

PLANNING STATEMENT FOR NEW SPECIAL NEEDS SCHOOL YSGOL Y DERI AT COSMESTON

SEPTEMBER 2022



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1. INTRODUCTION

- 1.1. This planning statement identifies the relevant planning legislation and national and local planning policies which must be considered in relation to the proposed development. The Statement also outlines how the legalisation and planning policies have been considered within the proposal and reflected in the design of the development.
- 1.2. A full planning application has been submitted for the proposal to develop a new Special Education Needs (SEN) school located on land at Lower Cosmeston Farm, Lavernock Road. The school would be managed by the existing SEN school in the Vale of Glamorgan, Ysgol Y Deri and will act as an expansion to the existing school to provide additional pupil places to address increased demand at the existing school.
- 1.3. The proposed development site is a greenfield site which adjoins the residential allocation known as land at Upper Cosmeston Farm, Lavernock. The residential allocation is within the settlement boundary of Penarth. The proposal would be located outside but adjoining the settlement boundary. The residential allocation is currently undeveloped, however, an outline application for a mixed use residential development is under consideration.
- 1.4. The applicant for the proposed development submitted an outline planning application for the proposal on 11th June 2021 (application ref. 2021/00876/RG3 refers). The proposal remains fundamentally the same as the outline application. The outline application was submitted with 'landscape' and 'appearance' being omitted from the proposal which were to be determined through a future submission of reserved matters. However, the outline submission did include full details of proposed elevations and landscape plans for information purposes. The applicant has now withdrawn the outline application and submitted a replacement full planning application. There is no significant change to the scheme in this replacement application, compared to the current position of the outline application.
- 1.5. This planning statement has been updated to reflect the amendments made during the planning determination process for the outline permission and any subsequent amendments required from additional supporting information being submitted alongside the proposal. However, fundamentally the proposal remains the same as considered under the outline application.

2. PLANNING POLICY CONTEXT

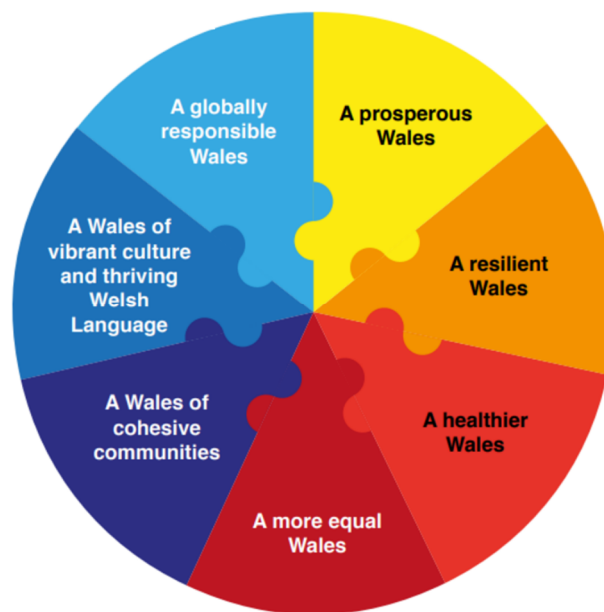
2.1.1. This section of the Statement outlines the relevant national and local planning policy in relation to the proposed development. The applicable legislation has also been set out in this section.

2.2. RELEVANT LEGISLATION

THE WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

2.2.1. The Well-Being of Future Generations (Wales) Act 2015 (WBFG) seeks to improve the social, economic, environmental and cultural well-being of Wales. The Act contains seven well-being goals which local authorities as well as other public bodies must seek to achieve in order to improve well-being both now and in the future (see Figure 1). This means public bodies listed in the Act must undertake their work in a sustainable way and ensure that when making their decisions they take into account the impact they could have on people living in Wales in the future in accordance with the sustainability principle; “a public 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.” (WBFG(W), Sec.2, 2015)

Figure 1: Well-being Goals (Source: Welsh Government)



2.2.2. In relation to exercising the provisions of the WBFG, the Planning Act (Wales) 2015 introduced a statutory purpose of the planning system in Wales stating that a Local Planning Authority (LPA) must exercise its function in relation to the determination of planning applications “...as part of carrying out sustainable development in accordance with the Well-being of Future Generations (Wales) Act 2015 (annex 2), for the purpose of ensuring that the development and use of land contribute to improving the economic, social, environmental and cultural well-being of Wales.” (PA(W), Sec.2(2) 2015) This enshrines the definition of sustainable development as outlined in WBFG into the LPA’s functions under Section 2.1(a) and (b) of the Planning Act (Wales).

THE ENVIRONMENT (WALES) ACT 2016

2.2.3. The Environment (Wales) Act 2016 promotes the sustainable management of natural resources. As part of this function it introduces an enhanced biodiversity and resilience of ecosystems duty under Section 6 of the Act. This duty applies to public authorities in the exercise of their functions in relation to Wales and seeks to maximise contributions towards achieving the well-being goals outlined in the WBFG through requiring public authorities “to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions” (Sec.6 (1), 2015). The LPA therefore must seek to maintain and enhance biodiversity when determining planning applications.

THE FLOOD AND WATER MANAGEMENT ACT 2010

2.2.4. Schedule 3 of the Flood and Water Management Act 2010 requires new developments in Wales to include Sustainable Drainage Systems (SuDS) features that comply with national standards. The use of SuDS within a development scheme is a way to help achieve sustainable development in accordance with WBFG. For new development consisting of more than one new dwelling or where the area covered by construction work equals or exceeds 100 square metres the development requires approval before construction can commence from the SuDS Approval Body (SAB). Subsequently, the proposed development would be subject to a SuDS application. This is a separate process to determining planning decisions and a development can achieve planning consent without SuDS approval. However, construction of the development would not be able to proceed until SuDS approval has been granted. Consequently, SuDS should be considered as part of the design process to ensure the development proposal complies with national standards and would not require amendments following a SuDS approval.

THE EDUCATION (SCHOOL PREMISES) REGULATIONS 1999

2.2.5. The Education Act 1996 places a duty on Welsh Government to prescribe standards for school premises in Wales. The standards for Wales are set out in the Education (School Premises) Regulations 1999 which apply to all existing and new schools maintained by a local authority. Schedule 2 – Playing Fields sets out the minimum area required for team game playing fields for schools based upon the amount of pupils who attend the school who have attained the age of 8 years up to 11 years and other schools with pupils older than 11 years. Where an all-weather surface is included within a school this area can be treated as if it were twice its actual size.

2.3. NATIONAL PLANNING POLICY

PLANNING POLICY WALES (PPW) EDITION 11 (2021)

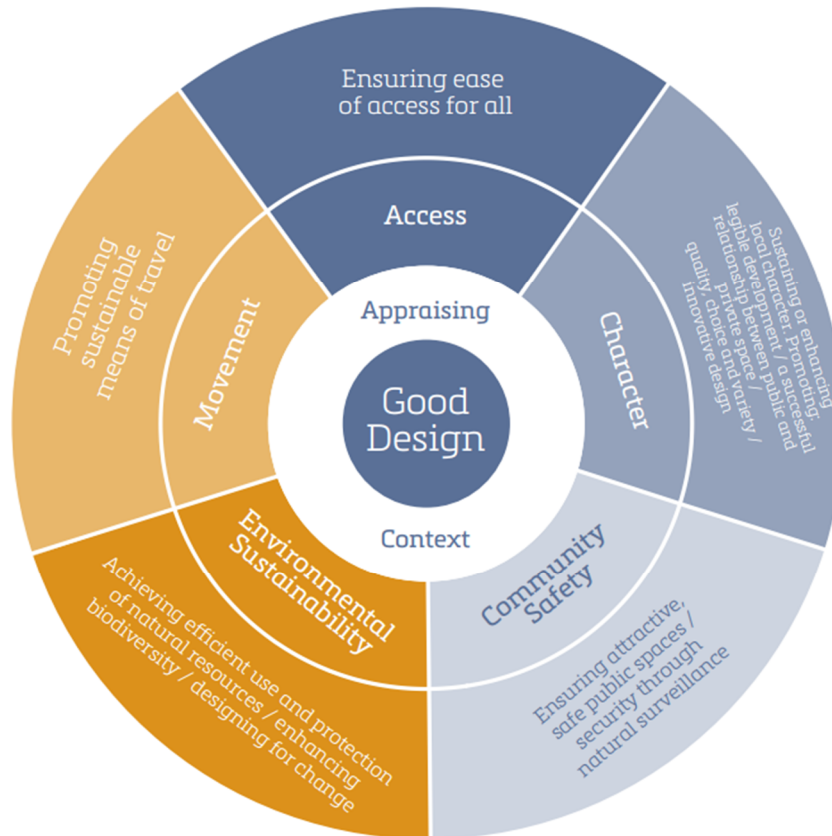
2.3.1. Planning Policy Wales Edition 10 (PPW) (February 2021) published by Welsh Government provides the national planning policy context for Wales. PPW sets out the land use policy context for the consideration and evaluation of all types of development to promote sustainable development which is defined by the Well-being and Future Generations (Wales) Act (2015) 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, aimed at achieving the well-being goals.” (PPW, p.7, 2021). The sustainable development principle seeks to ensure the needs of the present are met without compromising the ability of future generations to meet their own needs. This concept of sustainable development is promoted by PPW relating to both the preparation of development plans and in the determination of planning applications.

