

**REFERENCE:** P/16/603/BCB

**APPLICANT:** Bridgend County Borough Council  
Director of Education & Family Support  
Level 2 Civic Offices, Angel Street, Bridgend CF31 4WB

**LOCATION:** Land off Penprysg Road, Pencoed CF35 6RH

**PROPOSAL:** New primary school and site access works

**RECEIVED:** 28 July 2016

**SITE INSPECTED:** 19 September 2016

### **APPLICATION/SITE DESCRIPTION**

The site is situated to the northern end of the village of Pencoed. It has a total area of 34,222 sq m with approximately 2,500 sq m in the eastern corner of the site being dense woodland. The site is accessed via a narrow lane from Penprysg Road which has residential properties each side (numbers 38 and 40 Penprysg Road).

The site changes in level by approximately 10m from the north corner to the south corner. Currently on site are school buildings, located to the south western corner of the site, which comprise a 2 class teaching block, a sports hall (with associated changing facilities) and a kitchen/canteen facility.

The rear gardens for numbers 40 to 70 Penprysg Road back directly onto the site along the western boundary, some of which appear to have gated access into the site.

The proposal is to provide a new 2.5 form entry Primary School with additional Special Educational Needs (SEN) accommodation and Nursery.

The Pencoed Scheme is a key element in the Authority's Schools Modernisation Programme and also forms part of Band A of the Authority's submission to the Welsh Government's (WG) 21<sup>st</sup> Century Schools Programme.

The application is accompanied by:-

- Ecological Appraisal & Summary of BREEAM Ecology Credits
- Ecology BREEAM Summary Report
- BREEAM Pre-Assessment Report
- Drainage Strategy Report
- Traffic Impact Assessment
- Site Investigation Report

