

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2020/0415	<u>DATE:</u> 21/05/2020
PROPOSAL:	Construction of two storey school classroom building and associated works.
LOCATION:	Land At Ysgol Gymraeg Ystalyfera, Glan Yr Afon, Ystalyfera
APPLICANT:	Director Of Education, NPTCBC
TYPE:	Full Plans
WARD:	Ystalyfera

SITE AND CONTEXT

The application site lies within the existing boundaries of Ysgol Gyfun Ystalyfera. The school has a frontage onto Glan Yr Afon to the east, and bounds the rear of properties on Ynysydarren Road to the west. To the north lie further residential properties on St Davids Road, and to the south lies an area of open space/playing fields, and further housing and sheltered housing.

BACKGROUND TO NPTCBC 21ST CENTURY SCHOOLS PROGRAMME AND STRATEGIC OVERVIEW

Members will be aware that the Authority has a wider strategic schools improvement programme, and to understand the context of this development a brief overview of the strategy and how this proposal links into that programme is set out below.

This application is for the relocation of the existing single form entry Welsh medium primary school Ysgol Gynradd Gymraeg Y Wern to the existing comprehensive school site of Ysgol Gyfun Ystalyfera, phase 2 of the school redevelopment.

Phase 1 was granted planning permission in February 2015. (P2014/1175). The first 2 phases of development form part of the Authority's Band A 21st Century schools programme. A further phase of the development provided a new lower school element for ages 3-11 on this site to accommodate up to 210 pupils and create a new "all through" Welsh medium school for this area. P2016/1090, approved in 2017, and now operational.

Members will also be aware that the demolition of the existing admin block on the site of the proposed lower school building has already been granted prior approval in November 2016.

DESCRIPTION OF DEVELOPMENT

All plans / documents submitted in respect of this application can be viewed on the [Council's online register](#).

The two storey school building is located to the north western corner of the wider school site. The building will comprise classrooms, canteen, a hall and activity studio alongside ancillary facilities. The layout of the building has been designed to reduce the potential for overlooking on properties to the west of the site ensuring a distance of 11m is kept between their curtilage and the building. The layout also incorporates area of hard and soft landscaping.

NEGOTIATIONS

As a 'major' development, the applicant undertook formal public consultation in accordance with the Town and Country Planning (Development Management Procedure)(Wales) (Amendment) Order 2016, and has provided a Pre-Application Consultation Report (PAC) setting out those responses, and how these have been addressed within the final submission.

PLANNING HISTORY

The application site has the following recent planning history: -

- P2014/1175 Demolition of existing 2/3 storey teaching block and construction of new 2/3 storey teaching block- Approved- 3/2/15
- P2015/0400 Details pursuant to the discharge of condition 4 (construction management plan) of planning permission P2014/1175- Approved- 11/06/15
- P2015/0450 Details pursuant to the discharge of condition 9 (Land contamination remediation) of planning permission P2014/1175- Approved- 23/7/15

- P2015/0947 Details pursuant to the discharge of condition 2 (external materials) of planning permission P2014/1175- Approved- 5/1/16
- P2016/0858 Details pursuant to the discharge of condition 3 (lighting) of planning permission P2014/1175- Approved- 11/10/16
- P2016/0961 Prior notification for the demolition of school admin block- Prior approval not required- 23/11/16
- P2016/1090 Construction of a 2 storey school building (for pupils age 3-11) together with associated parking, playground facilities, lighting and landscaping, plus highway works. Approved- 31.01.2017

CONSULTATIONS

Architectural Liaison Officer SW Police- No Objection, advice provided.

Head of Engineering and Transport, Highway Section- No objection, subject to conditions.

Head of Engineering and Transport, Drainage Section- No Objection, subject to conditions.

Contaminated Land - No Objection, subject to conditions.

Biodiversity Unit –No Objection, subject to conditions.