2.3.2. PPW sets out the national planning policy approach to ensure the requirements of the Well-being and Future Generations (Wales) Act (2015) are met through adopting a placemaking approach to plan making, planning policy and decision making. Placemaking is defined in national policy as “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). To ensure those involved in the planning system follow the placemaking approach, PPW outlines the key principles that should be adhered to:

- Growing our economy in a sustainable manner;
- Making best use of resources;
- Facilitating accessible and healthy environments;
- Creating and sustaining communities;
- Maximising environmental protection and limiting environmental impact

2.3.3. Paragraph 3.3 of PPW emphasises the importance good design plays in creating sustainable development. The scope of good design goes beyond the architecture of the building and includes “the relationship between all elements of the natural and built environment and between people and places.” (PPW, p.24, 2021). To ensure good design is achieved developments should meet the objectives of good design through the five key aspects set out in figure 2 below:

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



2.3.4. PPW endorses the use of previously developed land wherever possible to be used in preference to greenfield sites. Where the land is located within settlements PPW states “such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome” (PPW, p.35, 2021). For the purposes of planning previously developed land is defined as:

“Previously developed (also known as brownfield) land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings) and associated fixed surface infrastructure. The curtilage of the development is included, as are defence buildings and land used for mineral extraction and waste disposal where provision for restoration has not been made through development management procedures.

Excluded from the definition are:

- land and buildings currently in use for agricultural or forestry purposes;
- land which has not been developed previously, for example parks, recreation grounds, golf courses and allotments, even though these areas may contain certain urban features such as paths, pavilions and other buildings;
- and where the remains of any structure or activity have blended into the landscape over time so that they can reasonably be considered part of the natural surroundings;
- and which is species rich and biodiverse and may qualify as section 7 habitat’ or be identified as having nature conservation value; Environment Act; and
- previously developed land subsequently put to an amenity use.” (PPW, p.37, 2021)

- 2.3.5. However, PPW also states “Where there is a need for sites, but it has been clearly demonstrated that there is no previously developed land or underutilised sites (within the authority or neighbouring authorities), consideration should then be given to suitable and sustainable greenfield sites within or on the edge of settlements.” (PPW, para.3.44, 2021). Although this relates to development plans it is considered the principles outlined in this section are still relevant to windfall development which comes forward in a Local Authority. This is further supported by the requirement in PPW for educational purposes be subject to a sequential approach in relation to site selection 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)
- 2.3.6. In relation to education facilities, PPW identifies these uses as supporting infrastructure which are considered to be crucial for economic, social and environmental sustainability. However, PPW does acknowledge that “Infrastructure which is poorly designed or badly located can exacerbate problems rather than solving them.” (PPW, para.3.61, 2021). Schools are classified as sensitive development within PPW as such “It will not be appropriate to locate sensitive uses, such as hospitals, schools, care homes and housing adjacent to busy roads or other transport routes, where there are no connectivity benefits to be gained and where health and amenity impacts associated with increased exposure of people to pollution will be unacceptable.” (PPW, para.6.7.19, 2021)
- 2.3.7. PPW also highlights the importance of community facilities which perform various functions and contribute to a sense of place important to the health, well-being and amenity of local communities. Community facilities “can include schools, cultural facilities, health services, libraries, allotments and places of worship” (PPW, para.4.4.1, 2021).
- 2.3.8. The proposed development site is located within a Green Wedge which is a local designation which protects open land from development. A Green Wedge is considered similarly to the more robust designation of a Green Belt, the main difference between these two designations is that land within a Green Belt should be protected for a longer period than the relevant current development plan period, whereas green wedge policies should be reviewed as part of the local development plan review process. PPW states that Green Wedges have the same purpose as a Green Belt which is to “prevent the coalescence of large towns and cities with other settlements; manage urban form through controlled expansion of urban areas; assist in safeguarding the countryside from encroachment; protect the setting of an urban area; and assist in urban regeneration by encouraging the recycling of derelict and other urban land.” (PPW, para.3.67, 2021). A green wedge adds an additional level of control beyond the general policies controlling development in the countryside as there is a general presumption against development which is inappropriate in relation to the purposes of the designation. The reasons for Green Wedge designations are detailed by the Local Planning Authority as part of the evidence base for their local development plans.

2.3.9. In terms of how development proposals should be considered in green wedges PPW states “When considering applications for planning permission in Green Belts or green wedges, a presumption against inappropriate development will apply. Substantial weight should be attached to any harmful impact which a development would have on the purposes of Green Belt or green wedge designation.” (PPW, para.3.73, 2021). Inappropriate development should not be granted planning consent except in very exceptional circumstances where there are other material considerations which clearly outweigh the harm which such a development would have on the green wedge. PPW defines new building in a green wedge as appropriate development where it is for the following purposes “justified rural enterprise needs; essential facilities for outdoor sport and outdoor recreation, cemeteries, and other uses of land which maintain the openness of the Green Belt or green wedge and which do not conflict with the purpose of including land within it; limited extension, alteration or replacement of existing dwellings; or small scale diversification within farm complexes where this is run as part of the farm business.” (PPW, para.3.75, 2021). PPW also notes that “Other forms of development would be inappropriate development unless they maintain the openness of the Green Belt or green wedge and do not conflict with the purposes of the designation.” (PPW, para.3.77, 2021).

2.3.10. PPW also outlines the importance of the Section 6 duty placed on Local Authorities contained within the Environment (Wales) Act 2016 in relation to planning stating “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means 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). This means developers will need to demonstrate to planning authorities how biodiversity is being maintained and enhanced as part of developments.

2.3.11. The planning system must take into account the Welsh Government’s objectives to “protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations.” (PPW, para.6.1.5, 2021). Although there are no historic assets identified on the site, the setting of surrounding historic assets outside of the development site boundary must also be considered. In relation to Historic Parks and Gardens PPW states “The effect of a proposed development on a registered park or garden, or its setting, is a material consideration in the determination of planning applications.” (PPW, para.6.1.19, 2021). Similarly, developers need to consider the impact development would have on scheduled monuments and their settings. Cadw provides additional guidance on how to consider the impact proposed developments would have on Historic Parks and Gardens and scheduled monuments and their settings in Setting of Historic Assets in Wales guidance (2017).