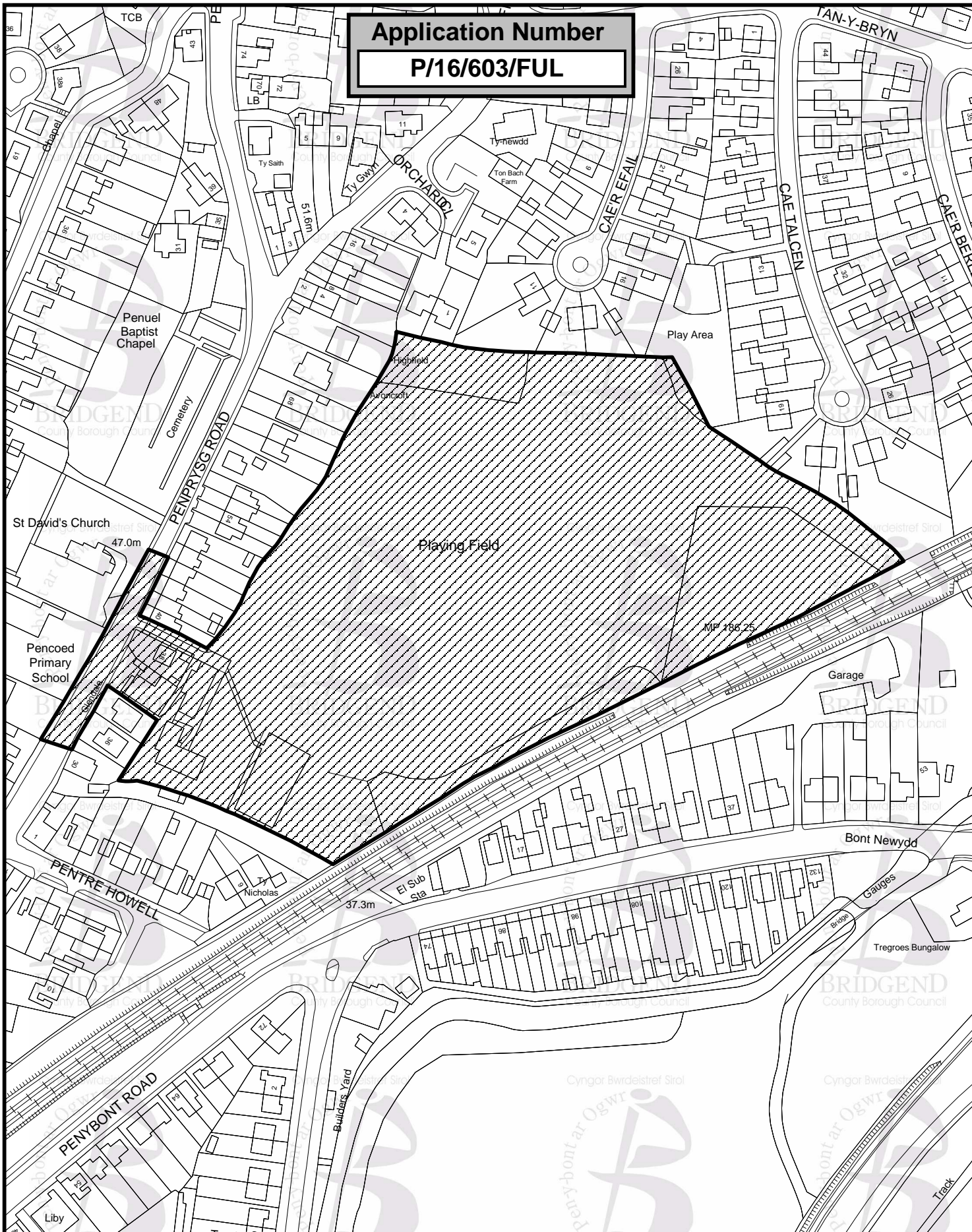
### **RELEVANT HISTORY**

P/16/463/DPN - Prior notification to demolish single storey canteen block, gymnasium block, teaching block and 2 storey house at 38 Penprysg Road :

*Under the provisions of the Town and County Planning (General Permitted Development) Order 1995 (As Amended), the demolition works constitute permitted development and the Council does not seek to prior approve the proposed method of demolition and the proposed restoration of the site.*

Application Number

P/16/603/FUL



Scale 1:2,000

Date Issued:  
23/09/2016

Development-Mapping  
Tel: 01656 643176

Mark Shephard

Corporate Director-Communities

Communities Directorate,  
Bridgend County Borough  
Council, Civic Offices,  
Angel Street,  
Bridgend CF31 4WB.

O:/Drive/Plandraw/new MI layouts/  
Committee DC Plan

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Cyngor Bwrdeistref Siro



## **PUBLICITY**

The proposal has been advertised on site and in the press.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 26 August 2016

## **CONSULTATION RESPONSES**

Welsh Water Developer Services has no objection subject to a condition and advisory notes.

Natural Resources Wales express concern with regard to European Protected Species but no other objection provided conditions in this respect are attached to any consent.

Head of Street Scene (Highways) has no objections subject to conditions.

Crime Prevention Design South Wales Police offer advice regarding Secured by Design.

Head of Street Scene (Drainage) has no objection subject to conditions.

## **REPRESENTATIONS RECEIVED**

Objections have been received from:-

Brian Neave: 1 Orchard Close

Dai Morgan: Avoncroft, Penprysg Road

Mr T & Mrs A Thorngate: 64 Penprysg Road

Mrs E Thorngate: 40 Penprysg Road

Mrs Gail Hall: 68 Penprysg Road

Mr Wayne Hall: 66 Penprysg Road

Mr Howard Butler: ClareLee, 36 Penprysg Road

The objections are summarised as follows:-

1. Location of Puffin Crossing and Zig Zag Lines will adversely affect 36 Penprysg Road by way of removing on-street parking, increased vehicle and pedestrian noise, anti-social behaviour, visual impact, highway surface water issues, privacy and devaluation of property;
2. Construction of Puffin Crossing will create flooding problems and its design is seriously flawed;
3. Trees shown on site layout plans would impact 36 Penprysg Road by loss of daylight, sunlight and by way of overshadowing;
4. The proposal will create increased traffic, noise and vehicle delays outside 36 Penprysg Road;
5. During demolition and construction periods there will be problems with noise, pollution, vehicle movements and visual impact of the compound;
6. There could be asbestos within the existing school buildings and residents are not being kept informed of the demolition;
7. Devaluation of property;
8. Loss of large open playing field;
9. Loss of view and residential amenity;
10. Loss of privacy and impact on standard of living due to overlooking;
11. School should be built on existing site and playing fields retained to comply with Council's objective to support local people and communities to live healthier and more active lives;
12. Why haven't other sites been considered eg Pencoed Comprehensive or Croesty School?

- 13.Noise disturbance from 'early years' play area;
- 14.Increase in impermeable area is unacceptably large (4.5% to 56%) - run-off must be greater than present (not what it says in Design & Access Statement);
- 15.All weather pitch creates an extra impermeable surface and requires the removal of the existing woodland area. This results in the school building being closer to the boundaries of residents in Penprysg Road;
- 16.Surfaced playground seems excessive and could be reduced, particularly in the north part of the site;
- 17.The use of the proposed public footpath around the field will adversely affect privacy and safety of existing residents and cause disturbance;
- 18.Footpath is a security breach for teachers and pupils of the school and its use could lead to anti-social behaviour;
- 19.The footpath should be separated from residents by a wide strip of resistant planting;
- 20.What about indoor sports - the gymnasium is to be demolished and there is sufficient land at the existing site for this to be provided;
- 21.New parking spaces and double yellow lines for part of Penprysg Road - parents will just park further up Penprysg Road causing traffic problems for residents; Drop off and pick up could be incorporated into the existing school;
- 22.Proposed car park is too large - turning a greenfield site into an over sized car park! encouraging more people to drive and causing congestion affecting existing residents;
- 23.Current site to be sold to who? More houses, more traffic problems - quick fix with no regard to residents;
- 24.Given the size of the building its siting has had no regard to existing residents - could be orientated further down the slope;
- 25.Little consultation with residents - first official notification and only 21 days to respond;
- 26.Article in Cowbridge Gem indicates that residents in Cowbridge were made aware of the plans but not the residents affected by the development;
- 27.Should be wider consultation;
- 28.Over development of a greenfield site which will impact on the character of the neighbourhood;
- 29.Affect on wildlife habitat - owls, bats, birds and squirrels;
- 30.Design should incorporate eco features eg green roof - this would reduce height of building and impact on residents;
- 31.Article 8 of the Human Rights Act needs to be considered;
- 32.One resident invites the Committee to look at the roads and visit his property to see the affect the school will have.

## **RESPONSE TO REPRESENTATIONS RECEIVED**

In general, the representations received will be addressed in the Appraisal Section, however:-

- All highway and parking representations have been considered by the Highways Officers who consider the scheme acceptable, subject to conditions.
- With respect to developing this particular site, the Local Planning Authority have to consider the scheme before them and have no input into site selection.
- Drainage issues have been considered by the Council's Drainage Section and Dwr Cymru Welsh Water and the proposals are considered acceptable, subject to conditions.

- Notwithstanding the above, the Education Authority has indicated that Pencoed Primary School currently has operational issues relating to the unsuitability of the buildings for the modern curriculum, together with operating from 3 sites (2 sites bisected by Penprysg Road and 1 site located in Heol y Cyw), and the condition and sufficiency of the existing buildings overall are poor. Potential solutions were considered as part of a Feasibility Study with the need to bring the school together on one site being the underlying driver. The benefits arising from this will include reduced revenue and running costs, the removal of the backlog of maintenance and will result in a new building fit for delivery of the 21<sup>st</sup> Century curriculum.
- The application was accompanied, inter alia, by an Ecology Appraisal which has been assessed by the Authority's Ecologist. Subject to compliance with the recommendations contained in the Ecology Assessment, submitted with the application, the Council's Ecologist has no objection to the proposal.
- Advertising of the planning application has been undertaken in accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012 in that the application has been advertised on and around the site (5 Notices) and in the Glamorgan Gazette and also local residents abutting the site have been individually notified.
- Devaluation of property and the loss of views are not material planning considerations.
- With respect to Article 8 of the Human Rights Act, the planning system, by its very nature, respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process for the Local Planning Authority to assess the effects that a proposal will have on individuals and weigh these against the wider public interest in determining whether development should be allowed to proceed.

## **APPRAISAL**

The application is referred to Committee in view of the number of objections received.

The larger of the two sites off Penprysg Road is the intended site for the new Primary School. It covers an area of approximately 34,222 sq m and falls generally by 8 to 10 m from north to south and from east to west. The area is laid to grass with the flattest section situated to the north and is used as the school playing field.

There are three school buildings to the south west comprising of a small teaching block, the Junior canteen/kitchen and a Sports Hall, with associated changing facilities. The majority of the boundary line is tree lined with a mature wooded area to the east. The south eastern boundary forms the separation to the main railway line linking West Wales to London. The site is currently accessed via a narrow lane from Penprysg Road.

Due to the constraints of the site, coupled with the approved spending profile agreed with the Welsh Government, it is necessary to carry out the work in 2 phases. Generally, the works will be scheduled as follows:-

- From November 2016 – Demolition works & temporary access
- From January 2017 – All remaining works.

It is anticipated that the school will be ready for occupation during April 2018.

Due to the constraints of the site caused by levels, the building and the all-weather pitch are positioned and orientated to run parallel to the fall of the site whilst trying to take account of the path of the sun to maximise the use of solar gain during the winter months and natural daylight through the high level roof-light.

The site is to be tiered to provide a relatively flat plateau for both the building and the all-weather pitch. It is intended that retaining walls will be formed using gabion baskets to provide a 'softer' aesthetic and allow some vegetation to grow within.

The proposals for the new Primary School intend to cater for 510 pupils, 31 Special Educational Needs (SEN) pupils and 70 nursery pupils (total 611). The school building will be 'L' shaped and two storey, measuring a maximum of 96m x 37m with a mixed design of dual and monopitched roofs reaching a maximum height of 11.5m. The proposed materials of construction are:-

- External Walls - Teaching Blocks - Terca Olde County Blend clay facing brickwork with feature wall panels (through coloured (colours to be confirmed) render);
- Roofing - Kingspan King Zip Standing Seam Composite Cladding Mill Finish Aluminium
- Eaves & Rainwater Goods - Powder coated Aluminium RAL 7012
- External Windows & Doors - Powder coated Aluminium RAL 7012 with doors randomly coloured

The school is laid out on both floors either side of a 'street'. The single storey element to the front of the building will accommodate the main and studio halls, a food science/community facility, the kitchen and associated storage areas and the plant room.

On the ground floor, of the two storey element, is the head teacher's room, staff room and administrative areas behind which are the nursery, infant classrooms and some SEN rooms/facilities. On the first floor will be the corresponding junior department.

There will be a minimum of 25m between the school building and any of the properties on Penprysg Road, these being the closest dwellings. A footpath is proposed around the perimeter of the site to provide access to the properties on the north eastern side of the site. A pedestrian access to the school site will also be provided at this point.

In terms of accessing the site, a new junction has been designed from Penprysg Road. The proposed access layout conforms to BCBC's objectives and constraints to:-

- Provide minimum junction visibility requirements in accordance with Manual for Streets document for vehicular speeds of 20mph, ie; "x" distance 2.4m and a "y" distance of 25m.
- Provide access for the following maximum size vehicles - 12m long bus and 25 tonne rigid vehicle. In addition the design caters for the aforementioned classification of vehicle to use the junction without the need to cross or straddle carriageway centrelines on Penprysg Road.
- Provide a pedestrian refuge for assisting pedestrian to cross the access/junction.

- Provide a 'puffin' crossing to assist pedestrians to cross Penprysg Road.

The junction layout requires the demolition of the existing school canteen buildings, teaching block and 38 Penprysg Road. The proposal will also result in the loss of residents' on-street parking. To mitigate this loss of parking, it is proposed to provide 10 off street parking spaces to the rear of numbers 40 to 44 Penprysg Road, access to which will be provided along the new school access road.

The new access road will operate as a one way system and under an advisory 10 mph speed limit. The alignment of the access road together with speed tables will help to control vehicular speed. The Staff car park is located centrally within the surrounding access road and will be accessed via a controlled gate/barrier system. The entry and exit positions of the car park have been selected in consideration of the need to reduce conflict points and to mitigate the opportunity for pedestrians using drop off spaces to walk through this car park. An uncontrolled pedestrian crossing is provided on a speed table arrangement located between the staff car park access points, which connects the car park to the school plaza area.

The main objective is to maximise the number of 'drop off' bays for parents, whilst minimising the need for reversing manoeuvres, and facilitating kerb side parking, thereby making it possible for passengers to access vehicles directly onto and from the footways. In addition it is necessary to provide a layout that meets Supplementary Planning Guidance (SPG) for staff, visitors, disabled, motorcycle and cycle parking. The SPG requires the following provision:-

- 61 general staff parking spaces
- 3 canteen staff spaces
- 1 commercial vehicle parking space (utilising bus drop off)
- 3 disabled persons parking spaces
- 3 motorcycle parking spaces
- 50 cycle stands
- 23 drop off bays
- 2 bus drop off bays

In order to improve highway safety and to provide a design that complies with the minimum school junction visibility requirements, a section of Penprysg Road between Minffrwd Road and Wimborne Road will operate as a 20 mph zone. Gateway signing and features will be provided at the start of the zone and a series of speed tables will be provided within the zone to control vehicular speeds. To assist pedestrian movements, footway widths (where possible) will be increased along Penprysg Road by reallocation of road space.

Generally, the hard surfaced areas will be laid to tarmac although there are small areas of paving and soft play areas to each of the playgrounds. The front of the site, from the 'drop off' area to the main entrance doors, will be paved and laid out to represent an open plaza. Formal tree planting will be included alongside with an area dedicated to providing the relevant areas and facilities for cycle storage.

The school will have access to, and full use of, the Ecology area to the north east of the site. The mature woodland already has some soft paths and access routes throughout, although these will be enhanced, where possible and appropriate. The woodland will be used for outdoor teaching.

It is currently anticipated that all of the existing staff will move to the new facility and it is envisaged that the majority of pupils from Heol y Cyw will travel to the new school by bus. In addition, there are currently approximately 7/8 taxi provisions across the county bringing in 24 pupils for the Special Education Needs (SEN) classes at the school. This would continue with the taxis being able to drop off and collect within the site.

In determining the application due regard should be had to Welsh Government planning policy and guidance which is found in Planning Policy Wales (PPW) (Edition 8) and relevant Technical Advice Notes (TANs). These documents advise that the planning system is intended to help protect the amenity and environment of towns, cities and the countryside in the public interest whilst encouraging and promoting high quality, sustainable development. In Wales, this means enhancing the economic, social and environmental well-being of people and communities, achieving a better quality of life for our own generations in ways which:-

- promote social justice and equality of opportunity; and
- enhance the natural and cultural environment and respect its limits; using only our fair share of the earth's resources and sustaining our cultural legacy.

PPW also advises that, in line with the presumption in favour of sustainable development, the process by which the goal of sustainability is reached, applications for planning permission should be determined in accordance with the adopted Development Plan for the area, unless material considerations indicate otherwise. Section 38(6) of the Planning and Compulsory Purchase Act 2004 also requires that, if regard is to be had to the Development Plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The proposed development is consistent with Planning Policy Wales and Local Development Plan Policies SP1: Regeneration-Led Development; PLA1: Settlement Hierarchy and Urban Management; PLA4: Climate Change and Peak Oil; SP2: Design and Sustainable Place Making; PLA4: Climate Change and Peak Oil; SP13: Social and Community Facilities; COM10: Provision of Education & Training Facilities and, as such no objection is raised by the Development Planning Section.