REPRESENTATIONS

The neighbouring properties were consulted on 22nd May 2020, with site notices also displayed on 22nd May 2020. The application was also advertised in the press on the 27th May 2020.

In response, to date no representations have been received.

REPORT

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

National Planning Policy:

[Planning Policy Wales](#) (Edition 10) was extensively revised and restructured at the end of 2018 to take into account the themes and approaches set out in the Well-being of Future Generations (Wales) Act 2015, and to deliver the vision for Wales that is set out therein.

PPW10 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision making process.

Local Planning Policy

The Development Plan for the area comprises the Neath Port Talbot Local Development Plan which was adopted in January 2016, and within which the following policies are of relevance:

Strategic Policies

- **Policy SP3** Sustainable communities
- **Policy SP15** Biodiversity and geodiversity
- **Policy SP16** Environmental Protection
- **Policy SP18** Renewable and low carbon energy
- **Policy SP19** Waste Management
- **Policy SP20** Transport Network
- **Policy SP22** Welsh Language

Topic based Policies

- **Policy SC1** Settlement limits
- **Policy BE1** Design
- **Policy TR2** Design and Access of New Development
- **Policy EN6** Important biodiversity and geodiversity sites
- **Policy EN7** Important natural features
- **Policy EN8** Pollution and Land stability
- **Policy RE2** Renewable and low carbon energy in development
- **Policy W3** Waste management in new development.

Supplementary Planning Guidance:

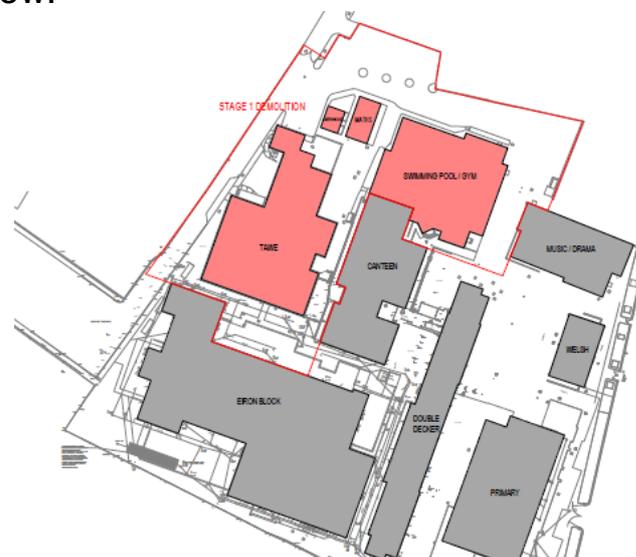
The [Parking Standards SPG](#) approved in October 2016 is also of relevance to this application.

Issues

Having regard to the above, the main issues to consider in this application relate to the impact on the visual amenity of the area, the amenities of neighbouring residents, highway and pedestrian safety, land contamination, impacts on welsh language and ecology.