TECHNICAL ADVICE NOTE (TAN) 12: DESIGN (2016)

2.3.12. TAN 12 builds upon the objectives of good design set out in PPW providing further guidance on the elements of good design which should be included within development proposals. The design context is individual to each proposal, however, there are broad areas which should be covered in any proposal which are outlined in TAN 12. The key guidance relating to the proposed development is set out below:

- “The public sector has a responsibility and an opportunity to set high standards in achieving good design in its own buildings and achieving low carbon targets or zero carbon where possible. In the design of schools, hospitals and other buildings and infrastructure intended for use by the local community the aim should be to achieve

fitness for purpose, value for money over the whole life of the building, and a positive impact on the lives of those who use it and on its surroundings.” (TAN 12, para.5.10.1, 2016)

- “Through their location and design, public buildings can provide a strong community focus and reinforce local identity. Integration with the community they serve is essential. Most public buildings will be best placed at central points in highly visible locations. Where there is scope to emphasise civic status by development of adjoining public spaces this should be pursued. The objectives of access for all and achieving legibility are particularly important in the design of buildings into which the public are invited.” (TAN 12, para.5.10.2, 2016)
- “Best value for money in terms of whole life costs is best achieved by integrated project teams which mobilise all the design and construction skills in the team to achieve high quality and minimum waste.” (TAN 12, para.5.10.4, 2016)
- “Consideration should be given to practical ways in which the design of development can reduce opportunities for crime, disorder and anti-social behaviour.” (TAN 12, para.5.17.1, 2016).

TECHNICAL ADVICE NOTE (TAN) 18: TRANSPORT (2007)

2.3.13. TAN 18 seeks to create an efficient and sustainable transport system. To achieve a more sustainable pattern of development TAN 18 provides detailed guidance upon the location of development, parking and the design of development. The following guidance is considered relevant to the proposed development:

- “The location of major travel generating uses including employment, education, shopping and leisure can significantly influence the number and length of journeys, journey mode and the potential for multi-purpose trips.” (TAN 18, para.3.7, 2007)
- “All new schools should be subject to TA. The level of analysis should provide the decision maker with suitable data regarding the accessibility of the site by all modes and the impacts on movement patterns likely to occur. The level of detail should be proportionate to the scale of the development. The objectives of the TIS should as a minimum include the creation or improvement of safe cycling and walking routes, restricting car access around schools, providing adequate cycle storage, and a framework for future school travel planning activity.” (TAN 18, p.50, 2007)

TECHNICAL ADVICE NOTE (TAN) 24: THE HISTORIC ENVIRONMENT (2017)

2.3.14. The purpose of TAN24 is to outline how the planning system considers the historic environment. The historic environment is defined as “All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and deliberately planted or managed.” (TAN 24, para.1.7, 2017).

2.3.15. Specifically, in relation to the setting of historic assets TAN 24 states “The setting of an historic asset includes the surroundings in which it is understood, experienced, and appreciated embracing present and past relationships to the surrounding landscape. Its

extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. Setting is not a historic asset in its own right but has value derived from how different elements may contribute to the significance of a historic asset. (TAN 24, para.1.25, 2017). It is for the developer to provide the local planning authority with sufficient information to allow for the assessment of development proposal in respect of scheduled monuments, listed buildings, conservation areas, registered historic parks and gardens, World Heritage Sites, or other sites of national importance and their settings. TAN 24 states “For any development within the setting of a historic asset, some of the factors to consider and weigh in the assessment include:

- The significance of the asset and the contribution the setting makes to that significance
- the prominence of the historic asset
- the expected lifespan of the proposed development
- the extent of tree cover and its likely longevity
- non-visual factors affecting the setting of the historic asset such as noise.” (TAN 24, para.1.26, 2017).

2.3.16. TAN 24 also outlines that there are other factors which can impact upon the setting of historic assets which include inter-visibility with other historic or natural features, tranquillity, noise or other potentially polluting development though it may have little visual impact.

CADW SETTING OF HISTORIC ASSETS IN WALES (2017)

2.3.17. The Setting of Historic Assets in Wales is a best practice guidance for developers, owners, occupiers and agents, who should use it to inform management plans and proposals for change which may have an impact on the significance of a historic asset and its setting. The guidance defines what setting is and how it contributes to the significance of a Historic Asset and outlines the principles used to assess the potential impact of development or land management proposals within the settings of World Heritage Sites, ancient monuments (scheduled and unscheduled), listed buildings, registered historic parks and gardens, and conservation areas. The guidance also outlines when the setting of historic assets should be considered based upon the height of development proposals or the size of the development site.

2.3.18. Development is likely to be visible from a scheduled monument where it meets one of the following criteria:

- it is within a distance of 0.5 kilometres from any point of the perimeter of a scheduled monument
- it is within a distance of 1 kilometre from the perimeter of a scheduled monument and is 15 metres or more in height, or has an area of 0.2 hectares or more
- it is within a distance of 2 kilometres from the perimeter of a scheduled monument and is 50 metres or more in height, or has an area of 0.5 hectares or more
- it is within a distance of 3 kilometres from the perimeter of a scheduled monument and is 75 metres or more in height, or has an area of 1 hectare or more
- it is within a distance of 5 kilometres from the perimeter of a scheduled monument and is 100 metres or more in height or has an area of 1 hectare or more.

2.3.19. The development site is approximately 2.6ha in size. Although the height of the building would be relatively low in relation to the guidance criteria, the size of the development site warrants the need to undertake a search radius of 5km around the development site to identify the potential historic assets which could be impacted by the proposal. The search found there are 13 scheduled monuments within a 5km radius of the site with the closest monument located 775m from the development site. Additionally, there are also 4 historic parks and gardens within a 5km radius of the site, with the nearest asset being approximately 2100m from the development site. The Cadw guidance states “Applications will need to include sufficient information to assess the impact of the proposal on the historic asset and its setting, but this should be proportionate to the likely impact of the proposal.” (Cadw, p.11, 2017).

2.3.20. It should be noted that following the original submission of the outline planning application, Cadw have assessed the neighbouring farmhouse to the north of the site and concluded the building is a Grade II listed property. The recently listed building was designated on 15th October 2021 and is approximately 60m from the proposed development site. The property was designated based on the following reasoning:

“Included for its special architectural and historic interest as a rare surviving pre-1700 farmhouse with its form and layout largely legible, retaining clear evidence of its early origins (with surviving features) and its development in the C17.” (Cadw).

2.3.21. The proposal must consider the impact the development would have on the setting of the listed building and how it would impact upon the character of the listed building and the reasoning for the listing.

WELSH NATIONAL MARINE PLAN (2019)

2.3.22. The Welsh National Marine Plan (WNMP) outlines the national planning policies for Wales’ marine environment to support economic, social, cultural and environmental objectives. The WNMP supports the sustainable development of the Wales marine area by setting out how development proposals should be considered by decision makers. The geographical scope of the WNMP covers the Welsh inshore region (mean high-water spring tides out to 12 nautical miles) and the offshore region (beyond 12 nautical miles). Although the potential development site is located approximately 833m from the high-water spring tide, a development in a coastal location could result in a number of policies within the WNMP applying to a proposal in this area. The following policies are considered to be relevant to the proposal:

- Policy SOC_02: Well-being of coastal communities - Proposals that contribute to the well-being of coastal communities are encouraged
- Policy SOC_07: Seascapes - Proposals should demonstrate how potential impacts on seascapes have been taken into consideration and should, in order of preference:
 - a. Avoid adverse impacts on seascapes; and/or
 - b. Minimise impacts where cannot be avoided; and/or
 - c. Mitigate impacts where they cannot be minimised.

2.3.23. If significant adverse impacts cannot be avoided, minimised or mitigated, proposals must present a clear and convincing case for proceeding. Opportunities to enhance seascapes are encouraged.

- Policy GOV_01: Cumulative effects - Proposals should demonstrate that they have assessed potential cumulative effects and should, in order of preference:
 - a. Avoid adverse effects; and/or

- b. Minimise effects where they cannot be avoided; and/or
- c. Mitigate effects where they cannot be minimised.

2.3.24. If significant adverse effects cannot be avoided, minimised or mitigated, proposals must present a clear and convincing case for proceeding. Proposals that contribute to positive cumulative effects are encouraged.

