

## SECTION A – MATTERS FOR DECISION

### Planning Applications Recommended For Approval

<b><u>APPLICATION NO:</u> P2020/0752</b>	<b><u>DATE:</u> 04/09/2020</b>
<b>PROPOSAL:</b>	Construction of 2G sports pitch with associated floodlighting (8no. 15m high mounted columns), and pitch enclosures and associated works
<b>LOCATION:</b>	Land At Ysgol Gymraeg Ystalyfera SA9 2JJ
<b>APPLICANT:</b>	Director Of Education – NPT Council
<b>TYPE:</b>	Regulation 3 – Council Development
<b>WARD:</b>	Ystalyfera

### SITE AND CONTEXT

The site is land located within Ystalyfera in the upper Swansea Valley, on the River Tawe, approximately 13 miles northeast of Swansea. The site is land within the existing Ystalyfera School ground and which forms part of the school's wider playing field space.



The site is detached from the wider school grounds that occupy all of the building and is located to the east of the Afon Twrch on a parcel of land which is currently occupied by playing fields serving the school and wider community. The site lies outside of the settlement boundary defined by Policy SC1.

The existing MUGA on site currently forms a compound which was, and is currently being, used during the construction of phases of development at the school.

Vehicular access to the site is via a single width lane known as Glantwrch which itself is accessed off Gurnos Road, which also serves a property known as 'Abertwrch Farm' which is to the south east. Further to the east is an existing sewerage treatment works which has its own dedicated access.

A footbridge provides a pedestrian link between the school grounds and the playing field site.

The nearest residential properties with clear views of the site are located approx. 95M-100M away to the north. Whilst there are residential properties on the opposite side of the river, these are screened by existing trees.

## BACKGROUND TO NPTC 21ST CENTURY SCHOOLS PROGRAMME AND STRATEGIC OVERVIEW

The Council is responsible for promoting high educational standards and for delivering efficient primary and secondary education. Having the right schools in the right place and ensuring that they are fit for the 21st century learner is the challenge facing the Council. Achieving this will involve reviewing the number and type of schools the Council has in its area, and assessing whether or not best use is being made of resources and facilities.

The 21st Century Schools and Education Programme is a unique collaboration between the Welsh Government (WG), the Welsh Local Government Association (WLGA) and the local authorities in Wales, including Neath Port Talbot County Council.

It is a major, long-term and strategic capital investment programme with the aim of creating a generation of 21st century schools in Wales. The programme will focus resources on the right schools in the right places, for early years through to post-16. The programme is partly funded by Welsh Government using a combination of capital and revenue funding, with the remaining funding provided by local authorities and others.

- Reduce numbers of poor condition school buildings

- Reduce surplus capacity and reduce running costs so as to maximise resources available to target improvements to learner outcomes.
- The programme is also able to include proposals that address specific demand for places in Welsh Medium and Faith Based provision.

In 2008 Neath Port Talbot County Borough Council confirmed its commitment to modernising educational provision across the Borough. Through its own Strategic School Improvement Programme more than £123m has been invested in Neath Port Talbot's Educational facilities including: -

- Awel Y Mor – a £7.9m primary school in Sandfields in Port Talbot
- Ysgol Bae Baglan - The award winning £40m all-through school Baglan, Port Talbot
- Ysgol Gymraeg Ystalyfera – A £16m investment in the YGY Campus in the Swansea Valley
- Ysgol Cwm Brombil – A New £30m all-through school
- The £19.3m Ysgol Gymraeg Bro Dur in Sandfields
- The £7m Ysgol Carreg Hir in Briton Ferry

Since the initial funding Neath Port Talbot Council has been developing the next phase of schemes for the Strategic School Improvement Programme. The Welsh Government as part of the 21st Century School Programme has confirmed funding for £67m worth of investment to further the aims of modernising education in the Borough of Neath Port Talbot through the future Band B projects.

## DESCRIPTION OF DEVELOPMENT

This is a full application made under Regulation 3<sup>1</sup> for the construction of a floodlit 2G artificial surface playing field with associated enclosures.

The overall pitch dimensions are 97.4 x 63m. The enclosure is a 4.5m high fence surrounding the perimeter of the pitch. 8 no. floodlights are proposed mounted on columns to a height of 15m.

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<sup>1</sup> Town and Country Planning General Regulations 1992 (SI 1992/1492) - Consents issued under Regulation 3 are for the benefit of the Council as applicant only.

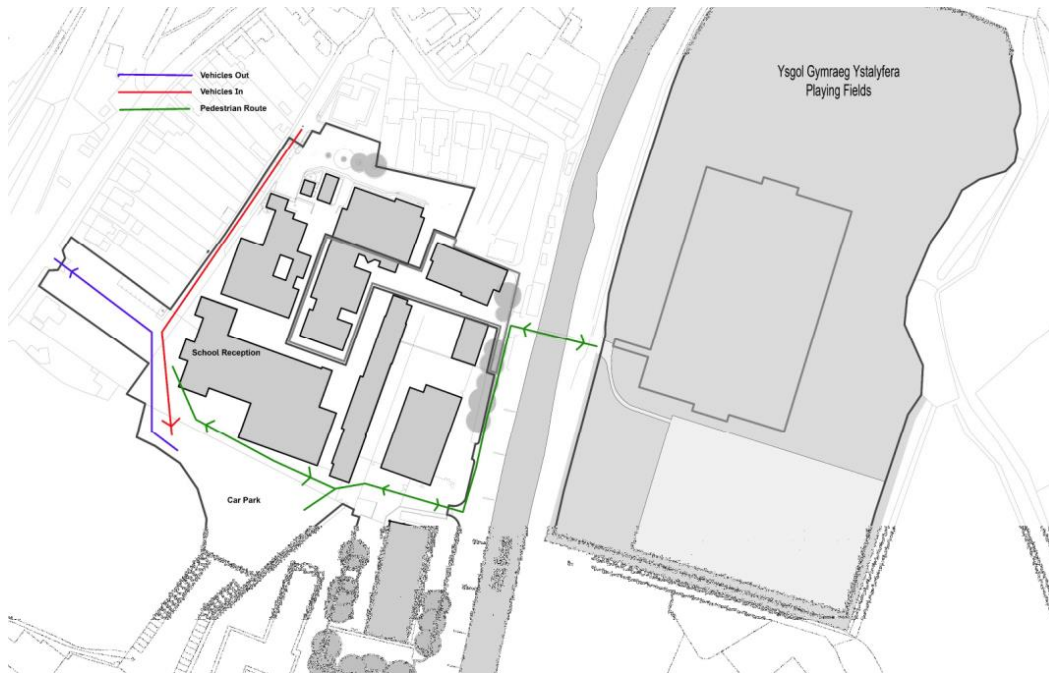
Areas of ancillary hard surfaces and footpaths are also included and generally making good of surfaces and boundaries in the vicinity.



Having taken advice from the Council's Ecologist the floodlit pitch is proposed away from boundary hedgerows. A proposed external lighting plan has been submitted which demonstrates the limited light spread beyond the pitch, with the proposals having also been informed by Bat Activity Surveys.

In terms of the use of the development the applicant states that the new 2G pitch will be used by the school Monday to Friday during term time and between 9-4p.m.

Out of these hours, the 2G pitch will be made available for community use. It is the intention to provide community groups with the opportunity to hire the facility under strict terms and conditions. These will include the hire of the 2G pitch, the use of the school changing facilities and on-site parking for 60 vehicles. Through a booking system and contract agreements, community groups will be made aware of the requirement to use the official school car park and the entrance and exits which are on Ynysydarren Road. They will be informed that access to the 2G pitch is via Ysgol Gymraeg Ystalyfera school grounds.



