REFERENCE: P/16/578/BCB

APPLICANT: BCBC Education Dept. Civic Offices, Angel Street, Bridgend, CF31

4WB

LOCATION: East of Heol Yr Ysgol Tondu CF32 9EG

PROPOSAL: New primary school with capacity for 420 plus 60 nursery places

RECEIVED: 21 July 2016

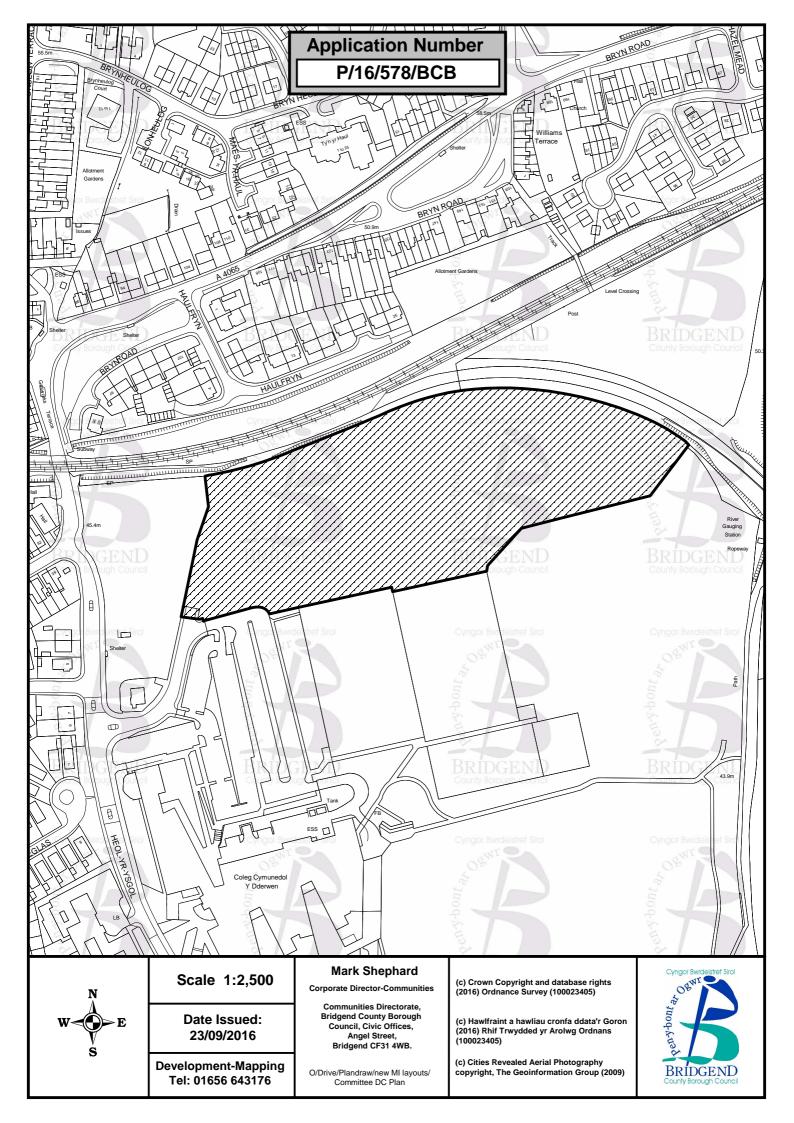
SITE INSPECTED: 7 September 2016

APPLICATION/SITE DESCRIPTION

The application proposes the construction of a new Primary School to replace the existing Brynmenyn Primary School and address the rising demand for school places in the Valleys Gateway. The proposed new school would accommodate 420 children plus 60 nursery places and occupy approximately 2.9 hectares of land to the north of the existing Coleg Cymunedol Y Dderwen (CCYD) lying on the eastern side of an access road leading from Heol Yr Ysgol, which already provides access to the car park of the adjoining CCYD Comprehensive School.