2.3.25. The WNMP states, the level of assessment and engagement undertaken for any development project should be proportionate to the scale and potential impact of the development. To help developers understand the level of detail required to be included within proposals development has been categorised into bands. The 3 bands are categorised as follows:

- “Band One activities are low risk and little or no additional evidence is likely to be required to demonstrate compliance with this Plan.
- Band Two activities are medium risk. Some evidence is likely to be required to demonstrate compliance with this Plan. The level of evidence required will be based upon the level of risk associated with the project.
- Band Three activities are higher risk, including projects that require formal project assessment processes. A greater level of evidence is likely to be required to demonstrate compliance with this Plan.” (WNMP, p.11, 2019)

2.3.26. The proposed development is considered to fall under Band 1 of the WNMP and is considered to represent a form of development that would pose low risk to the marine environment due to significant distance the proposal is from the WNMP area and the topography and vegetation between the marine plan area and the development site which helps to screen the development. The proposal would be subject to sustainable drainage system to ensure no water flows from the site would impact on the marine environment. Consequently, it is considered the proposal complies with the WNMP and no additional evidence has been produced.

FUTURE WALES: THE NATIONAL PLAN 2040 (FEBRUARY 2021)

2.3.27. Future Wales: The National Plan 2040 is the Welsh Government’s national development framework which sets the direction for development in Wales to 2040. Future Wales is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining, and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales is a spatial plan, which means it sets a direction for where we should be investing in infrastructure and development for the greater good of Wales and its people.

2.3.28. Future Wales provides a clear vision of Wales in 2040 and sets out the steps required to get there and includes a set of 11 inter-related and inter-dependent outcomes based on national planning principles which will improve places and well-being across Wales. These outcomes are supported by policies which cover a range of areas including **Policy 6 – Town Centre First** which directs that new commercial, retail, education, health, leisure and public service facilities must be located within town and city centres and have good access by public transport to and from the whole town or city and, where appropriate, the wider region. In identifying sites for such development, Future Wales

directs that a sequential approach must be used to inform the identification of the best location for these developments and they should be identified in Strategic and Local Development Plans.

2.4. LOCAL PLANNING POLICY

VALE OF GLAMORGAN LOCAL DEVELOPMENT PLAN (LDP) 2011 - 2026

2.4.1. The Local Development Plan (LDP) is the principal planning policy document for the Vale of Glamorgan and was adopted by the Council in June 2017. The following policies are considered to be relevant to the proposal and are reflected in the proposed development:

- **Policy SP1 - Delivering the Strategy**
This policy outlines the criteria required to deliver the LDP strategy which the proposed development should seek to meet to comply with the LDP vision and objectives.
- **Policy SP10 - Built and Natural Environment**
This policy emphasises the need to protect the Vale of Glamorgan's natural and built environment assets and reinforces that sensitive design and choice of location of new development can have a positive effect on the built and natural heritage of the Vale of Glamorgan. It requires new development to minimise the impact on natural systems and provide opportunities for the creation of habitats or enhance existing habitats.
- **Policy MG6 - Provision of Educational Facilities**
This policy outlines the land allocated for new school development. It also references the need for existing schools to be extended or improved to meet the demand for school places over the plan period.
- **Policy MG18 – Green Wedges**
This policy identifies the 7 Green Wedges designated in the Vale of Glamorgan. Within areas defined as Green Wedges there is a presumption against inappropriate development which would contribute to urban coalescence, prejudice the open nature of the land or have an adverse impact on the setting of an urban area.
- **Policy MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species**
This policy outlines the criteria a development proposal will be assessed against where it is likely to have an impact on a Site of Importance for nature Conservation (SINC), Regionally Important Geological and Geomorphological Sites (RIGGS) or Priority Habitats and Species.
- **Policy MG22 – Development in Minerals Safeguarding Areas**
This policy sets out the criteria development proposals will be assessed against where they are located within identified mineral safeguarding areas. Safeguarded areas are used to ensure there is suitable access to potential mineral resources in the future. However, the reason for the safeguarded area (i.e. the potential long-term benefit of the resource) should be considered relative to the need for the development and any short-term economic arguments.
- **Policy MD1 - Location of New Development**

This policy sets out the framework for future development to take place on unallocated sites. New development should be directed towards locations accessible by sustainable transport and reduce dependence on private cars. The policy emphasises the importance of protecting the countryside which is defined as land lying outside of identified settlement boundaries.

- **Policy MD2 - Design of New Development**
This policy sets out the key principles that developers should consider in respect of design, amenity and access which together contribute to attractive, safe and accessible environments.
- **Policy MD4 - Community Infrastructure and Planning Obligations**
This policy outlines the Council's approach towards securing community infrastructure through the use of planning obligations.
- **Policy MD7 - Environmental Protection**
This policy follows a precautionary approach to environmental protection and encourages developers to assess the impacts of development at the earliest stages. Where development is permitted conditions will be attached to minimise the potential pollution levels and where appropriate monitor the effects of the development.
- **Policy MD8 - Historic Environment**
This policy sets out the designated areas and buildings which require special protection and consideration regarding their specific qualities that add to the built and historic environment. These designations include; conservation areas, listed buildings and locally listed buildings, designated landscapes, historic parks and gardens, battlefields and sites of archaeological interest.
- **Policy MD9 - Promoting Biodiversity**
This policy outlines the Council's approach to promoting biodiversity through new development proposals which will be required to conserve and enhance biodiversity interests unless the criteria of the policy are met.

2.5. SUPPLEMENTARY PLANNING GUIDANCE

BIODIVERSITY AND DEVELOPMENT SPG (2018)

- 2.5.1. The SPG document offers guidance to assist developers to meet the Council's proactive approach to achieve a high-quality natural environment. This includes outlining the information the Council requires to be submitted to support a planning application to demonstrate biodiversity has been appropriately considered on the site, in the form of various Ecological Surveys where applicable. Where biodiversity interests have been identified on an application site through the use of surveys, the SPG details the procedure which must be followed during the design stage of the proposed development which apply during pre and post construction phases. The guidance also includes a schedule of conservation and enhancement measures that the Council would consider appropriate to be utilised to conserve and enhance on-site biodiversity features and if necessary, provide off-site compensation.

MINERAL SAFEGUARDING SPG (2018)

2.5.2. This SPG document provides guidance for developers on the consideration of planning applications within Minerals Safeguarding Areas (MSAs) for hard rock, and sand and gravel within the Vale of Glamorgan. As minerals can only be worked where they are found, it is important that mineral resources are 'safeguarded' from sterilisation by other development to help to secure a long-term future supply of minerals. The role of Minerals Safeguarding Areas is to alert those proposing sites for future development to the presence of valuable mineral resources which they might not have otherwise considered. For all other non-mineral developments in Minerals Safeguarding Areas the Council will need to be satisfied that the development avoids the unnecessary sterilisation of important mineral resources. A Minerals Assessment will be required to support a relevant planning application to set out the consideration of the criteria of Policy MG 22 and national policy.

PARKING STANDARDS SPG (2019)

2.5.3. This document contains the parking guidelines adopted within the Vale of Glamorgan which are based upon the 2008 County Surveyors Society Standards. The Parking Standards cover a variety of different uses and identifies various parking zones throughout the Vale of Glamorgan which dictate the amount of parking required. The Council's approach to parking relates to maximum standards, limiting the amount of parking provided and, allows for a reduction in parking provision where it can be evidenced that local conditions and the availability of alternative forms of transport would permit a reduction. The SPG also contains guidance on the design of parking layouts, disabled bay parking provision and bicycle parking provision.

PLANNING OBLIGATIONS SPG (2018)

2.5.4. The SPG provides clarification of where, what, when and how planning obligations will be sought, in order to assist the Council in creating sustainable communities that provide social, economic, and environmental benefits. The Vale of Glamorgan Council does not propose a blanket approach to planning obligations, as each planning application will be considered on its own merits. However, the guidance seeks to ensure that a consistent approach to site assessment and requirements for planning obligations is taken. Planning Obligations will be sought on major developments or where development will impact upon a particularly sensitive site. Major development has been defined as the erection of 10 or more dwellings or where this is unknown, the site area is 0.5 hectares or more; or commercial development (including retail, employment, tourist or leisure uses which employ staff and / or attract visitors), where floorspace to be created exceeds 1000 square meters or the site area is 1 hectare or more.