Principle of Development

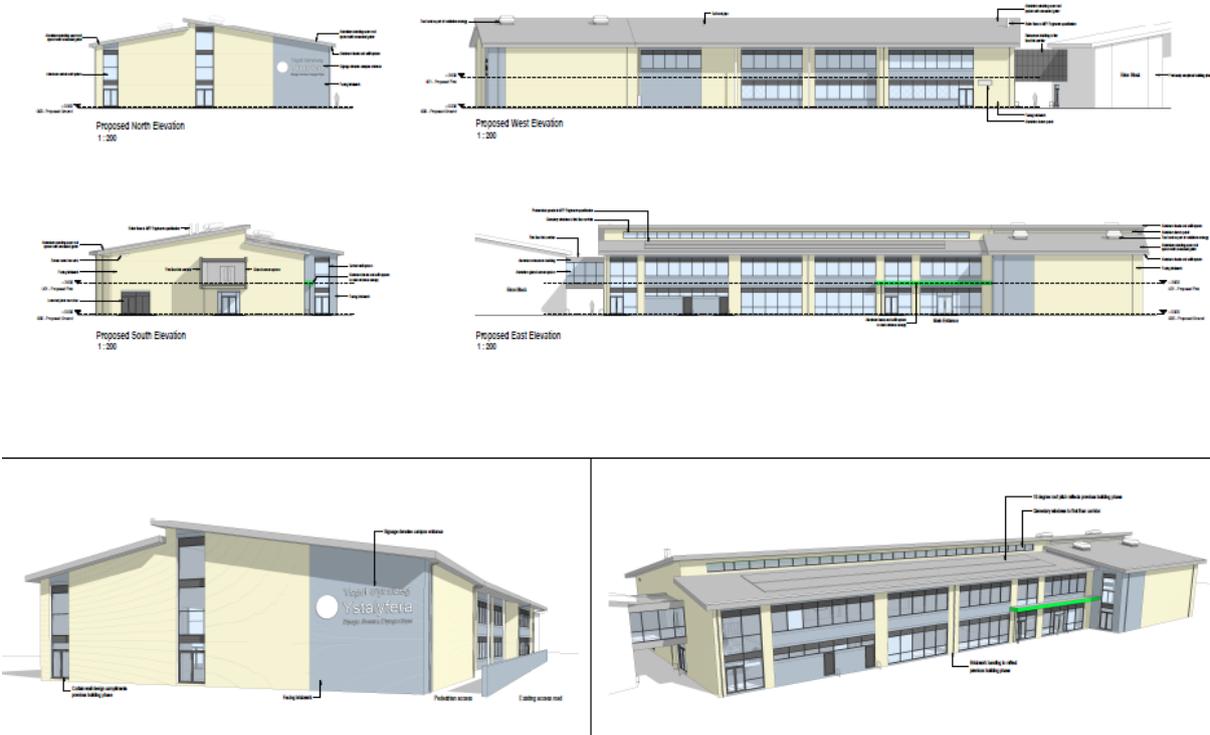
The application site lies within the wider curtilage of the existing school, and will replace buildings proposed for demolition, as identified in pink on the plan below.



The proposed development will provide a new teaching block and as stated within the submission will replace sub-standard accommodation on site, and provide the final phase in the redevelopment of this existing school site.

Impact on Visual Amenity

The proposed development provides a modern and fit for purpose teaching facility necessary to meet current education standards. The design of the building ensures that it maximises the use of natural light, and reduces energy consumption, and therefore provides a sustainable building that will provide a pleasant environment for the staff and pupils.



The use of brickwork as the predominant external material provides a clean and hardwearing finish, but complemented with areas of cladding, provides an inviting and well balanced appearance. The brickwork will complement that used within the existing school buildings.

It is considered that in respect of visual amenity and the character of the area as a whole that the proposed development provides an appropriate addition to this area, and therefore accords with Policy BE1 of the Local Development Plan

Impact on Residential Amenity

The proposed development lies in a similar location as the existing buildings to be demolished, running parallel with the internal access road that runs to the rear of those properties adjoining the site.



The footprint of the building shown on the plan on the left, with the existing buildings to be demolished on the right, highlights how the reduction on floor space, accommodates additional areas of open space and play area.

Educational facilities are a key aspect of the character and appearance of the area. Other than the existing school the surrounding area is predominantly comprised of residential dwellings with complementary uses. The architecture within the surrounding area has no notable features with properties generally two storeys in height.

The proposed building is comprised of contemporary materials similar to those used in the earlier phases of the school sites redevelopment. The scale of the building is considered to be appropriate to the character of the area and will be smaller in scale compared to the former school building.

The site has residential dwellings directly adjoining the western boundary. The design and layout of the building has been sympathetically designed to ensure there is no detrimental impact to residential properties. The appropriate separation distances are included between the curtilage of residential properties and the

proposed school building while the site's boundary treatments will ensure a level of screening and privacy is maintained for the properties.

The proposed building will be replacing a former school building which is considered to demonstrate that the site can accommodate a school building with no detrimental impact towards surrounding residential amenities. Overall given the nature of typical school hours running between approximately 8:30am – 3:30pm it is considered that the impact towards existing residential properties in relation to their privacy and amenity will be negligible.

Therefore the proposal is considered to maintain the privacy and amenity of adjacent residential dwellings given the distance between the proposed building alongside the general school operational hours. The proposal is therefore compliant with PPW10, Technical Advice Note 12 and Policies SP3 (Sustainable Communities), SC1 (Settlement Limits), SP4 (Infrastructure) and BE1 (Design) of the LDP.

Parking and Access Requirements and Impact on Highway Safety

The proposal does not comprise any new parking or vehicular access arrangements as it will utilise the schools existing facilities. The proposals comprise the replacement of buildings which are no longer fit for purpose and is not intended to facilitate any increase in pupil numbers over and above the existing capacity so there will be no substantive increase in traffic generation as a consequence of the development.

In reality pupil and staff numbers on the Ystalyfera site will gradually reduce over the next three years to 650 pupils Yr 7-11, (Currently approx. 750 pupils). This reduction is primarily due to the opening of Ysgol Gymraeg Bro Dur, the school's south campus, which now provides Welsh Medium education for pupils from the South of the CBC. Although this will mean a reduction in pupil numbers, it will also mean fewer school buses, as the only pupils who will continue to travel from the south of the CBC, Neath, Port Talbot etc. will be senior pupils in Years 11-13. From Sept 2021 only pupils in the Sixth Form will travel from the South, this will see a further reduction in numbers of school buses on site.

The Head of Engineering and Transport, offers no objection subject to conditions.

Biodiversity / Ecology

Prior approval has previously been granted for the demolition of the existing buildings to make way for the development. Extensive Bat surveys have been undertaken and mitigation proposed within those documents which will be incorporated. A European Protected Species Licence has been granted for the demolition of the buildings and is dealt with outside of this planning application.

The ecology report undertaken identifies that the combination of desk study and field surveys undertaken at the site identified a limited range of habitat types dominated by, hard standing and buildings, with small areas of amenity grassland, planted shrubs and two trees making up the soft landscaping. With exception to the two mature Lime trees, the intrinsic ecological value of the habitats present on site is considered to be low. On that basis, trees should be the only features considered to be retained as far as practicable as they contribute to the maintenance of the limited habitat connectivity within and adjacent to the site.

The tree survey undertaken at the site identifies 3 trees (1 x category A and 2 x category B trees) within the site boundary. The report recommends the trees to be retained and are being retained as part of the proposal. The tree protection plan demonstrates that root protection areas of the trees will not be encroached.

The Biodiversity unit offer no objection subject to conditions regarding landscaping and artificial nesting for birds.

As such the proposal is compliant with Policies SP15 (Biodiversity and Geodiversity), EN6 (Important Biodiversity and Geodiversity Sites), EN7 (Important Natural Features) and SP16 (Environmental Protection).

Drainage

From 7th January 2019, all new developments of more than 1 house or where the construction area is of 100m² or more required sustainable drainage - built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers - to manage on-site surface water. This SAB consent process lies alongside, but separate to the planning process.

The Head of Engineering and Transport, Drainage Section, have clarified that this approval process will be required for this development.

Contaminated Land

The applicant has provided a Preliminary Risk Assessment / Desk Study (Q022/PRA) in support of the application, and clearly as the existing buildings will need to be demolished to undertake further investigation, these highlight the need for further assessment.

The development site is surrounded by sensitive receptors and historic data identifies historic land uses which could impact the proposed development site, previous land uses indicate possible issues with ground gas in particular VOCs.