The submitted site layout plan shows that the existing access spur will be extended in a north easterly direction before turning eastwards to run along the northern site boundary with a further deflection south eastwards where it becomes a cycle route. Access into the school site will be created close to the apex of the bend in the new section of highway before it turns eastward. On the southern side of the site entrance a staff car parking area will be created together with an access for delivery vehicles. This staff car parking area includes 37 parking spaces together with three larger disability spaces. On the north eastern side of the site access a parent drop off/pick up zone containing 39 spaces arranged in an extended horseshoe with one way traffic circulation is to be created. 16 cycle/scooter parking facilities are to be located to the south of the drop off/pick up zone. A further 17 cycle/scooter spaces are to be provided on the southern side of the building at the rear of the service yard area.

The new school building will be located to the east of the staff car park and will have an overall length of 75m with a stairwell with WCs and storage projecting a further 6m from the southern infants' wing of the school. At its widest, at the front of the school where the kitchen facilities are proposed on the southern side across to the administration facilities on the northern side, the building will measure 28.5m wide. The front section of the building, which accommodates the admin facilities, large and small school halls and kitchen facilities, will be single storey with mono-pitched roofs reaching a maximum height of 8.65m over the halls and kitchen with a southerly facing roof slope and 6m over the admin section having a northerly facing roof slope. The remainder of the building, which accommodates the classrooms with ancillary facilities, will be two storey and like the front section will have mono-pitched roofs reaching a maximum of 12m in height for the south facing roof plane and 9.5m on the northern facing roof plane. The nursery, reception and infants classrooms will be located on the ground floor with eight junior school classrooms, staff room and ancillary teaching facilities sited at first floor level. The submitted plans show that photovoltaic solar panels are to be installed on the south facing roof plane of the single storey section of the building.



A palette of contemporary materials has been selected for the exterior of the proposed school building. The materials listed on the elevational drawings, however, appear reasonably standard including buff brickwork, white cladding panels, grey seamed metal roof, dark grey aluminium framed windows and dark grey rainwater goods. A clear canopy supported on steel posts will project from the southern elevation to cover the infant classroom entrances on this side of the building.

Externally hard surfaced areas are to be provided on the northern and southern sides of the building and designated for use by each of the key stage departments of the school. On the eastern side of the building two hard surfaced multi-use games courts together with three football pitches appropriately sized according to age. A small allotment area and outdoor learning area are also to be provided within the school grounds.

The application site lies to the north of Coleg Cymunedol Y Dderwen and south of a non-operational section of railway line. It was noted during the site inspection that the majority of the area is covered by grass although a line of trees runs along the boundary between the site and the railway line. The tree line also follows the curvature of the north eastern site boundary and separates the proposed school playing fields from the roughly triangular area of land also within the Valleys Gateway Strategic Regeneration Growth Area. The topography of the site is generally level with just a gradual fall across the site from the eastern side to the western side of just over 1m.

The application has been accompanied by a Site Investigation Report, Phase 1 Habitat Survey, Coal Mining Report, Ecological Assessment, Flood Consequence Assessment, Transport Assessment and School Travel Plan.

RELEVANT HISTORY

None on the application site.

PUBLICITY

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 22 August 2016

CONSULTATION RESPONSES

Welsh Water Developer Services - No objection subject to condition.

Destination & Countryside Management - No objection subject to conditions.

Natural Resources Wales - No objection subject to condition.

Councillor L C Morgan - Considers the application can be determined under officer delegated powers.

Head of Street Scene (Drainage) - No objection subject to condition.

Head of Street Scene (Highways) - No objection subject to conditions.

REPRESENTATIONS RECEIVED

Seven letters have been received from local residents objecting to the proposed development. The grounds of objection can be summarised as follows:-