PUBLIC ART IN NEW DEVELOPMENT SPG (2018)

2.5.5. This SPG has been prepared to provide guidance on how public art in the context of new development proposals will be provided. The SPG provides additional detail on how Public Art should be delivered and considered by developers. Public art can cover multiple aspects, the SPG defines public art as works of art in any medium that is the work of a living, professional artist or designer and is created for a particular place, commissioned by or working in collaboration with others such as developers, local authorities, arts officers, planners, architects, landscape designers or the local community and their representatives.

TRAVEL PLAN SPG (2018)

2.5.6. The Travel Plan SPG document seeks to ensure that development proposals which are likely to generate significant travel movements are accompanied by an appropriate travel plan in order to reduce the impact on the surrounding community and encourage sustainable travel. It outlines the type of travel plans required for specific development and when they would be required setting out the thresholds for different development types. All new schools require a travel plan and the SPG provides specific advice on school travel plans.

TREES, HEDGEROWS, WOODLANDS AND DEVELOPMENT SPG (2018)

2.5.7. The SPG contains guidance relating to how existing vegetation should be considered within development proposals. It emphasises the importance of protecting existing trees and integrating them within the design of development proposals through the use of a Tree Strategy. Where a Tree Preservation Order or Category A or B tree is required to be removed as part of the development the Council pursues a 2:1 policy meaning for each tree removed two must be re-planted on site. Regarding unprotected and lower category trees the 2:1 policy is encouraged where possible. The guidance does contain some flexibility to allow for the provision of additional trees off-site on public or other land in control of the applicant, but the appropriateness of this approach would need to be assessed on a case by case basis.

2.6. PLANNING HISTORY

2.6.1. Previous planning decisions including appeal decisions are considered as material planning considerations. Therefore, a review of the planning history on the site has been taken to identify any decisions which should be considered as part of the proposed development. The site has 1 application on the site, details of the application are highlighted below:

- 2021/00876/RG3: Location - Land at Lower Cosmeston Farm, Lavernock. Proposal - Proposed New Specialised School and associated works. Decision: Withdrawn.

2.6.2. The outline application on the site was submitted by the applicant of this proposal and relates to the same development. However, this submission is a full planning application and formally includes details on landscaping and appearance. It should be noted these details were included under the outline application for information but a determination on these aspects were to be considered under a reserved matters application. The full application includes the amendments made to the proposal as recommended as part of the planning determination process for the outline application.

2.6.3. In addition to the planning history on the site, 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. Further details are highlighted below:

- 2020/01170/OUT: Location - Land at Upper Cosmeston Farm, Lavernock Road, Penarth. Proposal - Outline application for residential development, a primary school, community space and public open space with all matters reserved other than access. Decision – Awaiting Consultation Responses (decision pending)

2.6.4. 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.

3. PLANNING ASSESSMENT

3.1. This section analyses the relevant policy and assesses whether the proposal complies with both national and local planning policy.

3.2. LOCATION

3.2.1. Regarding national policy contained within PPW, there is a presumption in favour of sustainable development. However, where there is evidenced need for the development and a lack of brownfield sites 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)

3.2.2. In the first instance expanding the existing Ysgol Y Deri on the existing site 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.

3.2.3. Land at Lower Cosmeston Farm is a parcel of land measuring approximately 2.6ha which 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.

3.2.4. 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:

- 1) "Have no unacceptable impact on the countryside;
- 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;
- 3) Where appropriate promote new enterprises, tourism, leisure and community facilities in the Vale of Glamorgan;
- 4) In the case of residential development, support the delivery of affordable housing in areas of identified need;
- 5) Have access to or promote the use of sustainable modes of transport;
- 6) Benefit from existing infrastructure provision or where necessary make provision for new infrastructure without any unacceptable effect on the natural or built environment;
- 7) Where possible promote sustainable construction and make beneficial use of previously developed land and buildings;
- 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
- 9) Have no unacceptable impact on the best and most versatile agricultural land." (LDP, p.99, 2020).

3.2.5. Regarding criterion 1, the proposal is located within the countryside as it lies outside of the settlement boundary of Penarth. 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. Originally, the 2020/01170/OUT application proposed to remove the farm complex. However, the original farmhouse building has been designated as a Grade II listed building, the residential application has been amended to incorporate the listed building in the design. 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 openness of the land the proposal would retain.

3.2.6. 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 380 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. Past trends have demonstrated that there is a larger amount of pupil uptake year on year in comparison to pupils leaving the school. This has resulted in a pupil place deficit at the school. To address this deficit in September 2020, the Ty Deri Residential Respite facility located on the existing site was closed and communal areas have been converted into additional classroom space expanding the capacity of Ysgol Y Deri to 320 places. In addition, a temporary demountable consisting of 4 classrooms was

installed on the existing site in 2021 and a further temporary demountable consisting 2 classrooms was installed in September 2022. This has provided 60 temporary places, meaning the overall capacity for the school is 380 places. This has enabled the Council to provide places for those requiring placements year on year as demand has increased. However, 60 places are temporary consequently the proposal would seek to provide 150 places to address the 60 temporary places and the demand for places in the future. In terms of projecting pupil places it is very difficult to provide a precise number of pupils as this will depend on a number of factors, however, current projections would indicate that a approximately 40 pupils will require a place at the school year on year over the short term (3 years). This results in the following projected demand:

School	Type	Capacity	2022	2023	2024	2025
Ysgol Y Deri	Special	205 (original) 380 (expanded)	340	380	420	460

3.2.7. 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 or lower depending on changes in demand.

3.2.8. 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 its 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.

3.2.9. 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, Morrisons. 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.

3.2.10. Criterion 6 seeks to locate sites in areas which benefit from existing infrastructure. In respect of the proposed school the development site 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.

3.2.11. 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.

3.2.12. In regard to the management of the water environment under criterion 8 of Policy MD1 the proposed development will be supported by a sustainable drainage scheme which will appropriately manage surface water. Policy MD7 Environment Protection also requires proposals to consider flood risk and consequences. The site shows small elements of minor surface water flooding to the northern boundary of the site. However, NRW are currently in the process of restructuring how flood risk is evidenced through the creation of a Flood Map Wales, which will replace the existing Development Advice Maps (DAMs). The Flood Map Wales accounts for fluvial and tidal flooding similar to the DAMs but also includes data on surface water flooding and climate change. The new Flood Map Wales shows the site has no flooding within the site and the flooding areas located along Lavernock Rd which adjoins the boundary of the site have receded into Cosmeston Country Park. It should be noted that the Flood Map Wales has not yet been formally adopted and the DAMs and other sources of flood mapping such as the surface water flooding areas should still be used in the first instance, but where appropriate the Flood Map Wales can be used to better inform decisions. In any case, the proposed development would be subject to a SuDS application to be submitted to the Local Authority acting in its role as the SuDS Approval Body (SAB).

3.2.13. The proposal would be classed as highly vulnerable development under Technical Advice Note (TAN) 15 - Development and Flood Risk. TAN 15 is currently being reviewed by Welsh Government but the DAM maps remain a planning consideration in the interim. TAN 15 states that new development should be directed away from areas classified as flood zone C, however in areas designated as flood zone C2 highly vulnerable development should not be permitted. As outlined above the site falls outside of flood zone C1 and C2 and would be classified as flood zone A which is considered to be at little or no risk of fluvial or tidal/coastal flooding. Consequently, it is considered the justification test outlined in TAN 15 would not be applicable and there would be no need to consider flood risk of this type further. The proposed development is supported by a detailed Flood Consequences Assessment which gives further information on the flooding considerations for the site. It is noted that there has been surface water flooding along Lavernock Road which could impact upon the access to the proposed

development. The FCA has been amended for the full application submission to address this concern.

3.2.14. Regarding the agricultural land quality, criterion 9 of Policy MD1 and criterion 7 of Policy MD7 seek to ensure proposals do not result in the unacceptable loss of best and most versatile agricultural land. 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). The Predictive ALC Map (Wales) will not replace the need for ALC site surveys but it is designed to inform planning decisions.

3.2.15. Consequently, whilst the proposal would fall outside of the settlement boundary of Penarth it does adjoin the settlement boundary and is within close proximity to the existing services and facilities found in Penarth. The use of the site, the layout and location of uses within the site have been designed to minimise the impact on the countryside in accordance with Policy MD 1 of the LDP.

3.3. GREEN WEDGE

3.3.1. 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. The Background Paper set out the 4 reasons for designating the area as Green Wedge as follows:

- To prevent urban coalescence between and within settlements - Given the constraints to new development within and around Penarth (coast/green wedge/country park) it is considered that the area to the south defined by the green wedge offers the only realistic opportunity for the future expansion of the town. Similarly, the western edge of Sully which effectively joins with Barry is prevented from future expansion by the continuation of a green wedge designation and the area to the east of village again offers the only realistic possibility for future expansion. Development unchecked in these areas would eventually lead to the coalescence of Penarth and Sully.
- To ensure that development does not prejudice the open nature of the land - The green wedge designation defines an area of important open countryside between the southern edge of the Penarth and the eastern edge of the village of Sully characterised by rolling, undulating lowland with its highest point a rounded hilltop [Hopkins Mount] located to the east of Swanbridge. Although views of the sea are

more limited inland the area provides an important backcloth and essentially a rural hinterland.

- To protect undeveloped land from speculative development - The area defined by the green wedge has historically been the subject to piecemeal tourism development evidenced by popular caravan parks along the coastline. The location of the area, in close proximity to Barry, Penarth and Sully, complemented by the coastal location and the ease of access to the primary highway network are considered to make the area highly vulnerable to future speculative development.
- To maintain the setting of built up areas –The area has a distinctive character that is largely defined by its proximity to the coast and the sea allied with the rural elements of pastoral fields and hedgerows. The generally open nature of the land contrasts starkly with the strong urban edge presented by southern Penarth which provides an urban rural break. A similar split is found on the western edge of Sully however this is not as distinct as development in the area is more sporadic and interspersed with parcels of open space and agricultural paddocks but there is nonetheless a strong impression of entering an urban environment. This is considered to be a secondary reason for the green wedge designation as detailed in the Background Paper under Table 1 of the document.

3.3.2. The boundary justification for the 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.

3.3.3. 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 proposal includes a sensitive landscaping design incorporating additional tree planting to green the car parking area and reduce the urbanising effect of the car park. 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 from 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. Furthermore, the proposal includes a full green roof to the main school building helping to ensure the school building can blend into the landscape when viewed from the wider area.

3.3.4. 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.

3.3.5. Additionally, the presence of the existing road known as Fort Rd 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. To ensure the impacts on the green wedge can be fully considered the proposal includes a Landscape and Visual Impact Appraisal (LVIA) which concludes that the important effects from a landscape character and visual amenity perspective within the study area are those experienced in context with Cosmeston Medieval Village, this is due to immediate adjacency of the proposed development. The effect will impose an additional backdrop of built form which will have a moderate adverse effect on the setting of the village. Following maturation of the landscape proposals within site views will become filtered and the effects will reduce over time. Elsewhere across the study area landscape and visual amenity effects are minimal and limited in occurrence. The effect on the openness of the Green Wedge is considered to be minimal due to the largely open nature of the proposals.

3.4. EDUCATION FACILITIES

3.4.1. PPW promotes the development of adequate and efficient infrastructure including services such as education in appropriate locations (para.3.61, 2021). The proposal would result in the creation of a new school with improved facilities in a location which is in close proximity with the existing Ysgol Y Deri school. This would allow for pupils to share facilities between the different campuses without requiring significant travel across the Vale of Glamorgan.

3.4.2. LDP Policy MG6 allocates 6 sites for new school development to meet the educational need in the Vale of Glamorgan. However, the policy does acknowledge "in addition, existing schools will be extended or improved to meet demand for school places during the plan period" (LDP, p.65, 2017). This policy was based upon the Education Facilities Background Paper 2013 which included assessing the need for Special Education Needs. It predicted an additional 30 pupil places would be required as a result from LDP housing

growth. It concluded that the existing special education needs schools could not be extended but additional demand could be catered on a needs basis at the appropriate school. However, the Background Paper states “This analysis will need to be reviewed throughout the plan period if there are significant planned changes to schooling in the Vale of Glamorgan during the life of the plan, having regard also to any changes in the underlying assumptions.” (VoG, p.2, 2013).

3.4.3. 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 60 pupils (excluding the temporary provision). 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 340 pupils to 460 by 2025.

3.4.4. The proposed development would deliver an additional 150 pupil capacity and would provide a high-quality IT rich learning environment for pupils meeting the educational curriculum needs of the 21st Century; unobstructed access between all internal areas for children and staff; enhanced safeguarding and site security for pupils and staff; improved outdoor sports facilities for both pupil and community use, specialist provision to provide a curriculum that best meets the needs of learners; and full access for the whole community with full disabled access to internal and external areas. Furthermore, the proposed building would be constructed to meet the BREEAM excellent accreditation to ensure the proposed building is sustainable and would be net zero carbon in operation ensuring the proposed development once complete does not contribute to climate change.

3.5. DESIGN AND LAYOUT

3.5.1. LDP Policy SP10 notes that the Vale of Glamorgan's built, and natural environment and heritage of the Council area must be preserved and enhanced. Policy MD2 expands upon this requirement, directing proposals to have full regard to the context of the local natural and built environment and its special features to create high quality, healthy, sustainable and distinct places. It also outlines a series of design considerations, including seeking development that:

- Positively contributes to the context and character of surrounding natural and built environment and protects existing features of townscape or landscape interest;
- Responds appropriately to the local context and character of neighbouring buildings and uses;
- Provides a safe and accessible environment for all users, giving priority to pedestrians, cyclists and public transport users; and
- Has no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree;
- Incorporates sensitive landscaping, including the retention and enhancement where appropriate of existing landscape features and biodiversity interests;
- Where appropriate, conserves and enhances the quality of, and access to, existing open spaces and community facilities;

- Safeguards existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance;
- Promotes the creation of healthy and active environments and reduces the opportunity for crime and anti-social behaviour;
- Mitigates the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use and eventual demolition, and include features that provide effective adaptation to, and resilience against, the current and predicted future effects of climate change.

3.5.2. Policy MD2 of the LDP requires all development proposals to fully consider the context and character of its location and contribute positively to its local setting, ensuring that residential and public amenity is safeguarded and that it is of an appropriate scale, density and design. There is no specific planning design guidance for school development, however, the applicant as the Local Education Authority should follow the guidelines set out in the building bulletin 102 – Designing for Disabled Children and Children with Special Educational Needs. This guidance sets out the minimum space requirements for Special Education Schools. The proposed building and layout would meet the minimum space requirements outlined in the guidance, demonstrating from a functional perspective the proposal represents good design. However, the proposal must also meet the national and local planning requirements for good design.

3.5.3. The proposed development is subject to a full planning application and seeks to approve the school development and associated works. The proposed school would be one building set over 2 storeys with a shallow pitched roof. The design aim is to reflect a building form typical of large agricultural buildings due to the site's location. The approximate height of the proposed school building would be 9.6m which is considered relatively modest for a 2-storey school building of this scale.

3.5.4. The overall design of the building provides a self-contained facility which will significantly improve the education facilities available in the Vale of Glamorgan and in Penarth.

3.5.5. The proposed school building aims to increase natural daylight, natural ventilation and passive heating to ensure that the school creates a good learning environment but also reduces running costs. The proposed roof to the school building will be a green roof design. The use of natural materials in the roof design is considered to reduce the visibility of the building in the wider area and improve sustainable drainage for the proposal.

3.5.6. Therefore, the proposed development is considered to be in accordance with LDP policies SP10 and MD2, by enhancing education facilities in the area and developing a building which responds appropriately to its surrounding context.

