twitter / Dilynwch ni ar Twitter](#)

Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

Sganiwyd y neges hon am bob feirws hysbys wrth iddi adael Llywodraeth Cymru. Mae Llywodraeth Cymru yn cymryd o ddifrif yr angen i ddiogelu eich data. Os cysylltwch â Llywodraeth Cymru, mae ein [hysbysiad preifatrwydd](#) yn esbonio sut rydym yn defnyddio eich gwybodaeth a sut rydym yn diogelu eich preifatrwydd. Rydym yn croesawu gohebiaeth yn Gymraeg. Byddwn yn anfon ateb yn Gymraeg i ohebiaeth a dderbynnir yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi. On leaving the Welsh Government this email was scanned for all known viruses. The Welsh Government takes the protection of your data seriously. If you contact the Welsh Government then our [Privacy Notice](#) explains how we use your information and the ways in which we protect your privacy. We welcome receiving correspondence in

Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



**Cyfoeth  
Naturiol  
Cymru  
Natural  
Resources  
Wales**

Ein cyf/Our ref: CAS-134035-Q1K1  
Eich cyf/Your ref:2020/00007/PAC

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Nathan Slater  
The Vale of Glamorgan Council  
Dock Office,  
Barry Docks,  
Barry,  
CF63 4RT

ebost/email:  
[REDACTED]

02/02/2021

Annwyl Syr / Dear Sir,

**STATUTORY PRE-APPLICATION CONSULTATION - TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012 AS AMENDED.**

**BWRIAD / PROPOSAL: NEW SPECIALISED SCHOOL AND ASSOCIATED WORKS**

**LLEOLIAD / LOCATION: LAND AT LOWER COSMESTON FARM, LAVERNOCK**

Thank you for providing a requisite notice to us under Article 2D of the above Order. We received a copy of your proposed application on 4 January 2021.

**Based on the information provided, we have significant concerns with the proposed development. To overcome these concerns, we would recommend to the planning authority that the following requirement should be met before permission is granted and the condition) listed below is attached to the permission. Otherwise, we would object to the planning application.**

Requirement: European Protected Species - further information is required to demonstrate that the proposal will not be detrimental to the maintenance of the favourable conservation status of Dormice and Bats (European Protected Species)

Condition 1: Unsuspected Contamination

Condition 2: Construction Environmental Management Plan

**Requirement – European Protected Species (Bats and Dormice)**

We note the submission of the following documents in support of the above outline planning application:

- 'Vale of Glamorgan Ysgol Y Deri, Cosmeston – Second Ecological Scoping Survey File Note V2' by AECOM dated 17 December 2020

- 'Ysgol-y-Deri Expansion, Cosmeston. Design and Access Statement (Rev P03)' by HLM Architects dated 18/12/20.

We note that access to the site is yet to be agreed and, once it is, relevant ecological surveys can be completed. In the interim we note that the AECOM scoping survey file note has been produced to indicate the sorts of surveys that would be advised. We also note reference in the Design and Access Statement to the comprehensive suite of surveys undertaken to support 2020/01170/OUT (the outline application for re-development of the wider Cosmeston Farm site).

#### European Protected Species: Legislation and Policy

Dormice and all species of British bats are European Protected Species, legally protected under The Conservation of Habitats and Species Regulations 2017 (as amended). Legal protection relates to the animals themselves and the places they use to rest and breed.

Where a European Protected Species is present and development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. One of these requires that the development authorised will 'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range'.

These requirements are translated into planning policy through Planning Policy Wales (PPW) December 2018, section 6.4.22 and 6.4.23, and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). The planning authority should take them into account when considering development proposals where a European Protected Species is present.

#### Advice on Draft Proposals

We note the reference in the Design and Access Statement to the surveys carried out for 2020/01170/OUT. We are aware that whilst some previous survey work for the wider Cosmeston Farm site undertaken in 2016 and 2017 encompassed the proposed application site, more recent survey work in 2018 to inform 2020/01170/OUT excluded it.

We advise that the ecological surveys required to support the application are discussed and agreed with the local authority ecologist prior to being carried out. Survey data from 2016 and 2017 is considered out of date and therefore we updating it.

In the absence of ecological survey information, an ecological impact assessment (EclA) and mitigation proposals, we consider that there is insufficient information with the application to confirm the likely impacts of the proposals on European Protected Species (EPS) and confirm that the proposals are unlikely to result in a detrimental impact to the maintenance of the favourable conservation status of the population(s) of species concerned.



We advise the site is subject to assessment to determine the likelihood of protected species being present in the area and likely to be affected by the proposals. Targeted species surveys should be undertaken for all species scoped in and:

- i. be undertaken by qualified, experienced and where necessary, licensed ecologist; and
- ii. comply with current best practice guidelines.

In the event that the surveys deviate from published guidance, or there are good reasons for deviation, full justification for this should be included within the Ecological Impact Assessment (EclA).

#### *Dormice*

Dormice were recorded on the wider Cosmeston Farm site and we note that some hedgerow removal may be required for this application.

We therefore advise that the EclA considers dormice, and sets out all the mitigation measures that will be put in place to conserve the species. If hedgerow removal is proposed, particularly of species rich hedgerows, we recommend that translocation of affected hedgerows is undertaken wherever possible, and the translocated material is used to bolster existing and retained hedgerows/site boundaries.

#### *Bats*

We are aware of records of bat activity across the wider Cosmeston Farm site, with records of bat roosts from the Cosmeston farmstead and a bridge structure on the former railway line. It is likely that the application site is also used by bats.

We concur with the recommendations for further bat surveys (Page 9 of the AECOM note). If trees are likely to be felled or pruned to accommodate the proposals, the application should be supported by the results of climbed endoscope inspections.

#### *Site Lighting*

We concur with the advice for a sensitive lighting strategy for the green infrastructure of the developed site, particularly for any habitats included as protected species mitigation. Whilst the outline principles for this should be included in the documents supporting the formal application, we consider that a detailed lighting strategy (complying with the principles set out at the outline stage) could be agreed as part of an appropriately worded condition attached to any permission granted.

#### *Impact Assessment*

Should protected species be found during the surveys, information must be provided identifying specific impacts in the short, medium and long term together with any mitigation and compensation measures proposed to offset the impacts identified.

We advise that the EclA sets out how the long-term site security of any mitigation or compensation will be assured, including management and monitoring information and long term financial and management responsibility. Where the potential for significant impacts

on protected species is identified, we advocate that a Conservation Plan is prepared for the relevant species and included as an Annex to the EclA.

If pre-existing in-date survey data is used, the relevant details should be extracted for a site specific ecological impact assessment to support this application.

### EPS Licence

Where a European Protected Species is identified and the development proposal will contravene the legal protection they are afforded, a licence should be sought from us. The EclA should consider the requirements for a licence and set out how the works will satisfy the three requirements as set out in the Conservation of Habitats and Species Regulations 2017 (as amended).

### **Land potentially affected by Contamination**

No information has been submitted with this consultation in respect of potential contamination. We note that the site is greenfield, but lies approximately 110m from the historic landfill site. You may wish to consult the Local Authority's Environmental Health department with regard to this aspect.

However, in order to ensure that any unsuspected contamination uncovered during the construction of the proposed development, we advise the following condition be included on any permission the LPA is minded to grant.

Condition: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Justification: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks. A site investigation may not uncover all instances of contamination and this condition ensures that contamination encountered during the development phase is dealt with appropriately

### **Pollution Prevention**

With the site's proximity to a local surface water drain, and to avoid pollution during the construction of the proposal, we request the following condition be included on any permission the LPA is minded to grant:

Condition: No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Resource Management: details of fuel and chemical storage and containment and wastewater.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.

Guidance for Pollution Prevention (GPP) documents are available on the NetRegs website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

In addition, we advise submission of the Extended Phase 1 Habitat Assessment, by WSP, dated 2016 which has been submitted with the outline application for the adjacent site 2020/01170/OUT, to inform this proposal.

## **Other Matters**

Please note, if further information is prepared to support an application, it may be necessary for us to change our advice in line with the new information.

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

In addition to planning permission, you are advised to ensure all other permits/consents/licences relevant to the development are secured. Please refer to our [website](#) for further details.

Further advice on the above matters could be provided prior to your planning application being submitted, however there would be a charge for this service. Additional details are available on our [website](#).

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

**Claire McCorkindale**

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning  
Cyfoeth Naturiol Cymru / Natural Resources Wales

## **Ysgol Y Deri Expansion (SEN School), Cosmeston**

### **PAC Consultation – Initial Highway observations and comments**

The Proposal is for the expansion of the current Ysgol Y Deri School located in Penarth to provide a secondary campus in Cosmeston. The proposed site lies immediately to the South of the future development of Cosmeston Farm which will include approximately 576 residential dwellings and a new primary school provision. The highway authority has commented below on the current information and proposals and given the suggested changes further consultation with the highway authority in the near future is welcomed to discuss any issues or queries with the suggested amendments.

The transport assessment referenced in these comments refer to the Transport Assessment dated December 2020 conducted by AECOM.

#### **Vehicular Access**

Section 3.3 of the Transport Assessment submitted indicates that there will be a new priority T-Junction onto the B4267 Lavernock Road. The highway authority would advise that given the number of accesses along Lavernock Road and the proposed new access for the future Cosmeston Farm development it is required that the school shall be accessed off Fort Road. This will require the localised widening of Fort Road up to the new access. There is currently a right hand turn lane on Lavernock Road for Fort Road. The Speed limit of Fort Road which is currently National Speed limit will also need to be moved past the proposed new school access and a limit of 30mph imposed from the junction with Lavernock Road/Fort Road and the new school access. The location of this access will also allow vehicular stacking along Fort Road.

Section 3.3.7 states that swept paths will be provided however a 15m Coach should be included in this assessment as well as an 11.2m refuse vehicle in accordance with Manual for Streets 2007.

#### **Parking**

In terms of the level of parking for the pick-up and drop off provision this is generally acceptable. However, the layout of the pick-up and drop off area is not favoured and this is required to be revised. A pick up and drop off area should be provided to allow safe parking of vehicles and to maintain free flow of traffic. The pick-up and drop off area should be provided as close to the school entrance as possible and kept separate from the staff parking area. As the vehicular access is to be amended this provision can be amended to suit. No bus/coach parking has been provided on site and this is required.