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

## PLANNING HISTORY

The application site has the following relevant planning history: -

<b>P2014/1175</b>	Demolition of existing 2/3 storey teaching block and construction of new 2/3 storey teaching block	Approved (5th February 2015)
<b>P2016/1090</b>	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 (31st January 2017)
<b>P2018/0444</b>	Retention and completion of works to facilitate the creation of additional car parking and enclosure within school grounds	Approved (27th June 2018)

<b>P2019/5175</b>	Retention of existing temporary contractors site accommodation to March 2022	Approved (19th August 2019)
<b>P2019/0419</b>	Prior Notification for the demolition of the 3 no blocks, Tawe, Maths and Swimming Pool/Gymnasium	Prior Notification Not Required
<b>P2020/0425</b>	Construction of two storey school classroom building and associated works	Approved (7th July 2020)

## CONSULTATIONS

**Head of Engineering and Transport, Drainage Section** No Objection.

**Head of Engineering and Transport, Highway Section** No Objection, subject to conditions.

**Biodiversity Unit** No Objection subject to all development to be carried out in line with the Proposed External Lighting plan 1920-012 SKE02 to prevent light spill onto the surrounding vegetation and bat foraging areas.

**Natural Resources Wales** No Objections.

## REPRESENTATIONS

16 neighbouring properties were consulted on the 7<sup>th</sup> September 2020. A site notice was also displayed on the 7<sup>th</sup> September 2020

In response, to date 5 no. representations have been received, with the issues raised summarised as follows: -

- Need and justification for the development at this location and its impact on the character of the area.
- Biodiversity, specifically Bats.
- Impacts on amenity, lighting, noise and pollution, visual, litter, disturbance etc.
- Access, congestion and parking

A petition of 15 names has also been received, objecting to the development on the grounds of impacts on biodiversity, lighting, amenity, parking and lack of public consultation.

One letter of support has been received in relation to the creation of this facility.

## 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 Policies

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 SP4**      Infrastructure

- **Policy SP6** Development in the Valleys Strategy Area
- **Policy SP15** Biodiversity and Geodiversity
- **Policy SP16** Environmental Protection
- **Policy SP20** Transport Network
- **Policy SP22** Welsh Language

### Topic Based Policies

- **Policy SC1** Settlement limits
- **Policy SC2** Protection of Existing Community Facilities
- **Policy I1** Infrastructure Requirements
- **Policy EN6** Important Biodiversity and Geodiversity Sites
- **Policy EN7** Important Natural Features
- **Policy EN8** Pollution and Land Stability
- **Policy TR2** Design and Access of New Development
- **Policy BE1** Design

### *Supplementary Planning Guidance:*

The following SPG is of relevance to this application: -

- [Parking Standards](#) (October 2016)
- [Pollution](#) (October 2016)
- [Open Space & Greenspace](#) (July 2017)
- [Design](#) (July 2017)
- [Biodiversity and Geodiversity](#) (May 2018)

### Issues

Having regard to the above, the main issues to consider in this application relate to the principle of development, together with the impact on the visual amenity of the area, the amenities of neighbouring residents, highway safety, and biodiversity.

### Principle of Development

Although located outside of the settlement limits defined by Policy SC1, the proposed development provides all weather playing facilities on an existing playing fields, as such the use of the site is unchanged. In this respect, while the proposal introduces built development and would mean that the use of the site would increase due to its all-weather nature and the provision of floodlighting, including for potentially longer hours in the



winter months, the principle of such enhanced recreational facilities for the school is considered to be acceptable under Policy SC1.

Moreover, as set out previously within this report, the provision of this facility complements the Authority's 21<sup>st</sup> Century schools programme, and is an essential facility for this Welsh medium school, but also one that will benefit the wider community providing a modern training and playing surface that will encourage health and wellbeing within the wider catchment. It thus accords with the wider strategic objectives of Policy SP2 Health which seeks to promote the development of community facilities and services in accordance with the settlement framework.