3.6. HISTORIC ASSETS

3.6.1. The proposed development site does not contain any known historic assets, but it does lie adjacent to the Cosmeston Medieval Village approximately 15.8m from the site boundary which could lead to unknown archaeological remains being on the site. The proposed development is for a full planning application and a Desktop Archaeological Survey and Field Survey have been undertaken to inform the design and location of the development within the site. No archaeological features have been identified on the site relevant to the proposal.

3.6.2. Furthermore, the size of the development site warrants the need to assess whether the development would have an impact on the setting of Historic Assets outside of the site boundary. Cadw have produced guidance which sets out the search parameters based upon the scale of development. For a site size of 1 hectare or more, a 5km radius should be used to assess the impact the proposal would have on historic assets in the search area. The following table outlines the identified historic assets within the 5km search area:

Type	Description	Reference
Scheduled Monument	Anti-aircraft Battery West of Lavernock Point	21/6433/GM448 (GLA)
Scheduled Monument	Pillar Cross in Llandough Churchyard	21/1809/GM209 (GLA)
Scheduled Monument	Sully Island, "Danish Fort"	21/2057/GM035 (GLA)
Scheduled Monument	Middleton Moated Site	21/3118/GM378 (GLA)
Scheduled Monument	Cwm George Camp	21/6062/GM023 (GLA)
Scheduled Monument	Tyn y Coed Earthwork	21/2171/GM024 (GLA)
Scheduled Monument	Cogan Deserted Medieval Village	7041/GM535 (GLA)
Scheduled Monument	Cogan Deserted Medieval Village	7041/GM535 (GLA)
Scheduled Monument	Cogan Deserted Medieval Village	7041/GM535 (GLA)
Scheduled Monument	Penarth Churchyard Cross (now inside Penarth Church)	21/1811/GM227 (GLA)
Scheduled Monument	Round Barrow 612m N of Bendrick Rock	21/2914/GM310 (GLA)
Scheduled Monument	Dinas Powys Castle	21/1014/GM021 (GLA)
Scheduled Monument	Romano-British Farmstead, Dinas Powys Common	21/3564/GM431 (GLA)
Historic Park and Garden	Cwrt-yr-ala	PGW (Gm) 42 (GLA)
Historic Park and Garden	Alexandra Park	PGW (Gm) 37 (GLA)
Historic Park and Garden	Italian Gardens	PGW (Gm) 35 (GLA)
Historic Park and Garden	Windsor Gardens	PGW (Gm) 36 (GLA)
Listed Building	Original house at Lower Cosmeston Farm	Ref.87852

3.6.3. The nearest Scheduled Monument is the Anti-aircraft Battery West of Lavernock Point which is approximately 775m from the development site whereas the nearest Historic

Park and Garden is Windsor Gardens which is approximately 2.1km from the site. In addition, the original farmhouse on the adjoining farm complex has been designated as a Grade II listed building. The listed building is located approximately 60m from the proposed development site.

3.6.4. Both scheduled monuments and historic parks and gardens are located a significant distance from the site and based upon the surrounding topography and visibility barriers (such as existing townscape and vegetation). Therefore, the proposed building would have limited visibility from these historic assets and their settings. Furthermore, the height of the building at 8.7m ensures its visibility in the wider area is reduced. Therefore, based upon the distance between the historic assets, the visibility barriers and the proposed height of the building it is considered the proposal would not have an impact on the identified historic assets. Consequently, the proposed development is considered to comply with LDP Policy MD8 - Historic Environment.

3.6.5. Regarding the listed building, this forms part of a modern farming complex which includes modern barns and farming infrastructure. The form of the proposed school building is reflective of an agricultural building and it is considered the design of the proposed building would not detract from the special characteristics of the listed building. In addition, the development site is located 70m from the asset and the proposed building is approximately 65m from the asset. Based on the design of the proposal and the distance between the listed building and the proposed building the development would not have a detrimental impact upon the listed building and would comply with LDP Policy MD8 - Historic Environment.

3.7. TRANSPORT

3.7.1. TAN 18 requires developments for new schools to be supported by a Transport Assessment (TA). A TA has been prepared by AECOM on behalf of the Vale of Glamorgan Education Department in respect of the proposed development.

3.7.2. The proposed development would result in additional traffic within the highway network equating to 73 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 153 two-way movements during the AM peak hour, of which 109 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. 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.

3.7.3. In regard to parking provision, the Vale of Glamorgan have produced a Parking Standards SPG for different types of development based upon their location within the Vale of Glamorgan. The proposed development site is located within Zone E – Deep Rural which is characterised as an area comprising scattered individual buildings and is characterised by areas with no local facilities within walking distance. Motorised travel is required for all journeys but the most local. Public transport services are very infrequent

or beyond walking distance. There is no shortage of land for parking provision within the site, but the adjacent highway system offers no opportunities to park cars because of the narrowness of the highway. However, it is noted that the site is supported by good bus transport links being served by two bus services which provide a good level of public transport accessibility to Barry, Penarth and Cardiff (Bus Service 88 and 94). 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. The proposed Special Needs School is not included under the typology of developments in the SPG. Therefore, the requirements across the education typologies for Zone E – Deep Rural; these all require 1 commercial vehicle space, 1 space per each member of teaching staff, 1 space per 2 ancillary staff, with variation in the level of visitor provision (3 spaces at the low end and 5 spaces at the high end). A pick-up / drop-off area is also required. These standards have been met within the proposed development.

3.7.4. The proposed development would accommodate 103 FTE staff which includes 18 teaching staff and 85 ancillary staff. This results in a parking requirement of 64-66 spaces (61 spaces for teaching / ancillary staff and 3-5 spaces for visitors). 5% of total parking provision is required to be designated for disabled use and one additional space (commercial) for operational use. The proposed development layout includes provision for 80 spaces, of which four spaces (5%) are designated for disabled use. The proposal also includes electric charging points to improve the sustainability of the proposal. The total level of car parking provision exceeds the maximum standard by four spaces. This is considered reasonable given there will likely be a higher than average visitor demand, from SEN professional services, associated with requirements of pupils of this education type. The masterplan includes provision for drop-off / pick-up of pupils, dictated by the specific operational requirements for SEN schools; forecasts have identified that there could be around 36 vehicles associated with pupil drop-off / pick-up, and the masterplan includes sufficient stacking capacity for this level of demand. Additionally, the proposal would also require motorcycle parking (at a level of 5% of the car parking provision, equating for four spaces, accommodated within the layout) and 28 bicycle parking spaces, which will be located on the site to promote active travel to the proposed school. Consequently, the proposed layout is considered to comply with the criterion 9 of Policy MD2 – Design of New Development and the Parking Standards SPG.

3.7.5. The proposed development will also be supported by a Travel Plan secured by planning condition or addressed under a reserved matters application. However, the Transport Implementation Strategy of the TA shares many of the same goals as a Travel Plan; therefore, the modal information, targets and measures set out in TA will inform the Travel Plan. The Travel Plan will aim to reduce the 'car' mode share by 6% for staff over five years, consistent with Smarter Choices' report Changing the way we travel (2004). To achieve this objective the Travel Plan will contain a range of measures additional to those that will be provided as part of the development to enhance the attractiveness of sustainable travel and to encourage the use of the walking, cycling and public transport infrastructure. Additional measures include newsletters to staff members; noticeboards within the staff / visitor areas advertising sustainable transport information; a car sharing scheme; and promotion of national sustainable transport initiatives such as national walk to school day and bike to school week, etc. The Travel Plan will be produced in accordance with the Vale of Glamorgan Council's Travel Plan SPG.

3.8. OPEN SPACE

3.8.1. The proposed development would result in the creation of new open space associated with the proposed school within the Ward of Sully. This open space would be accessible to the wider community and would provide 0.16ha of outdoor sports space and 0.94ha of school playing fields. The Council's Open Space Background Paper (2013) indicates that Sully Ward has an under provision of children's play space of 0.94 ha and an over-provision of outdoor sport space of 12.17ha. The school playing areas would contribute to the provision of children's play space in the ward addressing the under provision in the ward. However, it should be noted that the proposed development has stronger relationship with the settlement of Penarth and the ward of Plymouth which has a under provision of children's play space of 0.92ha. It is considered the proposal would also help to address this under provision for residents of the Plymouth Ward.

3.8.2. The proposed school development is also subject to the Education (School Premises) Regulations 1999 which sets the requirement for team playing fields for all schools under Schedule 2 based upon pupil numbers and age. The proposed school would have a capacity of 150 pupil spaces, the majority of the pupil population would be within the primary school age range however due to the nature of the school the age range is extended to include ages from 3 years to 19 years old. Consequently, there would be 100 or fewer pupils attending the school who have attained the age of 8 years requiring an area of 5,000sq.m for team playing fields.

3.8.3. Team game playing areas referred to in the regulations are defined as "any playing fields within the meaning (in relation to both England and Wales) of section 77 of the 1998 Act which, having regard to their configuration, are suitable for the playing of team games and which are laid out for that purpose" (Education (School Premises) Regulations, Section 2, 1999). The School Standards and Framework Act 1998 definition referenced in the Regulations defines playing fields as "land in the open air which is provided for the purposes of physical education or recreation, other than any prescribed description of such land" (Section 77 refers). This means open space areas within the school boundary can be defined as team game playing areas where they are laid out for team games. Additionally, the regulations also states "any part of team game playing fields which has an all-weather surface, (that is to say a hard porous surface, a synthetic surface or a polymeric surface) may be treated as if it were twice its actual area." Consequently, this results in the proposed school development providing 0.88ha of team playing fields which is in excess of the minimum requirement for the school.

3.9. ECOLOGY

3.9.1. 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 and the impacts of the development can be satisfactorily mitigated and acceptably managed" (LDP, p.112, 2017).

3.9.2. 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.

- 3.9.3. 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.
- 3.9.4. 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.
- 3.9.5. 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. The applicant has undertaken a full PEA which confirms the majority of the development site is considered to be semi-improved neutral grassland. The proposed development will require the removal of large areas or all of the semi-improved neutral to accommodate the development, however, where possible, semi-improved neutral grassland should be retained. To ensure the proposal enhances biodiversity on the Site for local wildlife such as invertebrates, birds, bats, amphibians, reptiles and mammals, landscaping should include native grassland with a diverse seed mix and sympathetic management. The introduction of a sympathetic management regime for the grassland will increase floristic diversity by mowing the grassland three times a year. Following flowering in May and June, the main cut is taken in July. Further cuts may be required in the autumn and winter, and any build-up of thatch can be pulled out with grass harrows or a rake. Following the last cut the grassland is left untouched until the main midsummer cut is taken again. If persistent weeds such as thistles or docks are a problem, then digging up by the roots is effective in small areas.
- 3.9.6. The accesses proposed to the site will require the partial removal of hedgerows bounding the site. The proposal would result in the removal of 17.5m of this hedgerow and the management of 40m each side of the new junction to maintain the required vision splays. The Lavernock Road Hedgerow would also see a loss of a section of the

hedgerow, with 4.5m being removed and 2m either side of the new opening being managed to maintain the pedestrian access.

3.9.7. The hedgerow sections being removed will be translocated to strengthen other hedgerows along the site boundary. The location of the replanted hedgerows will be informed by surveys for reptiles, Dormice, bats undertaken over the course of 2022, to identify where the translocated hedgerows would have the most benefit for biodiversity. The translocation of the removed hedgerow sections is considered to mitigate the loss at Fort Road and Lavernock Road. Native intact species-rich hedgerow is a Section 7 Priority Habitat. A hedgerow survey has been undertaken to ascertain whether or not the hedgerow would be classified as Important under the Hedgerow Regulations 1997. The hedgerow survey was undertaken between April to September. The survey concluded, neither of the hedgerows where access is required currently meet the criteria as important. However, if evidence of Dormice were found over the course of surveys in 2022, this would qualify the relevant hedgerows as important. In addition, the appraisal under the Hedgerow Regulations does not effect the need for mitigation/enhancement required under the more recent 2016 Act (i.e. Section 7 Biodiversity Duty).

3.9.8. The PEA also includes 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 in close proximity to the site including setts and field signs such as tracks, snuffle holes and latrines. PEA has concluded that there is potential for invertebrates, reptiles, common amphibians, breeding birds, foraging, commuting and roosting bats, dormouse, badger and hedgehog within the site boundary. Without mitigation the potential impacts of the proposal relate to pollution of retained and adjacent habitats, disturbance, injury and/or killing of species caused by vegetation clearance and ground-breaking works, disturbance of species from lighting, and entrapment of species in excavations (if left open overnight).

3.9.9. Originally, the Ecological Scoping Report set out the following recommendations to be considered in the proposed development:

- Removal of hedgerows has been kept to a minimum, with only one vehicular access to the site proposed.
- 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 implement during construction to limit and control the impacts of any incidents on retained and surrounding habitats and the adjacent SINC.
- Landscaping will include native species which benefit local wildlife.
- A strip of improved neutral grassland is retained along all boundaries (with the exception of the vehicle access).
- Include invertebrate habitats, bird boxes and bat boxes, and hedgehog shelters throughout the landscaping scheme.
- The layout creates green corridors through the site and retains the existing woodland buffer to the south east.

3.9.10. Following the outcome of the PEA, recommendations have been made with regards to mitigation including pollution control measures, Precautionary Methods of Working

(PMW) for vegetation removal, lighting design, protection of retained habitats and covering excavations overnight or providing a ramp. Additionally, recommendations for enhancements have been provided which have been considered within the proposed layout this includes:

- 1x Hibernacula and 2x log shelters
- 1x Bee bank
- 3x Bug Hotels
- 2x Hedgehog homes and hedgehog gaps in fencing
- 2x bird boxes
- 2x bat boxes
- 1x compost area
- Growing garden area
- Partial green roof to main building
- Partial green wall to main façade
- Wild meadow planting
- 64x new tree planting (note that 5x category U trees are to be felled).

3.9.11. Considering the potential ecological impacts of the proposed development, the proposed mitigation and enhancements contained within the PEA 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 proposed development and has been submitted alongside the proposal which outlines the potential impacts, the required mitigation measures and enhancements to ensure the proposal is considered appropriate in planning terms.

3.10. MINERALS

3.10.1. Mineral safeguarding areas are found within the development site for Limestone Category 2 material and Sand and Gravel Category 2 material. LDP Policy MG22 - Development in Mineral Safeguarding Areas sets out the approach taken towards new development in these areas. The policy states “development will only be permitted in an area of known mineral resource where it has first been demonstrated that:

1. Any reserve of minerals can be economically extracted prior to the commencement of development;
2. Or extraction would have an unacceptable impact on environment or amenity considerations; or
3. The development would have no significant impact on the possible working of the resource by reason of its nature or size; or
4. The resource in question is of poor quality / quantity” (LDP, p.88, 2017)

3.10.2. Development proposals located in mineral safeguarding areas must demonstrate how they meet at least one of the criteria outlined under LDP Policy MG22 if the development is to be considered compliant with the LDP. The site adjoins a residential allocation to the north; therefore, it is considered the extraction of minerals at this location would have a significant impact upon on the amenity of the area which would likely undermine the deliverability of the residential allocation. Consequently, a proposal for an education use on the site would comply with criterion 2 of Policy MG22.

4. CONCLUSION

- 4.1. The proposed development will significantly enhance the special need school facilities for the area, creating a secondary campus in the Penarth area which would benefit the existing Ysgol Y Deri School. Although the proposal is located within an identified green wedge, it is considered the immediate need for additional school places, the proximity of the site to the existing Ysgol Y Deri school and the design of the proposal, on balance, outweighs the modest impact upon the green wedge designation.

- 4.2. This statement has demonstrated that the proposed development takes into account its impact on the site and surrounding area. It is, therefore, considered that the proposal is consistent with Welsh Government guidance and local planning policy.