The highway authority would require clarification on the ancillary staff and their occupations. SEN schools require large amounts of support staff and classroom assistants and whilst they are not considered teachers a lot are full time and present throughout the school day. This is based on other SEN school operations so clarification on this would be welcomed to accurately determine the level of staff parking provided. A level of parking closer to the FTE amount might be more suitable.

The disabled parking provision has been provided with 4 spaces however given the nature of the proposed school the highway authority would recommend that more disabled parking

bays are provided on top of the current provision and again, these should be provided as nearby to the school entrance as possible. Many of the children will arrive in organised transport some vehicles being specially adapted so this needs to be taken into consideration.

The commercial space should be provided separate to the minibus parking bays. There is enough space on the site to provide separate parking areas for each provision required.

### Traffic Data

Section 2.6 of the TA indicates that the data used was from a survey undertaken on 27<sup>th</sup> November 2018 between the hours of 06:30 – 09:30 and 15:30 – 18:30. This is not considered a robust survey to accurately determine the traffic data. It is recognised and agreed with the TA that the current pandemic would mean that surveys undertaken today might not provide a true representation of the traffic usage along Lavernock Road and the surrounding highway network. It is advised that additional traffic survey data is provided and any surveys undertaken in the area should be sought as most recent as possible for us to make a determination on whether the data can be used. The afternoon time which starts at 15:30 is not considered accurate in determining school traffic data as often the peak school time begins earlier than this.

### Active Travel

As per the future development at Land at Cosmeston Farm, there is a proposal to provide a 3.5m shared cycleway/footway for the site frontage which will link up to the existing route to the North and provide a controlled crossing across Lavernock Road.

The Highway Authority would require that the development for Ysgol Y Deri should provide a equivalent route from its entrance to connect to the proposed route for the Cosmeston Farm development. This will provide excellent connectivity through the village, promote the use of sustainable transport for the YYD School, allow better implementation of the Travel Plan and enable safe walking routes from the YYD School to the surrounding area.

### Other Comments.

- Provide visibility splays on a drawing for the proposed new access.
- Ensure active travel route is illuminated.
- Look at any TRO's required for Fort Road or Lavernock Road in conjunction with our Traffic Management Section.
- Provide Travel Plan as early as possible for review.

## Slater, Nathan P

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**From:** [REDACTED]  
**Sent:** 18 January 2021 14:38  
**To:** Slater, Nathan P  
**Subject:** RE: Pre Application Consultation on Land at Lower Cosmeston Farm for Proposed New Specialised School

Dear Nathan,

Many thanks for your pre-planning enquiry. We note the submission of an archaeological desk-based assessment by HCUK (dated December 2020, report no. 06365A) which concludes that 'overall the archaeological potential of the Site is considered quite low, although moderate for stray finds of Mesolithic and Neolithic date as well as for medieval agricultural activity (including former field boundaries and remains of strip fields).'

What is not referenced in the assessment is the geophysical survey and subsequent field evaluation conducted in advance of a residential development immediately to the north of the current proposal. The survey identified a number of possible anomalies and several features were encountered during the trenching, the exact nature of which could not be determined in the context of the evaluation and they are awaiting further investigation. We have also been informed of additional trial trenches that encountered a further potential feature and medieval occupation.

Also of significance is Lower Cosmeston Farm itself, a farmstead composed of four main structures. Whilst they have undergone alterations, they range in date from the 17<sup>th</sup> century to the 19<sup>th</sup> century. Whilst the Farm is located immediately adjacent to the application, the proposed plans do not appear to impact the structures, preserving them *in-situ*.

Nevertheless, as demonstrated by the nearby trial trenching, there is the potential for encountering archaeologically significant remains. As such, should a similar application to the one you have outlined be submitted, we would likely recommend an archaeological field evaluation be carried out prior to the determination of the application. Depending on the results of the evaluation it is possible that further archaeological work would be required and depending on its nature could be carried out pre or post-determination. This is consistent with PPW (10<sup>th</sup> edition, para 6.1.26) and TAN24 (para 4.7-4.8).

It is our policy to recommend that all archaeological work be carried out by either a Registered Organisation (RO) with the Chartered Institute for Archaeologists (CifA), or by a full Member (MCifA) of CifA.

Should you require anything further, please get in touch.

Regards,

Rob

Rob Dunning BSc MCifA  
Archaeological Planning Officer  
Glamorgan-Gwent Archaeological Trust Ltd  
Heathfield House  
Heathfield  
Swansea  
SA1 6EL

[REDACTED]

[REDACTED]

web [www.ggat.org.uk](http://www.ggat.org.uk)

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**From:** Slater, Nathan P [REDACTED]  
**Sent:** 04 January 2021 07:29  
**Subject:** Pre Application Consultation on Land at Lower Cosmeston Farm for Proposed New Specialised School

Dear Sir/Madam

I am contacting in regards to a Pre-Application Consultation (PAC) for the construction of a **New Specialised School and associated works on Land at Lower Cosmeston Farm, Lavernock**. You have been identified as a Specialist Consultee as set out in Schedule 4 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) or as a Community Consultee with an interest in the proposed development.

Please find attached the formal consultation letter detailing the proposed development and how to respond. Further information on the application and the consultation can be found using the following link: <http://vogonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2020/00007/PAC>. Please ensure any comments you wish to make are returned to [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk) by **Tuesday 2<sup>nd</sup> February 2021**.

If you have any queries regarding the proposal or the consultation please do not hesitate to get in contact.

Kind regards,

Nathan Slater  
Senior Planner / Cynllunydd Myfyrwyr  
Planning and Transportation Services / Gwasanaethau Cynllunio a Thrafnidiaeth  
Vale of Glamorgan Council / Cyngor Bro Morgannwg

[REDACTED]

[REDACTED]

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Ewch i'n gwefan yn [www.bromorgannwg.gov.uk](http://www.bromorgannwg.gov.uk)

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[Follow us on Twitter / Dilynwch ni ar Twitter](#)

Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.



## Slater, Nathan P

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**From:** Rhodri Edwards [REDACTED]  
**Sent:** 05 February 2021 12:44  
**To:** Slater, Nathan P  
**Subject:** RE: [External Email]- Pre Application Consultation on Land at Lower Cosmeston Farm for Proposed New Specialised School  
**Attachments:** Planning Application: 2020/01170/OUT  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Nathan

Thank you for your email inviting comments on the proposed new specialised school at Lower Cosmeston Farm.

As identified in your email, Sport Wales is the statutory consultee on developments affecting playing fields or land allocated for such purposes and therefore welcomes the opportunity to comment on the proposed school and the accompanying playing fields. Sport Wales has two main concerns.

Firstly, with regard to the specific needs of the new school, Sport Wales would like confirmation that Ysgol y Deri, across its two sites in Penarth and Lower Cosmeston, will have at least the minimum team game playing field areas as set out by the Schools Premises Regulations 1999.

The application's supporting Design and Access Statement refers to the broader definition of playing fields contained in the School Standards and Framework Act 1998 i.e. "land in the open air which is provided for the purposes of physical education or recreation, other than any prescribed description of such land" and incorrectly counts all the proposed new school's outdoor playing space towards the Schools Premises Regulations requirement. The Regulations however define team game playing field areas as land "which having regard to their configuration, are suitable for the playing of team games and which are laid out for that purpose". Within the proposed layout of the school, only the Multi-use games area and perhaps the adjacent soft outdoor PE area can be defined as such and therefore counted.

As mentioned, the school is split across two sites and will have access to other facilities at Penarth and perhaps others, so Sport Wales would like confirmation it has the minimum team game playing field areas, meeting the definition above, as set out in the Schools Premises Regulations.

With regard to the second main concern, Sport Wales welcomes the promise that the school's outdoor sports facilities will be available to the community but questions whether it will be sufficient and appropriate to address local need. Sport Wales has separately commented on the outline application for the residential development immediately adjacent (please see attached) which includes a new primary school and while pleased that the school will include a junior sports pitch that will also be available to the community, Sport Wales asks what evidence has led to specifically determine a junior pitch should be provided.

Sport Wales would ideally like to see a playing pitch strategy taken into account supply and demand (including likely demand from the new development) to ensure there are sufficient facilities. If indeed only a junior pitch is required then fine but might there be a need for other facilities in which case the development including the two new schools could provide an opportunity to address that need?

Kind regards  
Rhodri Edwards

Rhodri Edwards  
Sport Wales | Chwaraeon Cymru  
Sophia Gardens | Gerddi Sophia  
Cardiff | Caerdydd  
CF11 9SW



www.sport.wales | www.chwaraeon.cymru

At Sport Wales we work flexibly – so whilst it suits me to email now, I do not expect a response or action outside of your own working hours  
Rydym yn gweithio'n hyblyg yn Chwaraeon Cymru– felly, er ei fod yn addas i mi e-bostio nawr, nid wyf yn disgwyl ymateb na gweithred y tu allan

We welcome correspondence in Welsh and English, corresponding in Welsh will not lead to a delay.  
Rydym yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg, ni fydd gohebu drwy gyfrwng y Gymraeg yn arwain at oedi.

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Mae unrhyw wybodaeth a geir yn yr e-bost hwn, ac unrhyw atodiadau, yn gyfrinachol.  
Os derbynwch yr e-bost hwn mewn camgymeriad, rhochwch wybod i'r anfonwr os gwelwch yn dda a'i ddileu ar unwaith.  
Nid yw datgelu i unrhyw un ar wahân i'r sawl y cyfeirir yr e-bost ato, boed yn ddamweiniol neu fel arall, yn ildio cyfrinachedd yn fwrriadol.  
Efallai y bydd Chwaraeon Cymru'n monitro ac yn cofnodi'r holl e-byst ar gyfer rheoli ansawdd ac at ddibenion hyfforddi.  
Ac eithrio pan anfonir yr e-bost hwn fel rhan o'n gwaith a'n busnes arferol, mae'r safbwyntiau a fynegir yn yr e-bost hwn yn perthyn i'r anfonwr ac nid i Chwaraeon Cymru.  
Nid yw Chwaraeon Cymru na'r anfonwr yn derbyn unrhyw gyfrifoldeb am firsau a'ch cyfrifoldeb chi yw sicrhau eich bod yn gwirio'r e-bost hwn ac unrhyw atodiadau am bresenoldeb.