In this case, to assess the principle of the development, the relevant Development Plan Policies are PLA1, COM10 and SP13.

#### PLA1 - SETTLEMENT HIERARCHY AND URBAN MANAGEMENT

Development will be permitted within settlement boundaries at a scale commensurate with the role and function of settlements as set out in the hierarchy which includes the main settlement of Pencoed.

Main Settlements have a strong employment function with an existing concentration of business and a good variety of retailing and community services that meet the needs of the settlement and the surrounding area, with Bridgend being the most significant in performing this role. The settlements are comparatively self-contained and provide a dominant role in terms of travel to work within the County Borough, which can be maintained and developed to meet the needs of the settlement and the surrounding area. The settlements represent some of the largest centres within the County Borough in terms of employment, population, economically active people and retail and community service provision.



## POLICY COM10 - PROVISION OF EDUCATIONAL AND TRAINING FACILITIES

Land will be allocated and safeguarded for the provision of educational and training facilities at the following locations:

... .. COM10(4) Penprysg Road, Pencoed ... ..

The Council is required to ensure that the educational needs of children and young people within the County Borough are satisfactorily met. The Children and Young Peoples Plan sets out the priorities for meeting these needs.

The new facilities identified in Policy COM10 form part of the Council's School Modernisation Programme. This is a programme that will deliver improvements to school provision throughout the County Borough.

Schools provide the ideal opportunity to play a much wider and multi-functional role in the community through addressing both the broad range of educational needs of children and young people during traditional school opening hours and also acting as community-based learning and recreational environments, especially during out-of-school hours and school holidays. They are therefore seen as primary assets in terms of delivering the LDP Strategy and implementation of Policy SP14, which indicates that applications for development should include material proposals which deal with the fair and reasonable infrastructural requirements of the development and help to mitigate any negative impacts that may arise as a consequence of the development.

## SP13 - SOCIAL AND COMMUNITY FACILITIES

In order to maintain and improve the quality of life of residents the following social and community uses and/or facilities will be retained or enhanced:-

- Educational and training facilities;
- Health and well-being facilities;
- Libraries;
- Outdoor recreation;
- Indoor leisure facilities;
- Community buildings;
- Allotments; and
- Cemeteries

In the interest of improved service provision, all proposals for new or replacement social and community facilities should demonstrate that every reasonable attempt has been made to consider the co-location with another social and community facility before a standalone facility is considered.

Policy SP13 therefore seeks to retain or enhance facilities to ensure no section of the community is excluded from having access to basic services, with the overall aim of creating sustainable and inclusive communities.

Proposals which result in the loss of existing or proposed social and community facilities will not be permitted unless justified on one of the following grounds:-

1. A suitable alternative location is available and a facility of equivalent community benefit is provided by the developer on or off the site; or

2. In the view of the local planning authority the existing facility is no longer required for the current use, or any other social and community uses, or there is already an excess of such provision in the area.

In terms of the location of replacement facilities, the role of the Council and other partner organisations in supporting and developing such a model of provision is vital, as is an innovative and joined-up approach to service delivery and the multi-use of buildings and the LDP seeks to ensure that facilities are delivered in an appropriate manner at appropriate locations.

Given the nature of the proposal, i.e. providing a teaching facility with facilities for the benefit of the local community, it is considered that the proposal represents an acceptable new educational, social and community facility in the context of Policies COM10 and SP13 within the main settlement of Pencoed (PLA1). In this regard, the principle of the development is acceptable.

PPW also advocates good design, which is taken to mean the relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings.

The objectives of good design can be categorised into five key aspects:-

- Access (ensuring ease of access for all);
- Character (sustaining or enhancing local character, promoting legible development, promoting a successful relationship between public and private space, promoting quality, choice and variety and promoting innovative design);
- Community Safety (ensuring attractive, safe public spaces and security through natural surveillance);
- Environmental Sustainability (achieving efficient use and protection of natural resources, enhancing biodiversity and designing for change);
- Movement (promoting sustainable means of travel).

In terms of design, Policy SP2 of the LDP requires that all development should 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 and establishes fifteen criteria against which development proposals should be assessed. In respect of this application, it is considered that criteria 1, 2, 3, 4, 6, 7, 10, 12 and 13 are relevant.