The Land Contamination Section agree with recommendations made in the Preliminary Risk Assessment / Desk Study (Q022/PRA) that a follow up Phase II; Quantitative Risk Assessment / Site Investigation should be conducted, therefore they offer no objection, subject to conditions.

Energy

The applicant has provided an energy assessment as part of the application documents to address the client's aspirations for Breeam Excellent accreditation, and also to address Policy RE2 of the Local Development Plan. The applicant assess potential renewable energy propositions, but to achieve the required year round Breeam standard necessary, and the fact that this proposal relates to a new block on an existing site, with existing energy infrastructure, rather than a new build school, the most efficient way of achieving the clients aspirations are through the latent energy reduction of the fabric of the building.

Waste

Policy W3 of the Local Development Plan relates to the management of waste in new development, so both during the construction process, and post construction through the day to day operation of the site.

The applicant has submitted a waste management plan for the development at this stage, stating that waste will be stored, but segregated for recycling, within designated skips or receptacles on the site. A waste management plan for the development would however be required prior to first use, for the operation of the development.

Welsh Language.

Policy SP22 of the Neath Port Talbot Local Development Plan sets out to safeguard and promote the Welsh language in language sensitive areas.

The LDP states that “on the whole, Neath Port Talbot has a lower percentage of Welsh language speakers compared to the Welsh average. There are however, areas within the County Borough where the language is an integral part of the social fabric and an important element of day to day life. While these areas contain very high levels of Welsh speakers, the erosion of the language in recent years has become a great concern within these communities.

Previously, the former Welsh Language Board identified and designated a 'Language Development Area' in Neath Port Talbot which included the communities of Lower Brynamman, Gwaun Cae Gurwen, Cwmllynfell, Ystalyfera and Godre'r Graig. This area is of special linguistic significance, as the main language of daily life is Welsh. As a result of socio-economic factors however, the integrity of the language is under threat.

In addition, there are a number of other communities where a high proportion of the population speak Welsh and the language in these communities is also considered an intrinsic part of daily life. The strategy therefore seeks to protect the integrity of the Welsh language within the areas identified in the policy, where 25% or more of the population speak the language.”

The investment into turning this site into a 21st century through school for children of all ages within the catchment to receive education in Welsh clearly goes a long way in delivering and addressing the issues raised by this Policy objective. Whilst it is accepted that this phase of the development is a replacement of an existing facility, the overall phased redevelopment of this site, will ensure that Welsh medium education and the facilities provided will be maintained within this area.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless

material considerations indicate otherwise. The Development Plan comprises the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016.

It is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on residential amenity, visual amenity, highway and pedestrian safety. Accordingly, the proposed development is in accordance with Policies BE1, TR2, EN6, EN7 & EN8 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION Approve subject to conditions

Time Limit Conditions

1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

List of Approved Plans

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

YGY-LAW-X-X-DR-A-062001_Proposed Elevations_P02

YGY-LAW-X-X-DR-A-040001_Proposed Site Demolition_P02

YGY-LAW-X-R01--DR-A-061003_Proposed Roof Plan_P01

YGY-LAW-X-X-DR-A-063001_Proposed Sections_P01

YGY-LAW-X-X-DR-A-069001_Proposed Site Plan_P02

YGY-LAW-X-U01-DR-A-061002_Proposed First Floor Plan_P02

YGY-LAW-X-G00-DR-A-061001_Proposed Ground Floor Plan_P02

APP3 SK03 - Site Delivery & Access Route Rev 1

APP7 - Construction Method Statement - Site Set up Logistics Rev 01

Construction Management Plan Rev 13 (as superseded in part by APP3 SK03 and APP7)

Site Waste Management Plan Rev 13

Reason:

In the interests of clarity.

Pre-Commencement Conditions

3 Before beginning any development at the site, you must do the following: -

a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order

2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and

b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason:

To comply with procedural requirements in accordance with Article 24B of the

Town and Country Planning (Development Management Procedure) (Wales)

Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning

Act 1990.