Chwaraeon Cymru yw enw brand Cyngor Chwaraeon Cymru ac mae ei gyfeiriad swyddfa cofrestredig yng Ngerddi Sophia, Caerdydd, CF11 9SW.  
Mae'n gwmni sydd wedi'i ymgorffori gan Siarter Brenhinol ac mae'n gofrestredig yng Nghymru ac yn Lloegr a'i rif cofrestru fel cwmni yw: RC000579.

**From:** Slater, Nathan P

**Sent:** 04 January 2021 07:29

**Subject:** [External Email]- Pre Application Consultation on Land at Lower Cosmeston Farm for Proposed New Specialised School

Dear Sir/Madam

I am contacting in regards to a Pre-Application Consultation (PAC) for the construction of a **New Specialised School and associated works on Land at Lower Cosmeston Farm, Lavernock**. You have been identified as a Specialist Consultee as set out in Schedule 4 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) or as a Community Consultee with an interest in the proposed development.

Please find attached the formal consultation letter detailing the proposed development and how to respond. Further information on the application and the consultation can be found using the following link: <http://vogonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2020/00007/PAC>. Please ensure any comments you wish to make are returned to [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk) by **Tuesday 2<sup>nd</sup> February 2021**.

If you have any queries regarding the proposal or the consultation please do not hesitate to get in contact.

Kind regards,

Nathan Slater  
Senior Planner / Cynllunydd Myfyrwyr  
Planning and Transportation Services / Gwasanaethau Cynllunio a Thrafnidiaeth  
Vale of Glamorgan Council / Cyngor Bro Morgannwg

[Redacted contact information]

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## COFNOD / MEMORANDUM

I / To:	<b>Mr. N.P. Slater</b>	Oddi Wrth / From:	<b>D Margetson</b>
Adran / Dept:	<b>Development Control</b>	Ein cyf / Our ref:	<b>SRS/E/DMM/2020/00007/PAC</b>
Dyddiad / Date:	<b>28 January 2021</b>	Ffôn / Tel:	<b>03001236696</b>
Eich Cyf / Your Ref:	<b>2020/00007/PAC</b>	Ebost / Email:	<b>[REDACTED]</b>

**SUBJECT: PRE-APPLICATION ENQUIRY: 2020/00007/PAC: LAND AT LOWER COSMESTON FARM, LAVERNOCK; PROPOSED NEW SPECIALISED SCHOOL AND ASSOCIATED WORKS.**

The following comments are made on behalf of SRS: Environment Team in relation to potential contamination issues:

Available records indicate the use of the site as agricultural land. Contamination is not known at this site, however the potential for this cannot be ruled out.

In addition, historical landfill sites have been identified within 250m of the proposed development. Such sites are associated with the generation of landfill gases, within subsurface materials, which have the potential to migrate to other sites. This may give rise to potential risks to human health and the environment for the proposed end use.

Consequently, a contamination and ground gas assessment of the site will need to be submitted as part of the planning process, to identify any associated risks and to determine whether further assessment and/or remediation is required to ensure the site is made suitable for use. Depending on the information submitted with a formal planning application, Shared Regulatory Services may request the conditions provided below to ensure this is addressed in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan:

Should there be any importation of soils to develop the landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use. Conditions to address this would be included in a future planning application of this nature.

Based on available information, and depending upon the information submitted with a full application, the conditions below may form part of any such consent granted:

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# COFNOD / MEMORANDUM

## CONDITIONS

### **PC13. GROUND GAS PROTECTION**

Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases\* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required than no further actions will be required.

All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

- 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

Reason: To ensure that the safety of future occupiers is not prejudiced.

### **PC14A. CONTAMINATED LAND MEASURES – ASSESSMENT**

Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person \* in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

## COFNOD / MEMORANDUM

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

(iii) an assessment of the potential risks to:

- human health,
- groundwaters and surface waters
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- ecological systems,
- archaeological sites and ancient monuments; and
- any other receptors identified at (i)

(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

\* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment.

### PC14B. CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN

Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

# COFNOD / MEMORANDUM

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

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 policy MD7 of the Vale of Glamorgan Local Development Plan:

## PC14C. CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION

The remediation scheme approved by condition x (PC14B above) must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

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 policy MD7 of the Vale of Glamorgan Local Development Plan:

## PC14D. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

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 unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and



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# COFNOD / MEMORANDUM

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 policy MD7 of the Vale of Glamorgan Local Development Plan:

## **PC15A IMPORTED SOIL**

Any topsoil [natural or manufactured], or subsoil, to be imported 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 in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan:

## **PC15B IMPORTED AGGREGATES**

Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported 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 material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.



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# COFNOD / MEMORANDUM

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan:

## **PC15C USE OF SITE WON MATERIALS**

Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan:

**Environment Team**  
**Shared Regulatory Services**  
**Bridgend, Cardiff & the Vale of Glamorgan**



## Slater, Nathan P

---

**From:** kevin mahoney [REDACTED]  
**Sent:** 05 January 2021 21:42  
**To:** Slater, Nathan P  
**Subject:** Planning Pre consultation Ysgol Y Deri Cosmeston

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thank you for your communication Nathan

Please find enclosed my reply, You will note that the first part of my reply and observations my reply is more or less identical to that of Bob Penrose after seeking his permission to use his words as they mirror so closely my own thoughts on this proposal I have expanded my own thoughts at the end of the opening text.

In principal I also do not have an objection to an additional school for Ysgol y Deri school and I very much appreciate the excellent work this school does. However, I do object to this site location, a viewpoint shared by many residents in this Ward.

The principal reasons for the objection are as follows:-

- Serious concerns over the health and wellbeing of pupils at this proposed school site, as it is in close proximity of an adjoining previous land fill site. Where it is suspected that there are traces of asbestos and other unknown dangerous chemical products this contamination has not been quantified in detail as the Vale of Glamorgan Council have not monitored the redundant site and have not been able to produce records of any regular site inspections or methane gas monitoring.
- 
- The entrance to the site is from Lavernock Road Is on a flood plain, which continually experiences regular serious flooding, the most recent on 23<sup>rd</sup>December 2020.
- 
- Were this project to proceed then it would create an unacceptable increase to road traffic volumes, due to the fact that most pupils are transported to the school via Coaches, Buses, Mini Buses, Taxis and cars. These volumes would be in addition to the increased traffic volumes that would be created by the additional proposed 572 new homes and a proposal for an additional new 210 place Primary School. All of these additional traffic volumes being in addition to an already congested and busy road leading to the Merry Harriers

junction at Llandough ,which is already one of Fhh04052017the most congested traffic junctions in Cardiff and the Vale of Glamorgan.

- 
- Increased air pollution levels caused by increased traffic volumes referred to in the previous paragraph.
- 
- The proposed site is on existing farmland which is part of a green wedge which would be lost if developed.
- 
- The detrimental effect the construction on this site would have to the natural wild life and flora bunda.

I would like to also highlight or emphasise what I consider to be one or two highly relevant points.

A). I would like to reproduce below a copy of the reply to my enquiry of February last year to the Vales SRS team prompted by my understanding that the law required Local authorities to log what materials are dumped into council authorised waste sites and that regular inspections of such disused sites should be carried out with a log kept of such inspection available to the public or at least council members and staff ( I do stand to be corrected at any time of the provisions of any relevant legislation)

My understanding of the reply is that the council holds no record of what was dumped in the waste site at this location and has no record of ever inspecting the site since its closure.

I do not accept the Vales so often used, Penarth Urban Council, South Glamorgan Council now the Vale Council etc etc etc no records, long time ago, bluster. We're not talking of the 1870's in regards this waste tip more like the 1970's or 80's. I wonder if the Vale planning department can confirm the relevant legislation in regards to this matter and whether the Vale have complied with all such legislation over the years as mentioned above in regards to inspections and other records.

We do know from the very brief inspection details provided by the potential developers of the proposed adjacent housing site that there is definitely Asbestos waste with its attendant risks of being disturbed in close proximity to the proposed Ysgol Y Deri annexe site.

Surely the Vale of Glamorgan should be commissioning a comprehensive fully Independent investigative drilling report of the nearby waste tip before even considering applying to itself for planning commission for any construction work in this area? This should have been carried out and the results examined before any such proposals were aired.

B) There are many who feel that requiring an extension to Ysgol Y Deri so shortly after the construction of the St Cyres site is an extremely poor reflection on the forward planning ( or lack of it ) by the Vale Education dept. Whilst I am told that extra classifications of students have been identified by Welsh Government who would benefit from the excellent work carried out by Ysgol Y Deri and its dedicated staff I understand that within a very short time of opening the existing site was converting accommodation space into extra teaching facilities which some would argue was a considerable shortfall in planning for the scale of the help that such Educational facilities provide for young students.

Of course the fact that a complete new site is now required might also point to a severe lack of foresight and forward planning in choosing an original site that was unable to be extended and thus is now requiring a split in resources, facilities and staff including presumably staff, maintenance workers and possibly students travelling between campuses because of the lack of initial planning not allowing for significant future expansion on the one original site chosen for the Ysgol Y Deri school. This doesn't engender confidence in the thinking or planning of the Vales educational department.

I also endorse the fine work that Ysgol Y Deri provides for our communities but like others wonder if the proposed Cosmeston site is the right one for all the reasons given above and would hope that a suitable site is sourced as soon as possible in order that these young students can be catered for to the fullest extent of our capabilities in their ongoing education.

I enclose the Vales extremely limited response to its knowledge of what is dumped adjacent to the proposed site dated back in February

Thank you once again for your communication

Kevin Mahoney

**From:** Margetson, Deborah M  
**Sent:** 05 February 2020 18:16  
**To:** Holland, Dave; Athay, Rebecca  
**Subject:** RE: Enquiry from Cllr Mahoney - info for response

Evening Becky/Dave

There is limited information available in relation to the historical landfill referenced in the Councillor's enquiry; this appears to be largely based on the Natural Resources Wales record and is provided below.

Please let me know if you need anything else.

Regards  
Deb

The following information is held in relation to the historical landfill site known as Cosmeston No 1 – Old tip:

Name: Cosmeston No 1 – Old tip  
Address: Cosmeston  
Grid Ref: 318200,168900  
Holder Ref: EAHLD14494  
First input: 31/12/1977  
Waste type: inert, industrial, commercial, household, special.

The sketch map below shows the location of Cosmeston No 1 – Old tip.



Additional information is available within the geoenvironmental report (*Arcadis, July 2018; Phase 1 Desk Study and Phase 2 Geo Environmental and Geotechnical Assessment Report Ref: 002-UA008386-UP32R-03 Version 03*), which is included as part of the planning submissions for the proposed development at the wider site, submitted in relation to Planning Ref: 2018/01432/SC2. The report can be viewed in full on the Vale of Glamorgan Council website Planning Department page via the following link -

[http://vagonline.planning-register.co.uk/\(X\(1\)S\(40so0w0zi1fe04xtfldqeij5m\)\)/PlaRecord.aspx?AppNo=2018/01432/SC2](http://vagonline.planning-register.co.uk/(X(1)S(40so0w0zi1fe04xtfldqeij5m))/PlaRecord.aspx?AppNo=2018/01432/SC2)

Site investigations were undertaken as part of the above geoenvironmental assessment and these included exploratory holes within the historical landfill (Cosmeston No 1 – Old tip). This has confirmed that the landfill has a capping layer of gravelly sand / clayey sand overlying the waste material which contained waste products such as plastic bags and fragments of glass and plastic.

The report also identifies an isolated occurrence of loose asbestos fibres within the wider proposed development site. This was within a sample taken at 1.0-1.9m , within reworked quarry material in the infilled quarry area /Summer Paddock.

The geoenvironmental report goes on to recommend further site based investigation and assessment of the risks to human health and the environment.

SRS Environment Team was consulted as part of the Planning consultation process for Planning Ref: 2018/01432/SC2. As part of the response SRS supported the need for further contamination assessment of the site, in line with current guidance, expand on the information submitted to date and to determine the extent of any remediation/mitigation measures required to ensure the site is made suitable for use.

SRS Environment Team has provided recommendations to the Planning Department that, should planning consent be granted, conditions are included requiring contamination assessment and remediation measures if determined necessary.

## Slater, Nathan P

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**From:** Penrose, Bob (Cllr)  
**Sent:** 04 January 2021 13:21  
**To:** Slater, Nathan P; Planning  
**Cc:** Mahoney, Kevin (Cllr) (Home)  
**Subject:** Pre-Application Consultation (PAC) for the construction of a New Specialised School and associated works on Land at Lower Cosmeston Farm, Lavernock

Dear Sir,

Please find below a re-issue of my representation and ignore the version previously sent as it contained an unexplained typographical error.

Yours faithfully,

Bob Penrose (Cllr)

Dear Sir,

In response to this consultation, please find below my representation, as one of the two locally Elected Members for the Sully Ward (which includes Lavernock, Sully, Cosmeston and Swanbridge).

In principal I do not have an objection to an additional school for Ysgol y Deri school and I very much appreciate the excellent work this school does. However, I do object to this site location, a viewpoint shared by many residents in this Ward.

The principal reasons for the objection are as follows:-

- The planning application would be conditional to a planning application submitted by Welsh Government for 572 new homes on the adjoining site in Lower Cosmeston Farm being successful. Local residents are totally against these 572 new homes, a viewpoint supported by an online petition of over 5,200 signatures.
- Serious concerns over the health and wellbeing of pupils at this proposed school site, as it is in close proximity of an adjoining previous land fill site. Where it is suspected that there are traces of asbestos, cyanide and other unknown dangerous chemical products this contamination has not been quantified in detail as the Vale of Glamorgan Council have not monitored the redundant site and have not been able to produce records of any regular site inspections or methane gas monitoring.
- The entrance to the site is from Lavernock Road Is on a flood plain, which continually experiences regular serious flooding, the most recent on 23<sup>rd</sup> December 2020.
- Were this project to proceed then it would create an unacceptable increase to road traffic volumes, due to the fact that most pupils are transported to the school via Coaches, Buses, Mini Buses, Taxis and cars. These volumes would be in addition to the increased traffic volumes that would be created by the additional proposed 572 new homes and a proposal for an additional new 210 place Primary School. All of these additional traffic volumes being in addition to an already congested and busy road leading to the Merry Harriers junction at Llandough, which is already one of the most congested traffic junctions in Cardiff and the Vale of Glamorgan.
- Increased air pollution levels caused by increased traffic volumes referred to in the previous paragraph.
- The proposed site is on existing farmland which is part of a green wedge which would be lost if developed.
- The detrimental effect the construction on this site would have to the natural wild life and flora bunda.
- Totally non sustainability due to the total lack of infrastructure in the area, a lack of any shops, no medical facilities (Chemist, Dentist, Doctors' Surgery), and all serviced by an inadequate and irregular bus service.



To summarise this application has not been clearly thought out and is totally against the best interests of the local residents.

Yours sincerely,

Bob Penrose (Cllr)  
Elected Member (Sully Ward)

**From:** Slater, Nathan P [REDACTED]  
**Sent:** 04 January 2021 07:29  
**Subject:** Pre Application Consultation on Land at Lower Cosmeston Farm for Proposed New Specialized School

Dear Sir/Madam

I am contacting in regards to a Pre-Application Consultation (PAC) for the construction of a **New Specialised School and associated works on Land at Lower Cosmeston Farm, Lavernock**. You have been identified as a Specialist Consultee as set out in Schedule 4 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) or as a Community Consultee with an interest in the proposed development.

Please find attached the formal consultation letter detailing the proposed development and how to respond. Further information on the application and the consultation can be found using the following link: <http://vogonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2020/00007/PAC>. Please ensure any comments you wish to make are returned to [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk) by **Tuesday 2<sup>nd</sup> February 2021**.

If you have any queries regarding the proposal or the consultation please do not hesitate to get in contact.

Kind regards,

Nathan Slater  
Senior Planner / Cynllunydd Myfyrwyr  
Planning and Transportation Services / Gwasanaethau Cynllunio a Thrafnidiaeth  
Vale of Glamorgan Council / Cyngor Bro Morgannwg

*Consider the environment. Please don't print this e-mail unless you really need to.  
Ystyriwch yr amgylchedd. Peidiwch ag argraffu'r neges hon oni bai fod gwir angen.*

Visit our Website at [www.valeofglamorgan.gov.uk](http://www.valeofglamorgan.gov.uk)  
Ewch i'n gwefan yn [www.bromorgannwg.gov.uk](http://www.bromorgannwg.gov.uk)

[Find us on Facebook / Cewch ddod o hyd i ni ar Facebook](#)  
[Follow us on Twitter / Dilynwch ni ar Twitter](#)

Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

## **29.01.21**

### **YYG/ALN-Comments PTC Lower Cosmeston Farm**

The TC hope that the when the plans and assessments are submitted they reflect the excellent ambitions described in the pre-application submission.

The Town Council note the school is located in a Green Wedge in the existing LDP. We support the decision to argue exceptional circumstances for the reasons given, of exceptional need, that no alternative site for a specialised school is available, and that these considerations outweigh the Green Wedge designation.

The TC should be consulted on the results of the traffic study given that there are two other junctions to the North, plus Fort Rd, planned to access the Upper Cosmeston Allocation. The existing active travel route, (joint pedestrian and cycle), is narrow and inadequate along some of its length and should be improved.

Additional Learning Needs is new terminology which expands and includes the more familiar ESN.

Welsh Government Guidance notes “One of the principles of the draft ALN Code is inclusive education where children and young people are supported to participate fully in mainstream education, wherever feasible, and a whole setting approach is taken to meet the needs of learners with ALN.”

In the light of this it is surprising that there is little mention of the proposed school immediately adjacent. In contrast the consultation highlights the security and self-sufficiency of the scheme with security and peripheral boundaries being emphasised.

Whilst there may be reasons associated with the type of pupil needs –the facility to integrate is part of the St Cyres/ YYD 1 scheme. Additionally, both schools are to contain facilities for community use, a hall in YYD2 and sports pitch on the Upper Cosmeston school. In the light of this it is surprising that there is little mention of the proposed school immediately adjacent. (*See Masterplan for the Upper Cosmeston Farm allocation*).

7.6. APPENDIX 6: PAC CONSULTATION FORM





# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation Name</b>	<input type="text" value=""/>
<b>Address</b>	<input type="text" value=""/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="The vast majority of people living in the Penarth area object to any developments on greenfield sites. Listen to them. They object firstly to protect the natural habits of our wildlife and the natural environment we live close to. Secondly, the road network cannot cope with existing traffic use. Not one additional house, factory or school should be built until the road infrastructure is drastically improved. If the Vale desperately needs another school build it on brown field sites such as Barry Docks or underused industrial sites."/>
<b>Received Date</b>	<input type="text" value="26/01/2021 22:51:49"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Comment"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="There is an application for housing on this site which included the building of a school. Why has this been application been submitted outside of the original planning application?"/>
<b>Received Date</b>	<input type="text" value="04/01/2021 17:34:29"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="██████████"/>
<b>Address</b>	<input type="text" value="████████████████████"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="Have the planners considered the affect on traffic trying to get in and out of Penarth. There are only three ways in or out, which are already usually gridlocked. This development will not help."/>
<b>Received Date</b>	<input type="text" value="04/01/2021 17:48:06"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>



# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="Please do not build on greenfield site when many other brownfield sites are available. The area is full of wildlife that will lose habitat. The road is already congested and would be made worse. The road is also liable to flooding which I'm sure will be made worse with more run off. Please for the sake of the environment and our well being build it in a more sensible location."/>
<b>Received Date</b>	<input type="text" value="22/01/2021 21:43:20"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Consultation Closed: Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Consultation Closed: Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text" value=""/>
<b>Name</b>	<input type="text" value=""/>
<b>Address</b>	<input type="text" value=""/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="The new school is planned to be built adjacent to an old landfill site where ground water samples have been shown to contain substances toxic to humans and the environment. The pre-planning application consultation does not address the risk nor mitigate for these toxic substances being released into a future school environment posing a risk to the school users. To highlight the level of risk associated with developing near the landfill site I wish to bring to the planners attention the landfill leachate pollution incident at Cosmeston Park North-West Paddock. The similarities between the two sites, I believe, are sufficient to allow read across of information between the two local sites. I attach the details."/>
<b>Received Date</b>	<input type="text" value="03/02/2021 08:15:21"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>• Cosmeston Pollution Incident.pdf</li></ul>

The new specialised school planned for Cosmeston is planned to be built adjacent to an old capped landfill site where ground water samples have been shown to contain substances toxic to humans and the environment. The pre-planning application consultation does not address the risk nor mitigate for these toxic substances being released into a future school environment posing a risk to the school users. To highlight the level of risk associated with developing near the landfill site I wish to bring to the planners attention the landfill leachate pollution incident at Cosmeston Park North-West Paddock. The similarities between the two sites, I believe, are sufficient to allow read across of information between the two local sites.