It is considered that the submitted proposals will respect the character and distinctiveness of the local area, be of an appropriate scale and prominence and will be an efficient use of the land in terms of maximising the potential of the land whilst respecting the surrounding development and will, therefore, meet criteria 1,2,3 and 4 attached to the Policy. The implementation of the advice provided by the Designing Out Crime Officer can ensure that criterion 7 will be met. The development proposals will not result in any unreasonable domination, overshadowing or loss of privacy to existing neighbouring properties, as there will be a minimum of 25m between the

school building and any of the properties on Penprysg Road, these being the closest dwellings. thereby satisfying criterion 12. Also, an appropriately worded condition requiring a comprehensive and integrated drainage scheme for the development can ensure that satisfactory drainage, water and waste facilities are provided.

In seeking to make a contribution towards tackling the causes of Climate Change, the Design and Access Statement confirms that products selected to be used in the construction of the building will satisfy the requirements set out in BREEAM guidance and, wherever possible, achieve an A or A+ rating in 'The Green Guide'. This commitment is in compliance with Policy PLA4.

The development will also benefit from having good walking, public transport and road connections within and outside the site to ensure efficient access.

Dwr Cymru Welsh Water and the Council's Land Drainage Section have also confirmed that appropriate arrangements for the disposal of foul sewage, waste and water can be made.

With respect to criterion 6, the Highways Officer has considered the transportation implications of the proposal and, whilst the proposed new school will have a greater capacity than the existing provision, it is appreciated that this is required to serve a wider catchment and cater for the existing pupils at Heol y Cyw. These pupils will, however, be provided with transport given the remote distance and the lack of footway links. In this regard the school site will provide capacity for these vehicles to enter and leave the site.

Whilst policy dictates that sustainable travel modes should be encouraged and, consequently, parent drop off and pick up by car should be discouraged, there is concern that existing travel patterns to the current site may perpetuate, particularly in inclement weather or by parents linking with their trip to work. As such, a drop off facility has been provided on site and is deemed to be of a reasonable scale.

Whilst the access, traffic calming and footway improvement proposals on Penprysg Road have been provided on the basis of pre application discussions it is anticipated that some revisions may be required as a result of the necessary public consultation process and safety audit requirements which may arise. It is considered that these can be largely dealt with within the engineering details for the required road agreement and, as such, a scheme of traffic calming is required on Penprysg Road which will be broadly in accordance with drawing number GC2488-CAP-00-XX-SK-C-12 revision P01.1.

Notwithstanding the above, the site is to be accessed by vehicles off Penprysg Road at the south western end of the western boundary where traffic within the site shall be 'one way' to ensure that vehicle movement is as safe as possible.

The site can be accessed and egressed by pedestrians through dedicated pedestrian gates, located adjacent both the vehicle entry point and at the north eastern side of the site. Consequently it is considered that subject to appropriately worded conditions satisfactory access and linkages can be provided to meet the requirements of criterion 6.

Given the location of the site which is adjacent to a busy thoroughfare, it is considered that conditions should be imposed controlling the construction works, by way of a method statement, and the hours of construction. With these safeguards it is

considered that the development should ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected.

The Welsh Government's Active Travel Action Plan for Wales and the Active Travel (Wales) Act 2013 aims to address congestion and encourage people to walk and cycle more often. To this end a Travel Plan Framework, focused on the specific transport issues which affect people travelling to and from the site of the existing Pencoed Primary School site and the impact of their journeys on local residents, is proposed, which will seek to mitigate the impact of extra traffic generated by the new schools. It will recommend a wide range of measures to counteract dependence on the car.

The Plan will be designed to encourage individuals to make the most appropriate choice for their journey whilst allowing a degree of freedom of choice, however, many factors influence this decision, most notably the fact that it is not possible to determine how the school site will be accessed, as the new school is not planned for completion until September 2018. Best practice suggests that the end users should be fully involved in both the planning and implementation of the Travel Plan but this can only be undertaken when the site is operational and parents and pupils have a better understanding of travel to and from the site.

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. The development of a new school, in itself, provides a new and enhanced community facility to Pencoed and, whilst the development will enhance the area generally, the proposals will also include specific accommodation and facilities to cater for local groups and organisations and the wider community as a whole outside of standard school hours and also during school time for specific classes and Community Education purposes.

In addition, local clubs will have the opportunity to use one of the 'All Weather' pitches provided in the eastern section of the site. The pitch will have the capability of being floodlit, making it an ideal training ground for clubs to operate controlled sessions. It is considered, therefore, that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.

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 21 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.

In respect of this application the Council's Ecologist has noted and welcomed the accompanying Ecological Appraisal and Summary of BREEAM Ecology Credits. Section 6 of this assessment made a series of conclusions and recommendations, which the Ecologist recommends are included as conditions of approval.

The Ecologist also re-iterates the points made by Natural Resources Wales in their observations relating to recommendations requesting further bats surveys and to adopt a precautionary approach regarding tree felling and pruning works.

It is also recommended that the applicant should submit a clearance methodology to be approved by the Local Planning Authority before works commence.

It is considered therefore, that, overall, there will be no significant adverse residual impacts on biodiversity.

Therefore, the proposal is considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

## **CONCLUSION**

This application is recommended for approval because the development complies with Government and Council policy and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

The development of a new school is, in itself, providing a new and enhanced community facility to Pencoed. Whilst the development will enhance the area generally,

the proposals will also include specific accommodation and facilities to cater for local groups and organisations and the wider community as a whole.

Certain areas of accommodation will be available outside of standard school hours and also during school time for specific classes and Community Education purposes.

In addition, local clubs will have the opportunity to use one of the 'All Weather' pitches provided in the eastern section of the site. The pitch will have the capability of being floodlit, making it an ideal training ground for clubs to operate controlled sessions.

## **RECOMMENDATION**

(R28) That permission be GRANTED subject to the following condition(s):-

1. The development shall be carried out in accordance with the following approved plans and documents:-

### **ARCHITECTURAL DRAWINGS**

A001 - Site Location Plan  
A002 - Existing Site Layout / Topographical Survey  
A100 - Proposed Site Layout Overall  
A101 - Proposed Site Layout Area 1  
A102 - Proposed Site Layout Area 2  
A103 - Proposed General Arrangement Ground Floor Plan  
A104 - Proposed General Arrangement First Floor Plan  
A105 - Proposed General Arrangement Elevations  
A119 - Site Layout Contractors Constraints  
A120 - Hoarding Details / Temporary Works / Site Sign Board  
A123 - Proposed 3D Model  
A600 - External Signage  
A909 - Fencing Details (Sheet 1)  
A910 - Fencing Details (Sheet 2)  
A911 - External Works – Sections (Sheet 1)  
A912 - External Works – Sections (Sheet 2)  
A913 - External Works – Sections (Sheet 3)  
A916 - External Works – Play Area (Sheet 1)  
A917 - External Works – Play Area (Sheet 2)  
A918 - External Works – Planting (Sheet 1)  
A919 - External Works – Planting (Sheet 2)  
A920 - Nursery Store / PE Store

### **DRAINAGE ENGINEERING DRAWINGS**

PCD-CAP-00-00-DR-P-506 Rev P00 - Proposed Surface Water Drainage Layout  
PCD-CAP-00-000-DR-P-507 Rev P01 - Proposed Foul Drainage Layout

### **HIGHWAYS ENGINEERING DRAWINGS**

GC2347-CAP-61-XX-DR-C-001 - General Arrangement Planning  
GC2347-CAP-61-XX-DR-C-002 - Contours & Detailed Sections  
GC2488-CAP-61-XX-DR-C-001 - General Arrangement Traffic Calming  
GC2347-CAP-61-XX-DR-E-001 - Proposed Lighting Arrangements

### **OTHER DOCUMENTS**

Ecological Appraisal & Summary of BREEAM Ecology Credits  
Ecology BREEAM Summary Report  
BREEAM Pre-Assessment Report

Drainage Strategy Report  
Traffic Impact Assessment  
Site Investigation Report

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

2. No development shall commence on site until a scheme for the provision of a compound and car park for construction vehicles has been submitted in writing by the local planning authority. The agreed scheme shall be implemented prior to commencement of works on site and maintained for the duration of the construction works.

Reason: In the interests of highway safety.

3. No development shall commence on site until details of mechanical, automatically operated, self-contained wheel washing facilities including a temporary/permanent access road/hardstanding completed in permanent materials at a minimum length of 20metres and 5.5metres width have been submitted to and agreed in writing by the Local Planning Authority. The facilities shall then be provided and retained as approved for the duration of the development including the Earthworks / muck shift to the satisfaction of the Local Planning Authority

Reason: In the interests of highway safety by preventing mud and debris from being carried out onto the existing maintainable highway.

4. No development shall commence until a scheme for the provision of temporary traffic management during the demolition and construction period has been submitted to and agreed in writing by the Local Planning Authority and implemented before and during the works to demolish the existing buildings and improve the highway.

Reason: To ensure the safety and free flow of vehicular and pedestrian movement on Penprysg Road route during the construction period, in the interests of highway safety.

5. No construction vehicles shall enter or leave the site during the periods of half hour either side of the times school commencing and ending.

Reason: In the interests of highway safety.

6. The proposed school access onto Penprysg Road shall be laid out with vision splays of 2.4m x 25m before the development is brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

8. The submitted scheme of bus/parent drop off and staff parking to the South of the school building shall be completed in permanent, permeable materials as approved by the Local Planning Authority prior to beneficial use of the site commencing, with all individual spaces clearly marked out as shown (drawing no GC2347-CAP-61-XX-DR-C-001 revision P02).

Reason: In the interests of highway safety.

9. The submitted scheme of off street parking to the rear of numbers 40-50 (Evens) Penprysg Road shall be completed in permanent, permeable materials as approved by the Local Planning Authority prior to beneficial use of the site commencing, with all individual spaces clearly marked out as shown (drawing no GC2347-CAP-61-XX-DR-C-001 revision P02).

Reason: In the interests of highway safety.