In principle it is therefore considered that the provision of the proposed 2G sports pitch facilities on these existing sports field provision is acceptable.

### Impact on Visual Amenity

The proposals will provide an all-weather surface, fencing and lighting, which is not dissimilar to provision all around the County Borough or seen on other playing fields in the country. The site is also presently used for playing fields, and therefore the proposed new all-weather facility would not be out of keeping with the overall character of the area.

The site is located centrally within the site, and some distance from the northern and southern boundaries, and as such is not in close proximity to those residential properties to the north that bound the existing open pitch and will be bounded to the south by the existing multi-use games area, also fenced off, which is presently being used temporarily for a contractors compound during construction of the next phase of school improvements.

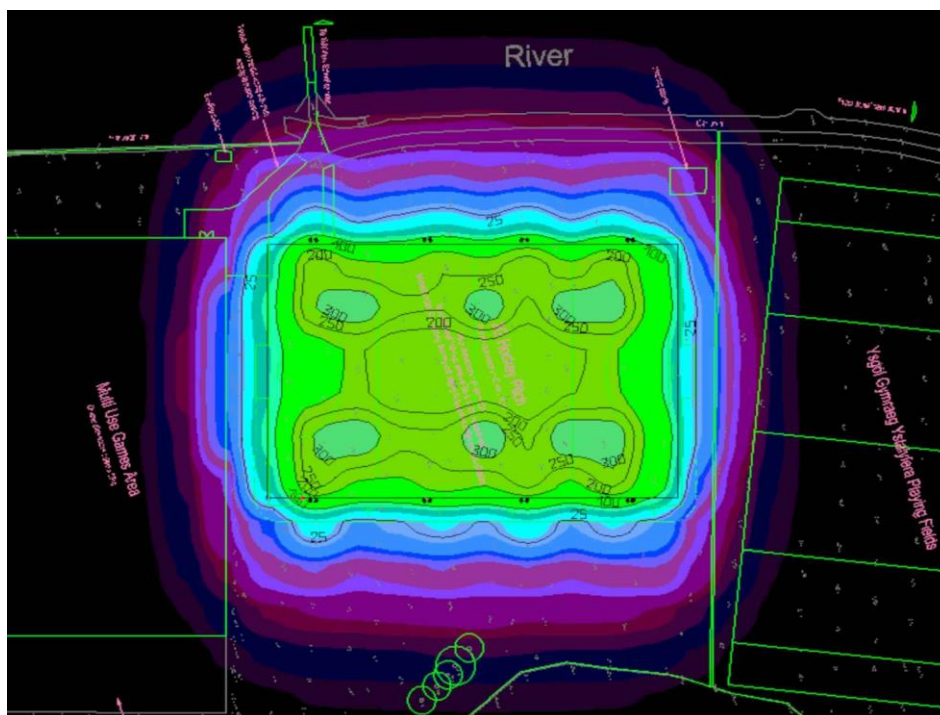
Although the external lighting of the facility would introduce a change in character during the early evening (in winter), control will be imposed by condition over its hours of use, and overall it is considered that the development would not result in any unacceptable impacts on visual amenity or the character of the area as a whole.

A condition will also be added to any permission issued requiring details of the external finish and materials for the lighting and fencing.

## Impact on Residential Amenity

Concerns have been raised in respect of the impacts of the development itself on amenity, notably due to the introduction of floodlighting.

Due to the ecological sensitivities (as well as potential residential impacts), the applicant has provided details of the lighting design which has been carefully designed to ensure that lighting levels to the boundary of the site are limited due to the ecological constraints. The plan extract below indicates that the lighting levels will drop significantly outside of the pitch itself, and at a significant distance away from residential receptors.



The sensitive ecological boundary / hedging is the closest to the site, and as will be clarified within the ecological section of this report, is considered to be acceptable. The sensitivity of this is higher than any potential impacts on residential amenity, and the design ensures that light levels beyond the pitch are to acceptable levels. The residential properties are located much further away, and while the pitch would be visible from these properties, including when illuminated at night, from the information submitted Officers are satisfied that there will be no unacceptable impacts upon the amenity of any adjoining properties from the lighting.

In terms of the operation of the lighting, a condition will be imposed to ensure that the lighting is turned off no later than 9.10PM in the evening

to ensure that amenity in the later evening hours are further protected (with use of the pitch itself needing to cease by 9pm).

Other amenity issues have been raised including noise and nuisance from users of the facility and from litter and noise from vehicles. However, as set out previously, the site is already playing fields with no restrictions on hours of operation or use. The activity associated with use of the site for sports recreation is already in place, and it is considered that the use of a condition to prevent use after 9pm would ensure that amenity is protected through the potential use of the facility after hours due to the provision of floodlighting and an all-weather surface.

Accordingly, subject to these conditions, the development is considered to have no unacceptable impacts on residential amenity.

### Parking and Access Requirements and Impact on Highway Safety

The primary use of the facility is one to serve the school, and as such the impact on traffic generation and parking will not alter over and above that already in existence in the area.

However, it is clear that the facility would be used after hours by others due to the lighting and the all-weather surface. Whilst this may be also in connection with the school, as stated previously the facility will provide a valuable asset to the wider community and as such has the potential to be used by others for training or matches in the evenings or weekends. Concerns have therefore been raised locally that the development will give rise to indiscriminate parking, congestion and traffic issues in the surrounding area due to the lack of on-site parking provision.

It is noted that all parking for the school is located within the school grounds, with pupils using a footbridge off Glan Yr Avon to access the site. In this regard, the applicant has stated that the school will allow persons wishing to use the site out of hours to utilise the school parking, and potentially the rugby club car park. However, whilst this may be available, it is acknowledged that there can be no guarantee that this will be used, and as a consequence additional indiscriminate parking may take place outside of these parking areas including in surrounding streets.

Given its existing playing field use, and in discussion with the Highway Officer, a number of conditions are recommended which will, in summary, require: -

- That the facility shall only be used in connection with education and sports associated with Ysgol Gymraeg Ystalyfera until such time as a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. Such Parking Management Plan shall include, but not be limited to
  - details for how any community organisation or external group that may be granted access to the facility will be managed, including copies of draft rental agreements, which shall include stipulations on access and parking in connection with any rental use agreement, and measures for non-compliance;
  - a plan for monitoring and means of addressing each individual organisation outside the school who are permitted to use the facility should any indiscriminate parking along the local highway network result from the use of the facility;
  - measures for how breaches of these procedures will be dealt with, and recorded; and
  - a complaints procedure
  
- That in the event of sustained and justified complaints being received in relation to indiscriminate parking and/or non-compliance with the parking management plan, a requirement for submission of a suitable and appropriate assessment of parking and to produce the findings and recommendations in a written report, and thereafter implement the recommendations.

While there are no restrictions on use of the adjacent highway for public parking, including in connection with using the facility out of hours, it is considered that the above conditions would ensure that the Authority has appropriate control over the users of the facility, and will be able to address any issues if they arise.

In relation to private rights of access and covenants regarding use, these matters lie outside of planning and are not material to the determination of this application.

### Biodiversity / Ecology

The Biodiversity unit have considered the information submitted in relation to the potential impacts of the lighting upon protected species and general biodiversity impacts. As stated earlier within this report, objections were received from the public in relation to potential impacts on ecology, especially bats, in relation to predominantly the lighting.

The Biodiversity Section however offers no objection to the proposed development subject to compliance with the submitted lighting scheme being implemented.

### Flood Risk / Drainage

NRW and the Drainage Section offer no objection. The Head of Engineering and Transport, Drainage section notes that the development may require a SABS application for the drainage.

### 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, subject to conditions, would have no unacceptable impacts on biodiversity, residential or visual amenity or highway and pedestrian safety Accordingly, the proposed development is in accordance with Policies SC1, SP3, SP4, SP6, SP15, SP16, SP20, I1, EN6, EN7, EN8, TR2 and BE1 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

Conditions:-

### Time Limit Conditions

- 1 The development shall begin no later than five years from the date of this decision.

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-039102\_Location Plan  
YGY-LAW-X-X-DR-A-069100\_Proposed Site Plan  
YGY-LAW-X-X-DR-A-900100\_Proposed 2G Sports Pitch  
1920-012 SKE02 Proposed External Lighting Plan  
YYG Pitch Lighting Calculations 30/03/2020  
6685-BHP-00-XX-DR-C-(50)050 Drainage plan

Reason:

In the interests of clarity.

### Action Conditions

- 3 The facility hereby approved shall only be used in connection with education and sports associated with Ysgol Gymraeg Ystalyfera, and shall not be used by any other external body or organisation until such time as a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The required Parking Management Plan shall as a minimum include, but not be limited to: -
  - a. Details for how any community organisation or external group that may be granted access to the facility will be managed, including copies of draft rental agreements, which shall include stipulations on access and parking in connection with any rental use agreement, and measures for non-compliance.
  - b. A plan for monitoring and means of addressing each individual organisation outside the school who are permitted to use the facility should any indiscriminate parking along the local highway network result from the use of the facility, and measures for how breaches of these procedures will be dealt with, and recorded.
  - c. A complaints procedure, to include contact details and procedures for the public to make complaints to the school, and a requirement

for copies of all complaints received, and what measures were implemented, to be retained and available for inspection by the Local Planning Authority at any time.

The scheme shall be fully implemented in accordance the approved details.

Reason

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

- 4 In the event of sustained and justified complaints being received in relation to indiscriminate parking and/or non-compliance with the Parking Management Plan as approved under condition 3 of this permission, the Local Authority will formally require the applicant to undertake a suitable and appropriate assessment of parking and produce the findings and recommendations in a written report. The assessment and subsequent report shall be submitted to the Local Authority within 6 weeks of the Authority making the request (or other such agreed timescale should the Local Planning Authority agree in writing an extension of time within 2 weeks of the initial request).

The assessment shall be undertaken by a suitably qualified and competent person, and should be based on the evidence obtained via complaints logged under the Parking Management Plan procedures. The methodology shall be agreed with the Local Authority prior to the assessment.

Recommendations contained within the report shall be implemented within 4 weeks of submitting the report to the Authority.

If the applicant fails to submit the required details or implement the mitigation in accordance with the approved recommendations, use of the facility for any outside bodies shall cease, and the use shall revert to those associated with the education and sporting activities for Ysgol Gymraeg Ystalyfera only.

Reason:

To ensure that the highway and pedestrian safety in the vicinity of the site are protected, and to ensure compliance with Policy TR2 and BE1 of the Local Development Plan.

- 5 The floodlighting hereby approved shall be installed in full accordance with the lighting plan, specifications and pitch calculations hereby approved, and shall not be used (other than for purposes of testing) until such time as the lighting levels have been checked on site, and a report provided to the Local Planning Authority demonstrating compliance with the approved specifications. The floodlighting shall thereafter only be operated in accordance with the approved details.

Reason

In the interests of amenity, and biodiversity, and to accord with Policy BE1 and EN6 and EN7 of the Local Development Plan.

Regulatory Conditions

- 6 The pitch and lighting hereby approved shall be used between the following hours only;  
8.30am to 9pm Monday to Saturday  
9.00am to 5pm on a Sunday.

Notwithstanding the above hours of operation, the lighting shall only be used when the pitch is in use, and shall be switched off no later than 10 minutes after the approved hours of use.

Reason

In the interests of amenity, the environment and sustainability, and policy BE1 of the Neath Port Talbot Local Development Plan.