## **Cosmeston Park Leachate Pollution Incident**

**Natural Resources Wales (NRW) Pollution Incident Case 2008558**

**Vale of Glamorgan (VoG) Freedom of information Request ( FOI) Ref. 00201812**

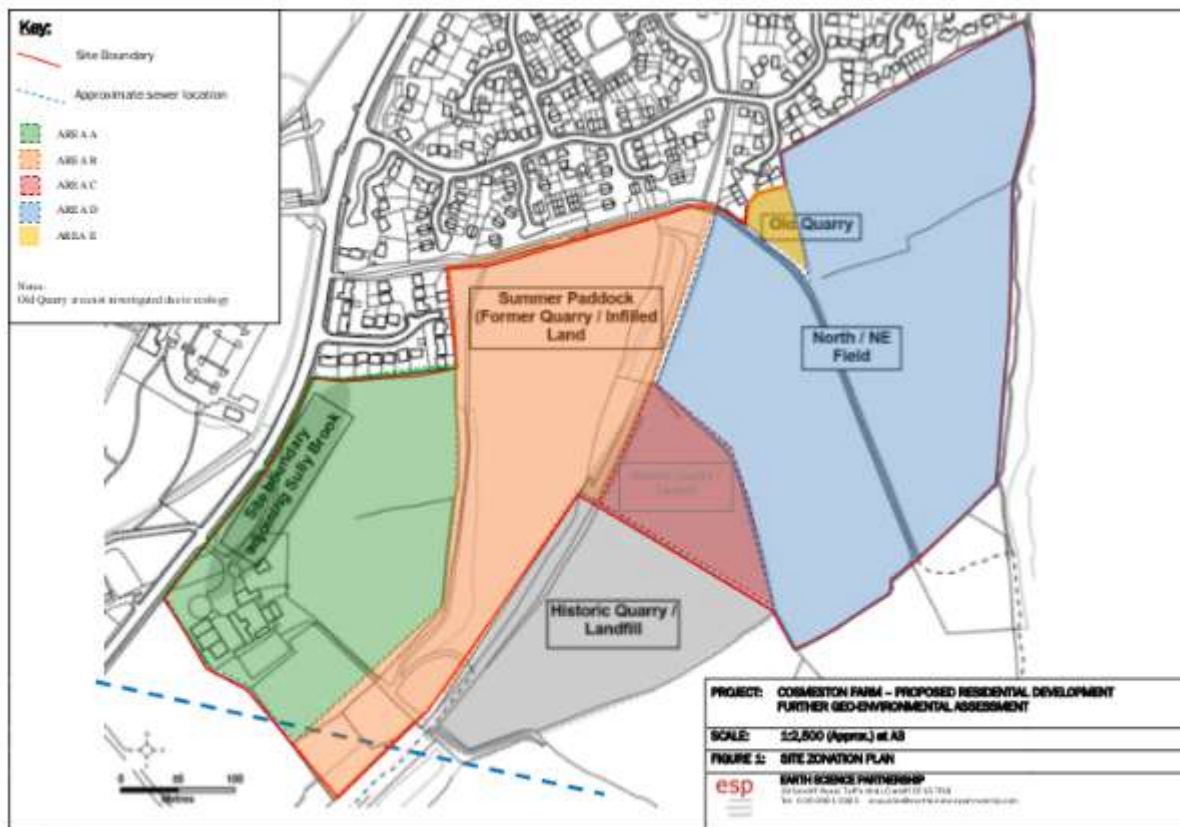
**NRW information request cases NRW00302843 and CAS-128808-X5H9**



*December 2020 site inspection reported in Penarth Times 17-Jan-2021*

The planned Housing Development at Upper Cosmeston Farm described in VoG planning application [2020/01170/OUT](#) includes an area identified as Zone C (purple area in figure below) that historically had been used as landfill. The planning application supporting reports indicate that soil and groundwater samples have identified Polycyclic aromatic hydrocarbons (referred to as PAHs ), Total Petroleum Hydrocarbons (referred to as TPHs), cyanide and arsenic present on site.

The planning application does not quantify the scale of the hazards or address how these will be mitigate in any future development.



Planned land use outlined in [2020/01170/OUT](#)

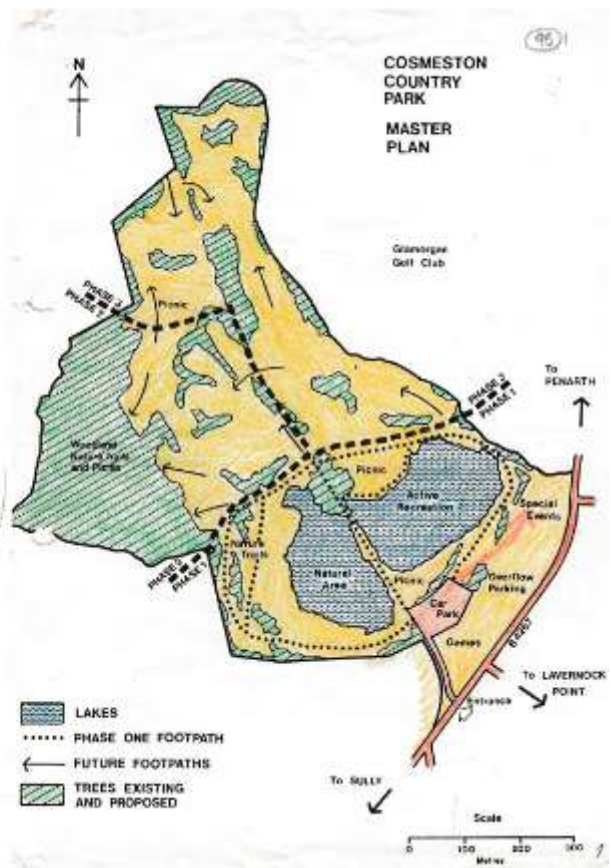
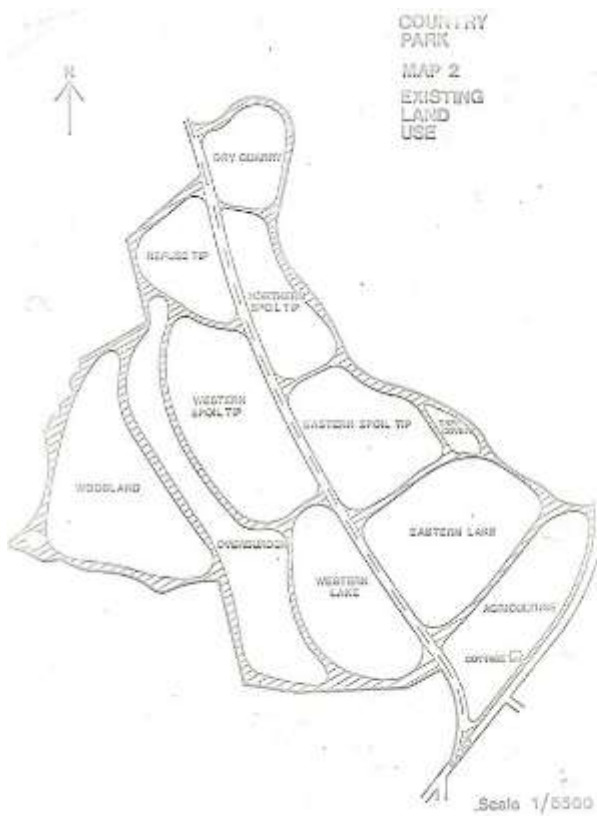
The VoG [New Specialised School and Associated Works Pre-planning application consultation 2020/00007/PAC](#) does not attempt to mitigate the risks of building a school adjacent to the old landfill site in Zone C and located on lower ground with respect to the landfill.

It is possible that ground water leachate contaminated with the toxins identified above would flow from zone C towards the school complex and may surface in the school grounds if the school works adversely disrupt the area's hydrology. This risk surely needs to be quantified and mitigated before planning permission is granted.

The area enclosed by zone C is not accessible to the public and therefore the extent of any visible pollution that might exist, remains hidden from view. **However, to obtain an understanding of the impact of the old landfill sites on the environment** it is possible to make a comparison with the pollution identified at another location within Cosmeston Country park.

The park includes sites that were used between 1964 and 1978 as landfill of household waste and were subsequently landscaped to create the northern West and East paddocks.





Cosmeston Park Plan - Picture courtesy of <http://www.marygillhamarchiveproject.com>

The area of interest that could help provide an insight to the type of pollution that can be expected is located at the corner of the North West Paddock where the old Refuse Tip, the Woodland and the old Western Spoil Tip meet (grid reference ST1704769746 = 51.4206083, -3.19462).



<https://www.ordnancesurvey.co.uk/osmaps/51.420633232225015,-3.1943803349605426,12/pin>

This location points at a polluted spring and sits on the western edge of the former landfill site and acts as a drainage point for any water run-off from the West Paddock. In 2019 we identified various locations in this area with heavy water contamination (rusty coloration of water and soil, oily patina on water surface). Later that year some landscaping of the area took place that reduced the visibility of the affected water and soil. However returning to the site in 2020 the contaminated environment remains clearly visible. It should be of further concern that there is evidence of children playing in the woods around the spring and the water source flows into Sully Brook and then into the Cadoxton River.

Natural Resources Wales (NRW) are the environmental regulator for Wales but they report not to have records for this area. NRW seem to delegate responsibility to Shared Resources Services (SRS), an agency that services the Vale of Glamorgan and Cardiff Councils and are charged with the environmental monitoring of the old landfill sites at Cosmeston Park. The environmental monitoring is further delegated to an environmental consultant (unnamed) on behalf of Vale of Glamorgan Council Parks Department.

VoG FOI request Ref. 00201812 was not able to provide sample information for the exact location but adjacent nearby samples reveal that the leachate is likely to contain high levels of Iron (Fe), Boron, and Ammoniacal Nitrogen.

The FOI response provided sample results for Feb and Aug but the author subjectively attempted to explain the high readings by attributing the Iron to natural geology of the area, and Ammoniacal Nitrogen to farming. These explanations however do not stand up to detailed scrutiny when considering the location of the leachate spring relative to the landfill site. Review of mapped land contours ([follow this link](#)) shows the leachate spring is located in a ditch on the boundary with the landfill site where water is funnelled from the landfill land mass that sits on higher ground to the North-East of the spring. Concluding the spring can only be fed by polluted water from the landfill. It is noted that Boron can also be an indicator of landfill leachate (released from glass waste).

In addition, following the heavy rains in early January, the landfill groundwater level is rising and the bottom left corner of the West Paddock has been flooding, the area acts as a drainage point for any water run-off from the West Paddock and the capped landfill site. The higher level of ground water results in leachate issuing from the ground at other locations accessible to the public

The attached photographs taken between December 2020 and January 2021 provide some evidence of the pollutants in the spring leachate and nearby locations.

On data provided to date, the present regime of delegated environmental monitoring at Cosmeston lacks the level of scrutiny required to ensure safety to the public. In my view the regulator, NRW, needs to take responsibility for the pollution incident and investigate in detail the content of the leachate spring and the risk this poses to the public. This risk assessment can then be used to inform the new specialised school planning application and provide guidance to what mitigating actions are required.

Kind Regards.







*The Leachate Spring with ochre discolouration suggesting heavy Iron contamination*

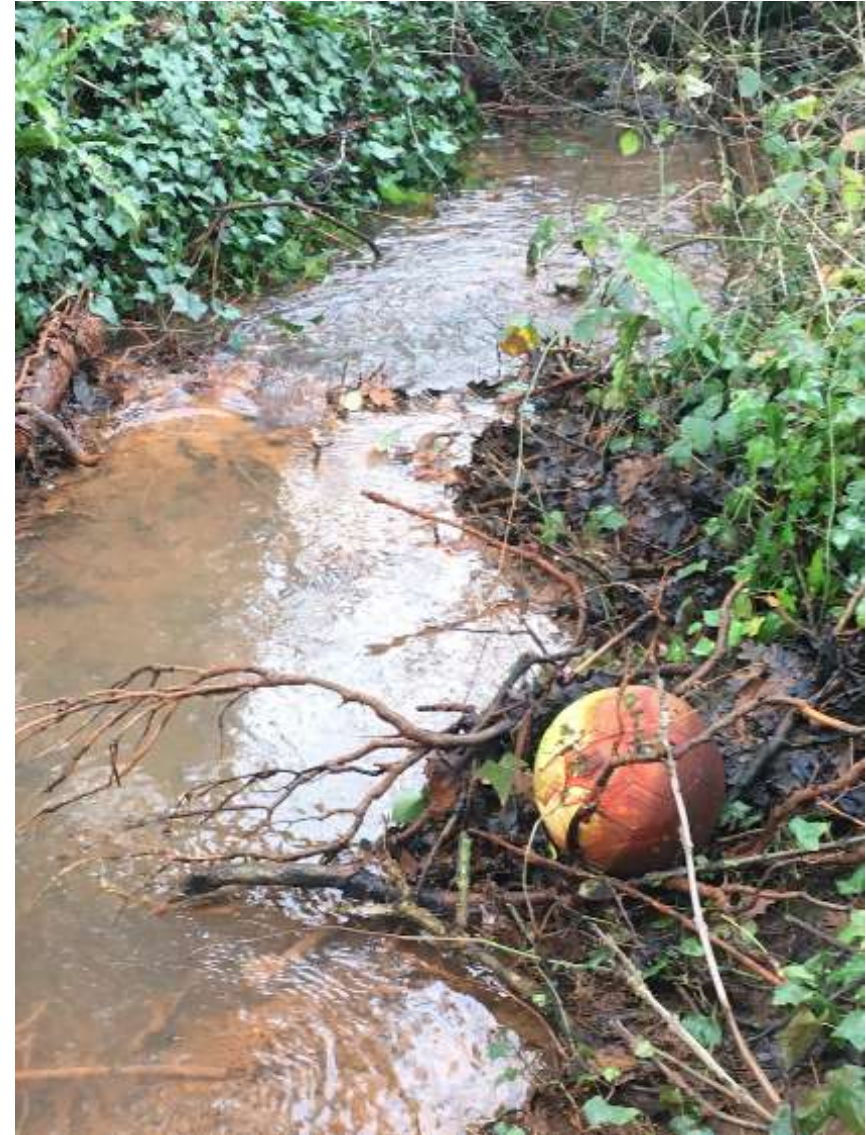


*Oily patina on the water surface suggesting aromatics contamination.*





*Foaming Organic Compounds 10m from the leachate spring*



*A football stained by the leachate*



Ochre staining in West Paddock water run off area . <https://www.ordnancesurvey.co.uk/osmaps/51.4205367,-3.19405.12/pin>



*The ground Leachate level is rising and now exiting in the middle of the pedestrian walkway*

## Slater, Nathan P

---

**From:** [REDACTED]  
**Sent:** 21 January 2021 12:00  
**To:** Slater, Nathan P  
**Cc:** [REDACTED]  
**Subject:** Planning Consultation 2020/00007/PAC  
**Attachments:** Objections Report Appendix A.pdf; Cosmeston Objections Report Final.pdf; Objections Report Appendix B.pdf

Hello Nathan,

It was great to talk to you earlier and I'm very grateful you've given me the opportunity to comment on the proposed planning application for a specialised school on the Cosmeston estate.

Please find attached the Community Survey Report that we compiled for the wider Planning Application for the housing development at Upper Cosmeston Farm. Many of the issues raised will also be applicable to the plans for proposed school and in particular I would note:

### Traffic

Our survey report highlighted the deficiencies in the submitted transport reports, the present consultation traffic impact report suggests the proposed new specialised School will not have a major effect on traffic, this is contrary to our independent traffic assessment.

### Environmental Contamination

The present consultation does not provide an environmental assessment of building a school adjacent to the old landfill site where toxins including asbestos have been found within the ground and water samples. I have written to NRW and SRS requesting their comments.

### Ecology

Our survey report highlighted the deficiencies in the submitted ecological reports, the present application does not address these deficiencies and is limited in scope as the surveying contractors were not allowed on site.

### Archeology

Our survey report highlighted deficiencies in the archeological reports and exploratory digs independent of the council's applications identified archeological sites of interest. The present application does not address these findings.

### Legal advice

This was not covered in the original report but given the nature of the development, I would seek to obtain an understanding of the legal advice received that considered the legal position and future possible liabilities of the applicant and the approver with regards to knowingly developing a site, adjacent to an old landfill site, that has been shown to contain toxins that are detrimental to human health.

Kind regards,

[REDACTED]

## **Objections to siting a Special School on the green wedge at Cosmeston 2020/00007/PAC**

To claim the Cosmeston site is the preferred option is unprofessional (and unbelievable), in the absence of setting out alternative options and criteria – and showing the weighting between them.

The site is adjacent to a 1920s waste tip and close to the 1980s Council tip which has recently been found to contain hazardous chemical wastes. Leaching chemicals could be penetrating under the school field and buildings.

The Fort Rd and Lavernock Road are subject to flooding, as acutely shown in the 23<sup>rd</sup> December 2020 floods. The route to Barry was cut by flooding at Sully Moors for days (happens every year or two) and at Cosmeston for hours. The 23 Dec. rainstorm was half as severe as the extreme for planning purposes.

Siting a school for pupils all over the Vale on its extreme eastern edge maximises travel distances

Siting the school in the most congested part of the Vale traffic-wise causes maximal travel times and maximal delay to other vehicles

Siting the school in or near the largest urban area (Barry) would maximise opportunities for active travel to school; conversely, siting it well removed from an urban area with sea on one side minimises such opportunities.

Lengthy travel journeys for special-need children are cruel, contrary to the duty of care; it's preferable to cater for less severe cases in special units (SRBs) attached to mainstream schools.

.Establishing a new special school rather than Annex to Ysgol y Deri results in increased revenue costs, such as an additional headteacher.

The site significant intrudes into the inbuilt countryside along Lavernock Rd.

The buildings would be visually intrusive as seen from the Lavernock Rd hill approaching from the south.

It's dishonest of VoG officers to claim "very exceptional" circumstances for building in the green wedge, when some of the neighbouring housing land owned by the Welsh Government could be purchased instead. The Auditor-General Wales is looking at the VoG Council's disregard for the Governance Principle A – *Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.*

The previous criterion "in close proximity to YYD" is not met, while a greenfield site on Cog Road near YYD could do that.

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="More concrete jungle in a semi-rural area Lack of respect for existing Welsh Government Green Wednge and Green environmental law Permanent loss of animal and plant life Increased traffic problems to a road that is already used as a rat-run by traffic on a daily basis Lack of respect for use of public money including twisting off the existing criteria for 106 money allocation to Sully Village Increased damage to the air and sound quality"/>
<b>Received Date</b>	<input type="text" value="10/01/2021 16:36:13"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

## Slater, Nathan P

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**From:** [REDACTED]  
**Sent:** 31 January 2021 17:22  
**To:** Slater, Nathan P  
**Cc:** [REDACTED]  
**Subject:** Vale Veloways consultation response, Ysgol y Deri annexe ref 2020/00007/PAC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Nathan,

I am submitting this consultation response regarding the proposed special school at Cosmeston, ref 2020/00007/PAC, on behalf of Vale Veloways, a cycling campaigning group in the Vale of Glamorgan.

The transport part of this application deploys a set of suitable words and phrases (active travel, sustainable travel plan, etc) but offers little to deliver this in reality. We cannot see how what is proposed (e.g. parking for 150 staff) differs from the era of planning for at least the current level of car use, instead of encouraging alternative forms of transport, as per Welsh Government and Vale of Glamorgan policies.

- (a) There is no planned link to the former railway line, which is to become a walking and cycleway with the adjacent planned housing development. That connects the site very directly with Penarth railway station and town centre. Ideally access to the railway line should be from the eastern boundary of the school site.
- (b) This railway path is extremely popular and well-used, to the level of being full to capacity at many times of day. Given that it was formerly three railway tracks wide, there is no reason why it could not be widened, to allow segregation of cycling and walking. Also, it is not lit by street lights which, as it becomes more used, it should be. Parts of this upgrading should be built in to this school scheme.
- (c) It is surprising that, given government and local authority policies and priorities, the use of this railway line more strategically does not appear to have been considered by this and the adjacent housing planning application. At this early stage it should be explored with TfW how to accommodate a future extension of its service from Penarth railway station to Cosmeston and on to Sully and Barry. It is important that travel – most of which is to and from Cardiff – should complement rather than undermine the policies of Cardiff Council (to reduce pollution and car use and to improve active travel and public transport) - which are backed by the Welsh Government. It should not be the case that a school today is built with a car space for every member of staff, in the context of the Vale Council's and Welsh Government's declarations of climate emergency.
- (d) Given that the school is an annexe to Ysgol y Deri, and is connected with that pretty directly by the off-road, tarmac, lane through Cosmeston Country Park, it is puzzling why this lane does not feature in the proposal's transport plan. This would be an ideal route for cycling or walking between the two sites.
- (e) Although the detail design of the road junction will be dealt with later, it is important that the current cycleway beside Lavernock Road allows cyclists going straight along that road have priority over vehicles entering or leaving the school. It is important that this junction design conforms with not only DMRB but also with the WG's Active Travel Design Guidance.
- (f) The cycleway on Lavernock Road fails to meet Welsh Government active travel standards. It is very rough and narrow. This development should contribute to upgrading this through to Sully, including safe crossing of the

carriageway where this is necessary. Particularly problematic is the area around the junction with Westbourne Road.

Yours sincerely



Vale Veloways

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="No right to use 106 public money which was meant for Sully Village to help clear up the 'mess' currently left behind by Taylor-Wimpey housing development and will be left after completion of development such as increased traffic problems - local council officers are forever visiting the site to complain about soil runoff, etc. Goes against Welsh Government 1st minister's statement about tackling Climate Emergency by increasing traffic, losing more natural landscape, loss of air and sound quality"/>
<b>Received Date</b>	<input type="text" value="10/01/2021 17:10:28"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>



NPS.

January 20<sup>th</sup>, 2021.

Dear Sir,

20P00071 PAC

REF. proposed development of.  
"Special School", at Lower Cosmeston  
Farm. ORDER 2012.

We strongly object to this  
development as the site is  
totally unsuited for this purpose  
due to the facts:-

haverock Rd will become total  
grid-locked due to this extra  
traffic of large vehicles. i.e. disabled  
buses, delivery vehicles and  
parents cars, which will be larger.  
The area is liable to heavy  
flooding as we have recently seen

and the land is polluted with various toxins, deposited from the second world war, which may cause further health problems in the future.

We already suffer parking problems in our road, this will increase as many people are too lazy to access designated car parks in the area

There are many other sites in Sully/Perouth this school could be built on, why not extend the special school that is already in existence in Perouth, or areas near Ty Hafan, or the old Sully Hospital?

Sully Primary School is desperately

in need of upgrading, surely  
this money should go to them.

We do not want this school near  
us.

Signed,

[Redacted signature]

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="It is already difficult at certain times of the day to exit the Cosmeston estate onto Lavernock road. We do not need more houses built there or a special school which requires endless vehicles(for good reason) If anything were to be built surely another primary school to reduce pressure on the already crowded Penarth schools. I suspect money is as ever, involved somewhere."/>
<b>Received Date</b>	<input type="text" value="04/01/2021 16:34:27"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

## Slater, Nathan P

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**From:** [REDACTED]  
**Sent:** 01 February 2021 19:09  
**To:** Slater, Nathan P  
**Subject:** Proposed new specialised School & associated works at Lower Cosmeston Farm

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please be advised that I oppose this planning application for the following reasons:

Infrastructure - the existing planning application to build 600+ houses on land adjacent to the proposed site and the current building of houses at the Taylor Wimpey site in Sully will put huge additional demand on existing roads within the area. It has been well documented, and the Vale of Glamorgan Council are well aware, that the existing transport infrastructure is struggling to cope with current traffic volumes, therefore it goes without saying that the building of an additional school with a wide catchment area for pupils will mean additional traffic will need to come to and from this school on a daily basis. At peak times of the day this additional traffic will result in gridlock of existing roads and have an environmental impact due to increased pollution levels.

Flooding - The Vale of Glamorgan Council are well aware of a significant degree of flooding which has recently occurred on the B4267 at Lower Cosmeston, much of which was the result of surface water running off the fields at the proposed site. Climate change means that we are likely to get more regular occurrences of extreme weather and increased levels of rainfall in the years ahead, therefore further flooding events over the coming years are much more likely. The building of a school will restrict the ability of existing fields to be able to absorb the levels of rain water which are needed to prevent flooding both now and in the years ahead.

Environmental Impact - the proposed site is prime green belt land which is hugely important for a whole host of wildlife which is dependent upon it. It has been well documented (as part of the planning application for the housing development at Lower Cosmeston Farm) that there are a number of protected species which will have their habitat significantly reduced in size if this planning application was to go ahead. This will have a devastating impact on this wildlife even though they are supposed to be protected under current legislation. I fail to understand why an alternative brown field site couldn't be considered as the environmental impact of the regeneration of brown field land would have a greatly reduced environmental impact.

For these reasons I object to the proposed planning application & urge you to consider alternative brown field sites.

Regards.

[REDACTED]

## Slater, Nathan P

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**From:** [REDACTED]  
**Sent:** 05 January 2021 14:41  
**To:** Slater, Nathan P  
**Subject:** Objection to 2020/00007/PAC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Vale Planning.

May I object to the proposed Development on the following grounds:

1. Does not directly benefit local children/community of proposed housing development
2. 68 car staff parking spaces, does not encourage the use of public transport.
3. Tiny area given over to cycle storage, less than 3 car parking spaces.
4. Will cause traffic disruption on Lavernock road B4267
5. Will do nothing to help flood risks, this area was flooded as recently as Dec 2020
6. Over development of Grade A farm land, when there are plenty of brown field sites in the Vale.
7. No effort made to accommodate road junction/safety at the site entrance
8. Encourage extra traffic between the existing school at Cwm Deri and this proposed extension school, without upgrading local road infrastructure.
9. This school will encourage the use of non sustainable car transport by parents coming from areas around South Wales.
10. No provision for light rail/trams or buses given in the plans.

[REDACTED]  
Penarth.

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="You are proposing siting a special needs school serving the whole of Glamorgan in an area already suffering traffic problems. Think again."/>
<b>Received Date</b>	<input type="text" value="29/01/2021 15:50:16"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation Name</b>	<input type="text"/>
<b>Address</b>	<input type="text"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="see attachment"/>
<b>Received Date</b>	<input type="text" value="31/01/2021 19:52:29"/>
<b>Attachments</b>	The following files have been uploaded:

- School Consultation Response ref 2020.docx



School Consultation Response ref **2020/00007/PAC**

Location: the location of the school should be on the other side of the Vale to service that area as learners already have to travel to Ysgol y Deri and there should be provision in the west.

Green Site: There have been several other local green sites turned down so why is this one being considered?


Consultation? It would appear that a decision to build 566 houses has already been taken and a true process of consultation not been put in place.

Timing: The Vale of Glamorgan has said that planning for housing was a result of pressure from Welsh Government so why so we has this added consultation to deal with during lockdown? With reference to the Rob Thomas response (2<sup>nd</sup> December 2020) to our letter of concern about this housing consultation being in the middle of a pandemic and alongside a local parking consultation, the point made was that the applicant was Welsh Government and that timing concerns were made then, so why is it that the school's consultation is exacerbating this at a time when it is difficult for people to respond.

Traffic: the independent assessment shows that the impact will be significant.

Environmental Contamination: the risk of building a school adjacent to an ex landfill site with toxic findings makes this a liability.

Archaeology: sites in the proximity are of significance which the consultation does not address.



As a resident of Penarth, I submit the following comments on planning application 2020/00007/  
PAC.

1. The Traffic Assessment may or may not be valid depending on the extent of other developments in Sully and Penarth. Regardless, Lavernock Road B4267 is a restricting factor for the area; not just for the overall capacity but for junctions and pedestrian crossings. The safety of road users and pedestrians has not been obviously addressed by the application.
2. As seen 23 December 2020, Lavernock Road B4267 can suffer from flooding. This information is shown on the Vale's own maps for flooding and surface water. Any services along this road will likely have to contend with disruption in the future.
3. Only a small area of the site is allocated to SUDS. Given the amount of paved parking and history of flooding in the area this should be given more serious consideration earlier in the project.
4. There is no weather protection shown for the user pick up/drop off zone. Presumably there should be some protection from curb to building access.
5. Although the site is located in a rural setting, I do not think the users and broader community would mind if the school looked less like a barn.
6. The location of the building on the site does not support future expansion or alternate useage of the site.

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="Adding a school development on top of the existing proposed housing and associated primary school development is over the top. The school will by it very nature be the destination for children from a wider catchment and increase traffic we beyond the unacceptable level already envisaged. The fact that Lavernock Road, as a major artery into Cardiff and Penarth for many Vale residents and is already not fit for purpose is reason enough to reject this planning application."/>
<b>Received Date</b>	<input type="text" value="26/01/2021 14:20:16"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="I see no justification associated with this planning application and it should therefore be turned down out of hand. It would add further traffic issues to an already congested route and is a confusing adjunct to the lower Cosmeston farm housing development for which there are seemingly plans associated for a primary school to service the new housing, NOT a special school. Which is it?"/>
<b>Received Date</b>	<input type="text" value="04/01/2021 17:15:41"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="To claim the Cosmeston site is the preferred option is unprofessional (and unbelievable ), in the absence of setting out alternative options and criteria - and showing the weighting between them. The site is adjacent to a 1920s waste tip and close to the 1980s Council tip which has recently been found to contain hazardous chemical wastes. Leaching chemicals could be penetrating under the school field and buildings. The Fort Rd and Lavernock Road are subject to flooding, as acutely shown in the 23rd December 2020 floods. The route to Barry was cut by flooding at Sully Moors for days (happens every year or two) and at Cosmeston for hours. The 23 Dec. rainstorm was half as severe as the extreme for planning purposes."/>
<b>Received Date</b>	<input type="text" value="03/02/2021 00:22:02"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>• YYD Cosmeston_FoE objection.doc</li></ul>

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<p>The money the Welsh Government plans to use for this new school was given to them to improve existing schools and should be so used. The alleged survey on potential loss of heritage was either not carried out or has been delinquently distorted from the truth, which is that there are significant historical interests around the site as already confirmed by local archaeologists. The planned 8-9 storey building is an abomination in such a delightful spot The proposed development is contrary to the Welsh Govt's own requirements for sustainability of land and biodiversity. The traffic predictions have been deliberately understated and conflict with the planned parking requirements with no mitigation of any kind. Any increase at all in traffic on Lavernock Road is unsustainable and unacceptable The intention to ignore the confirmed pollutants including PAH's, TPHs and Cyanide because their removal is too costly should ring alarm bells everywhere.</p>
<b>Received Date</b>	<input type="text" value="31/01/2021 19:24:16"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="Area is already saturated, prior to building of new housing or in this case, additional school. Existing infrastructure saturated. Frequent tailbacks in excess of 1km. This will be worsened by new housing, further worsened by this school and commuters. No ability to improve infrastructure or install additional links in future without negative impact to existing homes. Removal of green space and additional concrete will increase flood risk to area. As demonstrated in Sully with recent construction. Application is therefore against future generations act and WG targets to reduce carbon and reduce environmental footprint. Also safety concern around existing junctions at Brockhill, cosmeston drive, and cosmeston farm. Excess traffic will make exiting junctions difficult and dangerous."/>
<b>Received Date</b>	<input type="text" value="23/01/2021 15:43:46"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
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<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="Considering all the toxic waste that has been stored on the site,(when the council owned the land), the issues of the land being on a flood plain, (aptly demonstrated by the flooding which occurred on 23rd Dec 2020 and caused total havoc on Lavernock road and surrounding area), I personally do not think that building a school is appropriate and in particular it will be detrimental to the well being of children."/>
<b>Received Date</b>	<input type="text" value="04/01/2021 22:00:57"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>



# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
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<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="My initial reaction was to agree to a specialist school as an exemption from the policy to protect agricultural land. However, there is no justification in any of the extensive planning application documents to explain what the school was for or justify why it is necessary on this site. Given the amount of brown and other available land there should be a process to justify siting new developments outside this. New development in the green belt should be restricted, especially where it borders parks and other important sites. There is no justification presented in this application and I strongly object to applications where the proposer does not seem to think this necessary. The application should be rejected as it is currently structured and the proposers asked to re-submit with clear justifications why it could not be located elsewhere outside of agricultural land and the green belt."/>
<b>Received Date</b>	<input type="text" value="04/01/2021 12:02:07"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
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<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
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<b>Address</b>	<input type="text"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="Already we experienced problems with flooding on Lavernock Road, requiring the road to be closed, this will not be helped by building on the green belt. The wildlife has not been considered either. Local residents will already experience extra pollution due to the planned housing, plus all of the extra traffic on the roads (majority of people in lower Penarth have cars, no matter how much you try to encourage public transport or bikes). The days the traffic was monitored I noticed was quiet days (holidays, etc), not at peak days and times. Realistically trees and green areas should be kept and created to absorb all of the pollution to keep the local residents healthy. Already it's tricky getting out of the junction onto Lavernock Road from Brockhill Rise too due to so much traffic. Nothing has been done despite me raising this point on many occasions. As a local resident, it is all very disappointing how the area is becoming so over developed."/>
<b>Received Date</b>	<input type="text" value="22/01/2021 19:44:07"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

## Slater, Nathan P

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**From:** [REDACTED]  
**Sent:** 05 January 2021 10:54  
**To:** Slater, Nathan P  
**Cc:** [REDACTED]  
**Subject:** RE: PlanningApp 2020 01170/OUT Cosmeston

Many thanks for your reply. Ive looked at the attached plans and note that part of the area marked in red covers the area of the site described as area B on the submitted plans, an area which has tested positive for TPHs PAHs and asbestos, and that's with only six bore holes and test pits shown on the plans in this area. Having seen the site in the 1970s I cant say Im surprised, debris were scattered about over this area which is adjacent to the land fill site (where no test pits or bore holes are marked) and where no one probably knows whats buried there. In view of NHS and civil engineering guidance that there is no safe level of these materials and indeed the welsh gov asbestos in schools policy I certainly wouldn't want my children being schooled on this site which must be the most contaminated one in S Wales

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**From:** Slater, Nathan P [REDACTED]  
**Sent:** 05 January 2021 10:20  
**To:** [REDACTED]  
**Subject:** RE: PlanningApp 2020 01170/OUT Cosmeston

Dear Sir,

Thank you for your email. In regards to the proposed development relating to 2020/01170/OUT this relates to the mixed residential development proposal which I am not a part of. I am currently working with the Vale of Glamorgan Council's 21<sup>st</sup> Century Schools team to develop a new special needs school to meet increased demand in the Vale of Glamorgan for this type of school placement, which would expand the provision currently offered by Ysgol Y Deri in Penarth.

I am currently holding a pre-application consultation (PAC) regarding a parcel of land referred to as Land at Lower Cosmeston Farm which has been identified by the 21<sup>st</sup> Century Schools team as having the potential to accommodate the new school. I have attached a map showing the location of the proposed development site which falls outside of the housing allocation which application 2020/01170/OUT refers to.

I have also attached a site plan showing the location of the site in relation to the historic landfill area demonstrating the school site falls outside of the this area. However, if a planning application goes ahead following the PAC process it would need to be supported by a Site Investigation Report identifying any land contamination and setting at any required remediation works.

If you wish to comment on the PAC development proposal please use the following link and review the submitted information under the documents tab - <http://vagonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2020/00007/PAC>. Once you have reviewed the information available please send me your comments via email to this address or via post to FOA: Nathan Slater, Planning Policy, Dock Offices, Subway Road, CF63 4RT.

However, if your main concern relates to the housing development proposed under 2020/01170/OUT please send your comments to [planning@valeofglamorgan.gov.uk](mailto:planning@valeofglamorgan.gov.uk) and quote the planning application reference number 2020/01170/OUT.

If you have any queries regarding the PAC process and the proposed school development please feel free to call me directly on 01446 704762 or email via [npslater@valeofglamorgan.gov.uk](mailto:npslater@valeofglamorgan.gov.uk).

Kind regards,

Nathan Slater  
Senior Planner / Cynllunydd Myfyrwyr  
Planning and Transportation Services / Gwasanaethau Cynllunio a Thrafnidiaeth  
Vale of Glamorgan Council / Cyngor Bro Morgannwg

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Ewch i'n gwefan yn [www.bromorgannwg.gov.uk](http://www.bromorgannwg.gov.uk)

[Find us on Facebook / Cewch ddod o hyd i ni ar Facebook](#)  
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Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

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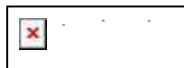
**From:** [REDACTED]  
**Sent:** 04 January 2021 20:51  
**To:** Slater, Nathan P [REDACTED]  
**Subject:** PlanningApp 2020 01170/OUT Cosmeston

Re the above planning for 550 houses and school on this former council run tip that has already tested positive for several carcinogenic materials including asbestos, is this contrary to the welsh gov's "asbestos in schools advice" re young children being 5 times more likely to develop cancers over a lifetime than adults coming into contact with asbestos.

I note that the children's commissioner has previously intervened re schools being built on or near tips in Denbigh and Newport.

What is being done to remediate the land.

Why is there no H&S policy in the plans re the dispersal of asbestos



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# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="After reading the reports, none of the objections they have replied have not shown any evidence to support the answers which I think must be proved with data.before making a decision. My main concern is the effect on the environment. This school will destroy many of the habitats of animals and plantations to build it. The government have released a scheme to preserve and maintain trees, which this would contravene this. This area should be used to plant trees for the future. (see country file). The area already has a special needs school and does not require more. There are other areas in the Vale that have existing land that can be used, further away. The Vale are continuing to destroy the environrnt for money and do not care about the damage they are doing to it. We vote for the council we want ,and think will protect where we live and, should be reminded of this with local elections coming up."/>
<b>Received Date</b>	<input type="text" value="26/01/2021 14:24:09"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="There is already a large SENCO school at sully which will make a new school unnecessary and alongside the new residential development, traffic and the effects on the environment will be substantial for the people of Sully, Dinas Powys, Penarth and Barry. The continuation of councils giving permission for developments to be built is causing the overcrowding of residents."/>
<b>Received Date</b>	<input type="text" value="04/01/2021 14:00:23"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>

## Slater, Nathan P

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**From:** [REDACTED]  
**Sent:** 05 January 2021 12:54  
**To:** Slater, Nathan P  
**Subject:** Cosmeston, Penarth.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

This new estate is hardly in keeping with the Vale biodiversity plans. Surely this school will be attended by most children who do not live on the estate, further build up of traffic and local schools, who I presume will have to be the ones to accommodate the extra children, are already at bursting point. Couldn't Ysgol y Deri have extensions built for extra places in their own grounds.

Objections to the estate itself are build up of traffic on Lavernock road, more flooding on Lavernock road due to loss of fields to soak away rain water. The list could go on but I'm sure you have received a lot of objections already. Do you ever take any notice of the people living in this area!

[REDACTED]

[Sent from Yahoo Mail on Android](#)

# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="REDACTED"/>
<b>Address</b>	<input type="text" value="REDACTED"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="Absolutely ridiculous idea. We cannot cope with this volume of housing and this is not a school that will serve the new development. To destroy this green land to over develop our town is an absolute scandal."/>
<b>Received Date</b>	<input type="text" value="26/01/2021 15:15:42"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>



# Comment for planning application 2020/00007/PAC

<b>Application Number</b>	<input type="text" value="2020/00007/PAC"/>
<b>Location</b>	<input type="text" value="Land at Lower Cosmeston Farm, Lavernock"/>
<b>Proposal</b>	<input type="text" value="Proposed New Specialised School and Associated Works."/>
<b>Case Officer</b>	<input type="text" value="Mr. N.P. Slater"/>
<b>Organisation Name</b>	<input type="text"/>
<b>Address</b>	<input type="text"/>
<b>Type of Comment</b>	<input type="text" value="Objection"/>
<b>Type</b>	<input type="text" value="neighbour"/>
<b>Comments</b>	<input type="text" value="1/ A misuse of 106 public money which was designated for the village of Sully 2/ Further loss of natural environment linked to Cosmeston housing development proposal nearby in breach of existing Welsh Government environmental law 3/ Increased air and noise pollution from vehicle fumes 4/ Increased traffic problems, e.g. tailbacks, jams, accidents, to current ones along Lavernock Road which is already used as an unofficial Dinas Powys bypass route 5/ Increased safety concerns, e.g. traffic, air pollution, to children along already very busy Lavernock Road"/>
<b>Received Date</b>	<input type="text" value="10/01/2021 14:14:19"/>
<b>Attachments</b>	The following files have been uploaded: <ul style="list-style-type: none"><li>•</li></ul>