10. No works shall commence on site until such time as full engineering details of the school access road from its junction with Penprysg Road to the school gates, including longitudinal and cross sections, construction details, lighting, surface water drainage, carriageway markings, traffic calming features, signing, retaining structures and Stage 2 Safety Audit have been submitted to and agreed in writing by the Local Planning Authority

Reason: To ensure safe vehicular and pedestrian access to the site in the interests of highway safety.

11. Within 3 months of any consent a comprehensive scheme shall be submitted to and agreed in writing by the Local Planning Authority for traffic calming restricting 85% tile traffic speeds to 20 mph on Penprysg Road, between its junction with Minffrwd Road to the North and its junction with Wimborne Road to the South. The approved scheme shall incorporate relocated bus stop facilities, carriageway and footway realignment, 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 . Such scheme shall be implemented as agreed by the Local Planning Authority prior to the development being brought into beneficial use.

Reason; In the interests of highway safety.

12. Within 3 months of any consent 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 be clearly demarcated in permanent materials and signage erected in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained as such in perpetuity.

Reason: In the interests of highway safety.

13. The school shall be limited to no more than 611 pupils.

Reason: In the interests of highway safety.



14. A school travel plan shall be submitted to and agreed in writing by the local Planning Authority and implemented within 6 months of the beneficial use of the development commencing. Such a plan shall contain targets, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the school. The plan shall be subject to periodic review and monitoring, with annual reports prepared by the school and submitted to the Local Planning Authority.

Reason: In the interests of promoting sustainable modes of transport to and from the school.

15. No works shall commence on site until such time as a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of a pedestrian and cycle links from the school to Cae'r Efail and Cae Talcen. The links 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.

16. No works shall commence on site until such time as a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of:-
  - a. Covered cycle storage.
  - b. changing, washing and shower facilities for staff/student use.
  - c. Secure lockers for staff/student use.

These features shall be provided to support the provision of the cycle parking facilities, in accordance with the approved scheme 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.

17. No works shall commence on site until such time as a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of suitable improvements to establish learner travel routes along the routes identified in Appendix O of the submitted Transport Assessment. The improved routes shall be implemented as agreed 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.

18. No development shall commence until a until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road, land and roof/yard water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul, surface, roof/yard and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, to ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

19. No development shall commence until a site clearance method statement providing details for avoidance of harm to reptiles on site, has been submitted to and agreed by the Local Planning Authority. The measures shall be carried out strictly in accordance with the agreed scheme.

Reason: In order to protect habitats for reptiles.

\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

- a. The development should seek to employ current best practice and the most current advice and guidance. With specific reference to ecological matters, Section 6 of the Environment (Wales) Act 2016 places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'. Attention is drawn to the Biodiversity and Development Supplementary Planning Guidance (SPG): A Green Infrastructure Approach <http://www1.bridgend.gov.uk/media/227718/final-green-infrastructure-spg-for-web.pdf> . This Guidance seeks to inform schemes and provide practical advice in respect of ecological enhancements and the resilience of ecosystems.
- b. The applicant/developer is advised that all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), whilst they are actively nesting or roosting. Protection should be given to all nesting birds during any works and to proceed with caution, especially during the bird nesting season (early March to late July). Section 1 of the Wildlife and Countryside Act 1981 (as amended) makes it an offence to kill, injure or take any wild bird, and to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also an offence to take or destroy any wild bird eggs.
- c. Trees and hedgerows provide habitat to a number of protected species, including bats and birds. British bats, their breeding sites and resting places are protected by law under the Conservation of Habitats and Species Regulations 2010 which implements the EC Directive 92/43/EEC in the United Kingdom and the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). This legislation makes it an offence to damage or destroy a bat breeding site or resting place (sometimes referred to as a roost) whether the animal is present at the time or not, intentionally or recklessly obstruct access to a place used for shelter and protection or deliberately capture, injure, kill, or disturb a bat/bats.
- d. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

- e. The applicant may need to apply to Dwr Cymru/Welsh Water DCWW) for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (ie a drain which extends beyond the connecting property boundary) or via a new sewer (ie serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication "Sewers for Adoption" - 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)
- f. The applicant is also advised that some public sewers and lateral drains may not be recorded on the DCWW maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist DCWW in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
- g. A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.
- h. No surface water is allowed to discharge to the public highway.
- i. No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.
- j. In order to satisfy condition 18 the following advisory notes should be followed:-
  - Submit Flood Defence Consent applications for both proposed discharge points
  - Provide details of locations at risk of flooding as identified by Microdrainage and provide flood prevention measures for these areas if proposed.
  - Provide further details regarding the location, sizing and discharge point of the existing piped spring.
  - Provide an updated drainage strategy showing the position of the existing ditch and watercourse as previously discussed.
  - Provide confirmation of undertaking of cleansing of the NR culvert and letter of acceptance of connecting to the culvert from NR
- k. 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.
- l. Your attention is drawn to the attached comments of the Designing out Crime Officer.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**  
None