- 1. Traffic generation Residents consider that the existing highways serving the area, which already serves the adjoining Coleg Cymunedol Y Dderwen with its 1,000 pupils, are at capacity and therefore are not capable of serving the additional school.
- 2. Insufficient parking provision within the development Objectors highlight that there has been no calculation of the number of off site parking spaces needed and consideration given to where these vehicles will park. The School Travel Plan, which accompanies the submission, acknowledges that currently 42.5% of pupils attending the existing Brynmenyn Primary School travel by car and therefore the proposal to provide only 39 parent drop off/pick up spaces will create a significant shortfall. This will result in parking being displaced to the surrounding residential streets to the detriment of local residents as there is no alternative parking facility available. In addition, there is no public transport alternative and cycling routes to the proposed school are only suitable to a small number of properties at the northern end of Heol Yr Ysgol with no intentions to improve this situation.
- 3. Area of land adjacent to the site could be used to alleviate parking problems but this is being sold and developed for a 15 bed care unit and 25 apartments.
- 4. Increased Traffic Congestion & Concerns over Pedestrian Safety The Transport Assessment suggests improvements to the junction of Heol Yr Ysgol and Bryn Road. Objectors note that further parking restrictions are proposed together with a yellow box marking at this junction. Residents in Bryn Road have no alternative to on street parking so that any proposal to introduce parking restrictions in this area would be unreasonable. The introduction of a box junction would also be inappropriate due to queuing traffic on Bryn Road and in particular any manoeuvre to turn right out of Heol Yr Ysgol would be extremely dangerous. It is also highlighted that, in addition to traffic congestion, the increase in in volume of traffic will adversely impact on pedestrian safety.
- 5. Wider Highway Network Report does not consider wider traffic congestion and in particular the Brynmenyn Level Crossing given that, pupils attending the school, may be drawn from this area. At present there are significant problems due to parked vehicles on Abergarw Road close to the Post Office.
- 6. Biodiversity Although classified as brownfield, biodiversity in the area has flourished since the demolition of the former Archbishop McGrath School. The trees along the northern site boundary in particular should be adequately protected during the development and the mitigation measures proposed in the Ecological Assessment fully implemented.
- 7. Construction Phase Residents have already had to endure significant disruption, dust, noise and dirt during the construction of Coleg Cymunedol Yr Dderwen. This will be exacerbated during the construction phase.
- 8. Domination of Outlook Residents of the properties on the opposite side of Heol Yr Ysgol are concerned that the proposed buildings will dominate their view.

COMMENTS ON REPRESENTATIONS RECEIVED

The following observations are provided in response to the objections raised by local residents:-

- 1. Traffic Generation It is acknowledged that the existing highway network will serve both the existing CCYD comprehensive school and this proposed new primary school. In order to address concerns regarding the network's capacity, it is proposed to stagger the opening and closing times of the respective schools via condition so as to create a time difference between the operational times of the two schools.
- 2. Insufficient Parking The staggering of the operational times of the two schools and the use of a School Travel Plan will assist in relieving some of these concerns.
- 3. Use of Adjoining Land That the application site forms part of a much larger mixed use allocation within the Bridgend Local Development Plan as the Valleys Gateway Strategic Regeneration Growth Area (Policy PLA3(13) refers). A separate application, for a 15 bed space care unit with 25 apartment extra care facility together with nineteen affordable housing units, has been received in respect of this land. There is, therefore, no land available to provide overspill parking for the Primary School. Nevertheless the parking arrangements are considered acceptable.
- 4. Traffic Congestion & Pedestrian Safety The suggested improvements to the junction of Heol Yr Ysgol and Bryn Road have been assessed by the Authority's independent Highway Consultants. The response on this issue will be included within the Highway Department's observations.
- 5. Wider Highway Network Given that the School's catchment area will include developments to the east of the level crossing (including the Redrow Development at Abergarw and the recently approved Persimmon Development on the former Ogmore Comprehensive School Playing Field), further consideration could be given to potential improvements in this area.
- 6. Biodiversity The application has been accompanied by an Ecological Assessment together with a supplemental reptile survey. The development will be required to implement the recommendations contained within these documents via the imposition of appropriately worded conditions. It is also noted that Natural Resources Wales has suggested that conditions be imposed to address concerns regarding the impact of the development on local biodiversity. The suggested condition requires a further survey of the trees within the woodland adjacent to the site but as this area lies outside the application site boundary, it is not considered appropriate to include such a condition. A condition requiring protective fencing along the site boundary will, it is considered, prevent any encroachment into this area.
- 7. Construction Phase In order to minimise disruption for both the local residents and the adjoining school, it is anticipated that a condition requiring a Construction Method Statement would go a significant way to addressing this issue.
- 8. Domination of Outlook Given the proposed school entrance would be located approximately 100m away from the nearest dwelling with the proposed school building set back a further 50m behind the fence line between the back edge of the highway and the staff car parking area, the impact would not be so significant as to warrant refusal for this reason.