4 Prior to any development taking place a drainage scheme/statement shall be submitted which shows the measurements are undertaken and implemented on site during the construction phase, that mitigate surface and ground water migration and displacement from causing a flooding nuisance and adversely affecting adjoining land and land downstream. This scheme as approved shall be fully implemented on site throughout the construction phase.

Reason

In the interests of amenity and pollution control and Policies EN8 of the Local Development Plan.

5 No development shall commence on site until an assessment of the nature and extent of contamination affecting the application site area has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person in accordance with BS10175 (2011) 'Investigation of Potentially Contaminated Sites Code of Practice' and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

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

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

(iii) an assessment of the potential risks to:

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

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

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

6 No development shall commence on site until a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historic environment shall be prepared and submitted to and approved in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

Action Conditions

7 The applicant shall ensure strict compliance with the Construction Management Scheme and shall ensure that deliveries and construction vehicles shall access the site via the A4067 and enter St David Road only. In accordance with CMS dwg Nr SK/03 Rev 1 submitted on the 11/06/2020 throughout the construction phase.

Reason

In the interests of Highway and pedestrian safety, and Policy TR2 of the Local Development Plan.

8 Prior to any development of the superstructure of the building hereby approved, samples of the external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with these approved details.

Reason

In the interests of visual amenity, and Policy BE1 of the Local Development Plan

9 Prior to any external lighting being installed on site, a scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include all external lighting and security lighting together with lux levels and light spillage plans. The scheme as approved shall be fully implemented in accordance with these approved details, and retained as such thereafter.

Reason

In the interests of amenity, and Policy EN8 of the Local Development Plan.

10 Prior to beneficial use of the proposed development commencing, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in accordance with condition 6 shall have been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

11 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that

the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

12 Prior to the first use of the development hereby approved a scheme shall be submitted to and approved in writing by the Local Planning Authority for a footway on the new build side of the highway within the site, to provide safe refuge for pupils, visitors and staff, whilst sustaining or allowing for a minimum of 3.7m width carriageway for buses, cars and emergency services. This scheme as approved shall be fully implemented on site prior to the first use of the development, and retained as such thereafter.

Reason

In the interests of Highway and Pedestrian safety, and Policy TR2 of the Local Development Plan.

13 Prior to the first use of the development hereby approved, an updated travel plan for the site as a whole shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include a monitoring regime that shall commence from first beneficial use of any building. Full monitoring shall be undertaken in the 1st, 3rd and 5th year, with an interim report in the 2nd and 4th year. After five years of operating the first travel plan, a further travel plan shall be submitted for approval by the local planning authority addressing any issues that have failed to reduce the use of the car and meet the agreed targets set in the travel plan. The assessment of this travel plan shall continue every five years in accordance with the above monitoring.

Reason

In the interests of Highway and Pedestrian safety, and Policy TR2 of the Local Development Plan.

14 Prior to the first use of the development hereby approved, full details of landscaping containing a majority of native and/or wildlife friendly species shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.

Reason

In the interests of Biodiversity, and to accord with Policy EN6 & EN7 of the Local Development Plan.

15 Prior to the first use of the development hereby approved a scheme for artificial nesting for birds shall be submitted to and approved in writing by the Local Planning Authority. Provision can be made in the form of manufactured bird bricks incorporated into the fabric of the building or artificial nest boxes placed on the outside of the building. The scheme as approved shall be implemented prior to the first use of the development and retained as such.

Reason

In the interests of biodiversity, and to accord with Policy EN6 & EN7 of the Local Development Plan.

16 Prior to first use of the development a operational Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. All waste shall be treated in accordance with the operational waste plan and the plan shall be implemented as approved.

Reason:

To ensure the appropriate disposal of any waste arising from the development in terms of protection of the environment and to ensure the sustainability principles are adopted during development and complies with Policy W3 of the Neath Port Talbot Local Development Plan.