APPRAISAL

The application is referred to Committee to consider the objections raised by local residents.

The application seeks deemed consent to construct a new 420 place Primary School incorporating a further 60 space nursery facility on land to the north of the existing Coleg Cymunedol Y Dderwen (CCYD) off Heol Yr Ysgol, Tondu, Bridgend. Access to the new school is to be obtained by extending the existing access spur from Heol Yr Ysgol leading to the staff, visitor and bus parking areas serving CCYD.

The application site forms part of the Valleys Gateway Strategic Regeneration Growth Area as designated by Policy PLA3(13) of the Bridgend Local Development Plan(LDP). The Policy seeks to regenerate brownfield and under-utilised sites within defined settlements with an appropriate mix of land uses. The development of each of the designated regeneration sites will be undertaken in accordance with a development brief or appropriate highway agreements, which are required to be agreed with the Authority prior to development commencing. In this case, in addition to the proposed new primary school, the land to the west of the application site is the subject of a separate application for a 15 bed space care unit, a 25 apartment extra care facility and 19 affordable housing units. The proposed development of a primary school on the land is therefore, in principle, compatible with this Policy.

Policy COM10 of the LDP states that land will be allocated and safeguarded for the provision of educational and training facilities at a number of locations throughout the County Borough including this Gateway to the Valleys site at Tondu.

In terms of design, Policy SP2 of the LDP requires all development to contribute to creating high quality attractive sustainable places, which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment. The Policy establishes fifteen criteria against which development proposals will be assessed and in respect of this application, it is considered that criteria 1,2,3,4,6,7,10,12,13,14 & 15 would be relevant.

The first four criteria require the design to respect or enhance the local character of the area, be of an appropriate scale, use land efficiently and thereby comply with national policy. The design of the proposed school is considered to be compatible with the adjoining Comprehensive School in terms of design and scale and incorporates appropriate levels of playing facilities. It is therefore considered that, the proposed development is compatible with these criteria.

Criterion 6 requires development proposals to have good linkages within and outside the site to ensure efficient access. The application has been accompanied by a Transport Assessment, which has been considered by the Authority's own transport consultants. The Highways Department has advised that, subject to appropriate conditions, the access and parking arrangements are acceptable.

Similarly, criterion 10 requires development to safeguard and enhance biodiversity and green infrastructure. An Ecological Assessment together with a subsequent reptile survey has been submitted with the application and these reports identify mitigation measures. It is proposed to include appropriately worded conditions to ensure that the identified mitigation measures and safeguards during the construction phase are implemented.

This requirement reflects Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. This "duty to conserve biodiversity" has been

replaced by a "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016 which came into force on 21st March, 2016.

Section 6 (1) states that "a public authority must seek 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." Section 6(2) goes on to state that "In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems."

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires LPAs to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are:

- 1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
- 2. That there is "no satisfactory alternative"
- 3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

Given the nature of the application site and the proposed safeguarding, mitigation measures, it is considered that, overall, there will be no significant adverse residual impacts on biodiversity.

The next criterion (12) aims to ensure that the viability and amenity of neighbouring occupiers will not be adversely affected. It is noted that, at the present time, there are no adjoining residential occupiers and therefore the proposed development would be compatible with the criterion. Due regard has, however, been taken of the impact the proposed primary school will have on the proposed residential development on land to the west on the other side of the access road. It is considered that the school has been set back behind the staff car parking area. In addition, the school has been designed so that the front elevation will be only single storey in scale so that the impact of these future neighbours will be further reduced and, overall, it is considered that the impact will not be so significant as to warrant refusal of the scheme.

Criterion 13 requires development to incorporate appropriate arrangements for the disposal of foul sewage, waste and water. The Land Drainage Engineers are satisfied that subject to a condition suitable arrangements can be provided. The final two criteria aim for development to make a positive contribution towards tackling the causes of, and adapting to the impacts of Climate Change and also appropriately contribute toward local physical, social and community infrastructure. The applicant has confirmed that measures, such as the solar photovoltaic panels on the south facing roof planes of the building, will be incorporated into the building so that the building aims to achieve an "Excellent" rating under the BREEAM assessment in line with Assembly Government funding requirements. As the function of the building is to contribute to local social and community infrastructure, it is considered that criterion 15 will also be satisfied.

Section 3 of the Wellbeing of Future Generations (Wales) Act 2015_imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to 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 (section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development rather the proposed development will contribute to a more cohesive community and incorporates in the design features which demonstrate that it is seeking to contribute to global responsibilities in relation to climate change.

During the processing of this application Policies PLA3(13), COM10(5) and SP2 of the Bridgend Local Development Plan were considered.

CONCLUSION

This application is recommended for approval because the development complies with Council policy and guidelines and will not adversely affect privacy, neighbours' amenities or visual amenities nor so significantly impacts on highway safety as to warrant refusal.

RECOMMENDATION

(R28) That in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992, that permission be deemed to be GRANTED subject to the following condition(s):-

1. The development shall be carried out in accordance with the following approved plans and documents: plan numbers 900003, 010001, 010002, 020001, 900004, 1214-01 Rev D.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. Notwithstanding the approved plans, no development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area.

3. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how the foul, road, and road/yard water will be dealt with, including future maintenance requirements, has be submitted to and agreed in writing by the Local Planning Authority. Thereafter the drainage system shall be implemented in accordance with the agreed scheme prior to the development being brought into beneficial use.

Reason: In the interest of providing safe drainage for the site and to ensure that flood risk is not increased.

4. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and agreed by the Local Planning Authority prior to the occupation of any part of the development. The landscape management plan shall be carried out as agreed.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

5. Notwithstanding the approved plans, details of a scheme of fencing to protect the trees along the northern site boundary, shall be submitted to and agreed in writing by the Local Planning Authority. The fencing shall thereafter be erected in accordance with the agreed scheme propr to any equipment, machinery or materials are brought onto the site for the purposes of the development. The agreed fencing shall be maintained untill all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard the trees outside but adjoining the site in the interests of both visual amenity and biodiversity.

6. Any site clearance works shall be undertaken in accordance with the method statement described in Section 2 of the Reptile Method Statement prepared by David Clements Ecology Ltd and dated August, 2016 and thereafter throughout the development, the mitigation measures identified as recommendations contained in Section 6 of the Ecological Assessment shall be implemented in full.

Reason: In the interests of biodiversity and nature conservation.

7. No development shall commence on site until a detailed external lighting plan, demonstrating that the lighting impact on the adjacent wooded habitat has been minimised, has been submitted to and agreed in writing with the Local Planning Authority. Thereafter any external lighting shall be implemented in accordance with the agreed scheme prior to the lighting being brought into use.

Reason: In the interests of biodiversity and safeguarding the natural environment.

8. No development shall take place, including any works of demolition/site clearance until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The statement shall provide for:-

i The routeing of HGV construction traffic to/from the site in order to avoid Bryn Road;

- ii The parking of vehicles of site operatives and visitors;
- iii Loading and unloading of plant and materials;
- iv Storage of plant and materials used in constructing the development;
- (v) Wheel washing facilities;
- (vi) Measures to control the emission of dust and dirt during construction;
- (vii) The provision of temporary traffic and pedestrian management along Heol Yr Ysgol and Bryn Road.

The construction works and site clearance shall thereafter be undertaken in accordance with the agreed Method Statement.

Reason: In the interests of highway safety.

9. No construction vehicles shall enter or leave the site during the periods of half hour either side of the times of the adjoining Coleg Cymunedol Y Dderwen School commencing and ending.

Reason: In the interests of highway safety.

10. The proposed school access onto the extended access road shall be laid out with vision splays of 2.4m by 25m before the development is brought into beneficial use and retained as such in perpetuity.

Reason: In the interests of highway safety.

11. No structure, erection or planting exceeding 0.6metres in height above the adjacent carriageway level shall be placed within the required vision splay areas.

Reason: In the interests of highway safety.

12. The submitted scheme of parent drop-off/pick-up, staff car parking and service yard area shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials prior to the School being brought into operation.

Reason: In the interests of highway safety.

13. No development shall commence until a School Opening & Closing Time Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The School shall open only in accordance with the agreed Management Plan once the development is brought into beneficial use.

Reason: In the interests of highway safety.

14. Prior to the commencement of development, a comprehensive scheme of traffic calming measures shall be submitted to and agreed in writing by the Local Planning Authority, which shall restrict 85%tile traffic speeds to 20mph on the school access road from its junction with Heol Yr Ysgol and the school access. The approved scheme shall incorporate pedestrian crossing facilities and vertical displacements, plateaux and include full engineering details including longitudinal and cross sections, construction details, lighting, surface water drainage, carriageway markings, signing, traffic calming features and Stage 2 Safety Audit which shall be submitted to and agreed in writing by the Local Planning Authority before any works commence. The agreed scheme shall thereafter be implemented prior to the development being brought into beneficial use.

Reason: In the interests of highway safety.

15. Prior to the commencement of development, a scheme for the provision of waiting restrictions, School Keep Clear road markings and traffic signage shall be submitted to and agreed in writing by the Local Planning Authority. The road markings shall thereafter be clearly demarcated in permanent materials and the signage erected in accordance with the approved scheme prior to the development being brought into beneficial use and shall be retained in perpetuity.

Reason: In the interests of highway safety.

16. The school shall be limited to no more than 480 pupils.

Reason: In the interests of highway safety

17. Prior to the commencement of development, a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of a pedestrian and cycle link from the school to National Cycle Route 4 to the North East of the School. The link shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of promoting sustainable means of travel to/from the School.

18. No development shall commence on site until a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of a pedestrian and cycle link from Heol Y Fferm to National Cycle Route 4 adjacent to Heol Y Bont. The link shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of promoting sustainable means of travel to/from the site.

19. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

- (a) This application is recommended for approval because the development complies with Council policy and guidelines and will not adversely affect privacy, neighbours' amenities or visual amenities nor so significantly impacts on highway safety as to warrant refusal.
- (b) No surface water is allowed to discharge to the public highway.
- (c) No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.
- (d) In order to satisfy Condition 3, the following level of information will be required:-

Provide either further ground investigations confirming the feasibility of using a soakaway at test location SA3 or updated schematic drawings of a new proposed location of the soakaway;

Provide drainage details for the proposed sport fields;

Provide clarification for the agreement of the submitted microdrainage calculations that note flooding from Node PN2.001

Provide details for the proposed highway drainage system

Provide agreement from Dwr Cymru/Welsh Water of the proposed foul connection to the main sewer.

- (e) The observations received from Dwr Cymru/Welsh Water are attached for the developer's information and consideration.
- (f) The School Opening and Closing Time Management Plan is required in order to mitigate the impact of the development on the surrounding highway network by providing a stagger in the school opening and closing times as identified in the submitted Transport Assessment. The plan required by the condition will need to contain sufficient information in respect of:
- i Opening and Closing times of the proposed school including details of breakfast and after school clubs;
- ii Open and Closing times of the adjacent Coleg Cymunedol Y Dderwen including details of after school clubs;
- iii Arrangements for opening/closing gates to the car park out of hours;
- iv The need to review the plan in the event that any of the above arrangements change or at the request of the Highway Authority.
- (g) Prior to any works commencing on the highway, the developer will be required to enter into a legally binding agreement to secure the proper implementation of the proposed highway works including an appropriate bond. The details supporting the agreement shall include all necessary engineering details including a Stage 2 Safety Audit.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers None