

PLANNING & DEVELOPMENT COMMITTEE

21 JULY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/0413/08 (GH)
APPLICANT: Rhondda Cynon Taf County Borough Council
DEVELOPMENT: 2-storey classroom block to be built out as Phase 1 incorporating 4no. classrooms at ground floor level, and Phase 2 incorporating 4no. classrooms at first floor level, and associated works. (Amended Travel Plan and Transport Statement received 12/4/22, CMRA received 15/6/22)
LOCATION: Y PANT COMPREHENSIVE SCHOOL, COWBRIDGE ROAD, TALBOT GREEN, PONTYCLUN, CF72 8YQ
DATE REGISTERED: 15/06/2022
ELECTORAL DIVISION: Llantrisant and Talbot Green

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS:

The development would provide contemporary and flexible additional accommodation for the benefit of student groups and the delivery of the curriculum.

The new classroom blocks would be of an acceptable scale and appearance and be located such that they would have a minimal impact on the wider appearance of the site, and where there would be no impact on neighbouring land uses.

Consequently, the development is considered to comply with Policies CS2, AW5, AW6, AW8 and AW10 of the Local Development Plan and with the relevant placemaking outcomes and aims of PPW11.

REASON APPLICATION REPORTED TO COMMITTEE

The application has been submitted on behalf of the Council on land within its ownership and where the Council's interest is of more than a minor nature.

APPLICATION DETAILS

Full planning consent is sought for the construction of a two storey classroom block and associated works at Y Pant Comprehensive School, Pont-Y-Clun,

It is proposed that the block would be built towards the rear of the site, on vacant land adjacent to the existing drama block which is currently laid out as soft and hard landscaping.

The additional accommodation would create a further eight classrooms, together with a toilets and storage space, and its siting would require a slight realignment of the internal access road which leads around to the back of the School.

The modern flat-roofed design is intended to assimilate with the appearance of the existing School buildings, and is proposed to be constructed in two phases, the second phase being undertaken when the extra space is required.

Initially, as a single storey structure, the new classrooms would be accessed via a short external ramp into a lobby area. However, once the first floor has been built, the ramp would be replaced with an entrance vestibule, containing a staircase and a platform lift.

In addition to the plans, elevation and technical drawings accompanying the application, the following supporting documents have been submitted:

- Preliminary Ecological Appraisal
- Bat and Bird Box Specifications
- Noise Management Plan
- Travel Plan
- Transport Statement
- Geotechnical and Contaminated Land Report
- Arboricultural Method Statement
- Tree Constraints Plan
- Pre-Development Tree Survey and Assessment
- Flood Consequences Assessment
- Construction Method Statement
- Planning Statement
- Landscape Design Statement, Specification and Management Plan

Post-submission, an amended Travel Plan/Transport Statement was received due to a small error in stated pupil numbers.

The Applicant's Agent has confirmed that there are currently 1437 pupils on roll and 140 staff. Once both phases have been completed the pupil numbers will be expected to rise to 1559.

Lastly, a Coal Mining Risk Assessment was submitted in order to address concerns raised by the Coal Authority during consultation.

SITE APPRAISAL

The application site comprises a parcel of land located within the existing grounds and curtilage of Y Pant Comprehensive School.

The School is located close to the centre of Pont-Y-Clun and the Ynysddu area and is within walking distance of both Talbot Green to the north, and Miskin. Access to the site, for both pedestrians and vehicles, is directly from the A422 Cowbridge Road.

The areas to the east and the south of the site comprise a combination of dense woodland and scrub, whilst the Afon Clun passes close to the boundary. Conversely, land to the west and north is occupied by housing, the Leekes store and industrial units.

In terms of environmental constraints, the eastern and southern site boundaries abut land designated as a Site of Importance for Nature Conservation (SINC). Furthermore, the majority of the School site lies within a C2 Flood Zone and an area identified as high risk to development from past coal mining activities.

PLANNING HISTORY

The most recent or relevant applications on record associated with this site are:

- 14/1504/08:** New school building and associated external works, demolition of the existing main school building and removal of temporary classrooms. Decision: 25/02/2015, Granted
- 14/0617/08:** Temporary demountable building Decision: 15/07/2014, Granted
- 14/0411/08:** Installation of pre-fabricated food cube in the school grounds. Decision: 24/06/2014, Granted.
- 11/0735/08:** To provide an additional temporary demountable classroom. Decision: 07/07/2011, Granted.
- 11/0429/08:** The proposal is to provide a temporary demountable classroom building, with two classrooms, two store rooms and a lobby area. Decision: 08/06/2011, Granted.
- 10/0052/08:** Proposed extension to existing sports changing room facilities. Decision: 26/03/2010, Granted.
- 06/2069/08:** Siting of 3 no. modular buildings. Decision: 27/11/2006, Granted.

06/1720/08: Siting of singular modular classroom building. Decision: 01/11/2006, Granted.

05/1281/08: New extension to form a store between the sports hall and changing rooms. Decision: 27/09/2005, Granted.

PUBLICITY

The application has been advertised by direct notification to five neighbouring properties and notices were displayed both on site and on Cowbridge Road.

No letters of objection or representation have been received.

CONSULTATION

Highways and Transportation

No objections are raised and no conditions are recommended.

Natural Resources Wales

No objection, subject to a condition including specified drawing numbers and documents on any decision notice.

In addition, NRW notes that the application site falls partly within Zone C2 of the Development Advice Map (DAM) contained in TAN15 and advises that the decision as to whether a development should be considered contrary to TAN15 policy is entirely a matter for this Authority.

Dwr Cymru Welsh Water

No objection.

Western Power Distribution

A new connection or service alteration will require a separate application to WPD.

Countryside, Landscape and Ecology – Ecologist

No objection. Any consent should be conditioned for details of all ecological mitigation and enhancement measures outlined in Section 5 of the PEA.

The Coal Authority

Initially, concerns were raised by the Coal Authority and further information/clarification from the Applicant's geotechnical consultants.

Following the submission of a CMRA the Coal Authority advised that the Report and the professional opinions and recommendations contained therein are sufficient for the purposes of the planning system in demonstrating that the application site is, or can be made, safe and stable for the proposed development.

Public Health and Protection

No objection subject to a condition requiring a site investigation for contamination.

No other consultation responses have been received within the statutory period.

POLICY CONTEXT

The current LDP's lifespan was 2011 to 2021. It has been reviewed and is in the process of being replaced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020.

Subsequently, the existing LDP remains the development plan for consideration when determining this planning application.

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Pont-Y-Clun.

Policy CS2 - In the Southern Strategy Area (SSA) there is an emphasis on sustainable growth that protects the culture and identity of communities by focusing development within defined settlement boundaries. Emphasis will also be on protecting the cultural identity of the strategy area by protecting the natural environment.

Policy AW2 - Development will be supported in sustainable locations which are within the settlement boundary; would not unacceptably conflict with surrounding uses; and have good accessibility by a range of sustainable transport option.

Policy AW5 – Identifies the appropriate amenity and accessibility criteria for new development proposals. It expressly states that the scale, form and design of the development should have no unacceptable effect on the character and appearance of the site and the surrounding area. There should also be no significant impact upon the amenities of neighbouring occupiers and should, where appropriate, retain existing features of natural environmental value. Furthermore, the development would require

safe access to the highway network and provide parking in accordance with the Council's SPG.

Policy AW6 - Supports development proposals that are of a high standard of design that reinforce attractive qualities and local distinctiveness. In addition, proposals must be designed to protect and enhance landscape and biodiversity.

Policy AW7 – Proposals that impact upon sites of architectural and/or historical merit and sites of archaeological importance will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

Policy AW8 - Seeks to protect and enhance the natural environment from inappropriate development.

Policy AW10 - Development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

Supplementary Planning Guidance

- Design and Placemaking
- Access, Circulation and Parking Requirements
- Nature Conservation

National Guidance

In the determination of planning applications regard should also be given to the requirements of national planning policy which are not duplicated in the Local Development Plan, particularly where national planning policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales Edition 11 (PPW) was issued on 24th February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WG's current position on planning policy at regional and national level.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed:

- Policy 1 – Where Wales will grow – Employment / Housing / Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability / Placemaking

- Policy 3 – Supporting Urban Growth – Council land / placemaking / developers / regeneration / sustainable communities / exemplar developments.

SE Wales Policies

- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes.

Other relevant national policy guidance consulted:

PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 23: Economic Development;

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 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.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

Main Issues:

Principle of the proposed development

The application site is within the settlement boundary for Pont-Y-Clun, and within the curtilage of the existing school site, where the principle of the land use for education purposes is already well-established.

Given the relatively small scale of the development, compared with the whole School campus, both the new buildings and the additional pupil numbers would only result in a small intensification of use.

Consequently, being located within the settlement boundary the development would comply with points 2 and 4 of Policy CS2 and would be considered as a sustainable location in accordance with the relevant criteria of Policy AW2.

Therefore, the proposed development is considered to be acceptable in principle, subject to the material matters outlined below.

National Sustainable Placemaking Outcomes

Chapter 2 of PPW11 emphasises that development proposals should demonstrate sustainable placemaking, to ensure that the right development is achieved in the right place, and states that development proposals should be assessed against the national sustainable placemaking outcomes.

PPW acknowledges that not every development proposal will be able to demonstrate that they can meet all of the outcomes, or that it can be proved that an attribute of a proposal will necessarily result in a particular outcome.

It is also recognised that the interpretation of the relevant criteria will depend upon the detail and context of the proposal and the application site, and in the planning balance, that greater material weight may be given to some attributes rather than others.

Therefore, in addition to consideration of the placemaking merits of the scheme within the sections of the report further below, the proposed development is considered to align particularly well with the following national sustainable placemaking outcomes:

- **Creating and Sustaining Communities:** The development will improve a community school, which incorporates a mix of educational and leisure uses, and is of an appropriate density.
- **Facilitating Accessible and Healthy Environments:** The new school buildings would provide high quality accommodation which will help promote physical and mental health and well-being. The site is accessible by means of active travel, has good connections, and supports a wide population catchment.
- **Growing Our Economy in a Sustainable Manner:** The development would create construction jobs, enable the site to be adaptive to change, and would embrace modern construction technology to promote efficiency.
- **Maximising Environmental Protection:** The development would include biodiversity mitigation and enhancement measures and would manage water resources naturally via the use of sustainable drainage options.
- **Making best use of resources:** The development would be located within a previously developed site and would provide a high quality development in and outside of buildings.

In respect of the other national outcomes listed, the development would be considered to have a neutral impact.

Impact on the character and appearance of the area

As the previous section outlining the description of development describes, the proposed classroom block has been designed such that its external finishes will bear some similarities to those of the existing main School buildings, which is acceptable.

The scale of the building is relatively small, compared with the existing buildings and land within the site curtilage. As a result, particularly since it would be tucked behind the separate drama block, it would not be visible from most parts of the site.

Likewise, since the land on the opposite side of the boundary to which the building would face is clear of structures and is screened by vegetation, there would be minimal change to any views towards the School site from the north.

Therefore, in terms of the design, siting, massing, scale, materials and overall visual appearance, the development is considered to be acceptable.

Impact on neighbouring occupiers

Since the nearest residential properties would be well in excess of 300m from the location of the new building and the Leekes store is approximately 200m away, there are no concerns in regard to the amenity or privacy of neighbouring occupiers.

In addition, although the new classrooms would allow for a small increase in pupil numbers, this would not be likely to have any measurable or significant impact on movements to and from the site, that could be considered detrimental to those residents at Pant Y Dderwen to the west of the main site entrance.

Access and highway safety

The Highways and Transportation Section has advised that the development would normally require 16 additional off-street parking spaces as set out by the criteria of the Council's SPG for Access, Circulation & Parking.

However, the Section's advice is that there is already an over-provision of parking spaces on site for the School and there is scope on site to provide further parking spaces if required at a point in the future. As such the proposal is considered acceptable in this regard.

Furthermore, it is considered that the provision of the classrooms would have a limited impact upon the existing highway network and highway safety. It is noted that the school has been operating its own traffic management plan for some years now and at the time of the officer site visit, there appeared to be limited impact upon the immediate highway network despite the large number of pupils attending and leaving the site.

In light of the above, no highways concerns are raised in respect of the impact of the proposal upon the local highway network.

Flooding

As highlighted further above, NRW has advised that this planning application proposes highly vulnerable development in Zone C2 of the TAN15 Development Advice Map (DAM) and, as such, national planning policy states that this should not be permitted.

However, NRW has reviewed the flood consequences assessment (FCA) submitted in support of this application, noting that the FCA has applied updates to NRW's flood model.

NRW has stated that the location of the proposed new classroom block is predicted to be flood free during the 1 in 100 (1%) plus allowance for climate change flood event and it is only part of the access road that would be at risk of flooding. Since the potential flood risk appears to be affecting an existing road in this scenario, NRW does not object to the proposal on flood risk grounds.

Similarly, during the 1 in 1000 year (0.1%) flood event, the land around the proposed building as well as part of the access road would flood to a depth of up to 0.3m, while the building itself would remain free of flooding.

However, should a 0.1% flood event occur this part of the internal road would be within the indicative tolerable conditions set out in A1.15 of TAN15 and is existing development. Furthermore, the FCA explains that an alternative "Safe access and egress for the school is maintained for the 1,000-year event via the road along the northern boundary of the site to Cowbridge Road".

The Applicant's Agent has clarified that to comply with TAN15 the new building only needs to be above the 1% plus climate change event flood level. However, in the interests of providing a robust FCA it was decided that the building should be set above the more extreme 0.1% event flood level of 45.49 AOD. Consequently, the ground finished floor level, as demonstrated by the submitted plans and elevations, has been set at 45.79 AOD.

In light of the above assessment and the justification set out within the FCA, the development is considered to be acceptable in terms of flood risk.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

It is considered the development would assimilate well into the existing School setting and have a minimal impact on the character and appearance of the site and surrounding area.

The siting of the building would also ensure that there would be no direct impact on adjoining land uses, and the additional traffic and footfall associated with the additional pupil numbers would not be detrimental to highway safety.

The application is therefore considered to comply with Policies CS2, AW5, AW6, AW8 and AW10 of the Local Development Plan and with the relevant placemaking outcomes and aims of PPW11.

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

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

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be completed in accordance with the approved drawings and documents

- “Y Pant Classroom Extension – Project Specific Method Statement” by Morgan Sindall Construction
- Technical Note 1 “Bat and Bird Box Specifications Version 2.0” by Wardell Armstrong, dated 04/04/2022
- “Y Pant Comprehensive School, Pontyclun - Preliminary Ecological Appraisal, V1.0” by Wardell Armstrong, dated February 2022
- Drawing CA12391-004 Rev A “Bat and Bird Box Plan Figure 1” by Wardell Armstrong, dated 04/04/2022
- Drawing CA12391-004 Rev A “Bat and Bird Box Plan Figure 2” by Wardell Armstrong, dated 04/04/2022
- Drawing CA12391-004 Rev A “Bat and Bird Box Plan Figure 3” by Wardell Armstrong, dated 04/04/2022
- Drawing CA12391-004 Rev A “Bat and Bird Box Plan Figure 4” by Wardell Armstrong, dated 04/04/2022
- Drawing 26Z009 EPT 00 00 DR A 1001 S1 P02 “Site Location Plan” by EPT Partnership Chartered Architects, dated 31/03/2022
- Drawing 26Z009 EPT 01 00 DR A 2002 S1 P04 “Proposed Site Plan – Phase 1” by EPT Partnership Chartered Architects, dated 04/04/2022
- Drawing 26Z009 EPT 01 00 DR A 2001 S1 P04 “Proposed Site Block Plan – Phase 1” by EPT Partnership Chartered Architects, dated 04/04/2022

- Drawing 26Z009 EPT 02 00 DR A 2051 S1 P04 “Proposed Site Block Plan – Phase 2” by EPT Partnership Chartered Architects, dated 04/04/2022
- Drawing 26Z009 EPT 02 00 DR A 2052 S1 P04 “Proposed Site Plan – Phase 2” by EPT Partnership Chartered Architects, dated 04/04/2022
- Drawing 26Z009 EPT 01 ZZ DR A 2101 S1 P03 “Proposed North & South Elevations – Phase 1” by EPT Partnership Chartered Architects, dated 04/04/2022
- Drawing 26Z009 EPT 01 ZZ DR A 2102 S1 P03 “Proposed East & West Elevations – Phase 1” by EPT Partnership Chartered Architects, dated 04/04/2022
- Drawing 26Z009 EPT 02 ZZ DR A 2151 S1 P03 “Proposed North & South Elevations – Phase 2” by EPT Partnership Chartered Architects, dated 31/03/2022
- Drawing 26Z009 EPT 02 ZZ DR A 2152 S1 P03 “Proposed East & West Elevations – Phase 2” by EPT Partnership Chartered Architects, dated 31/03/2022
- “Coal Mining Risk Assessment Report” by Terra Firma, dated June 2022

and details and documents received on 4th April 2022, 12th April 2022 and 15th June 2022, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. No development shall commence, until details of a scheme for the delivery and implementation of the ecological mitigation and enhancement measures outlined in Section 5 of the Preliminary Ecological Appraisal (Wardell Armstrong, dated February 2022), has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented, as approved, within three months of the beneficial use of the new classroom building.

Reason: In the interest of nature conservation and biodiversity in accordance with Section 6 of PPW 11 and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

4. i) No development shall commence until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme, all aspects of which must be carried out by, or under the direction of, a suitably qualified competent person in accordance with BS10175, shall include all of the following measures unless the Local

Planning Authority dispenses with any such requirement specifically and in writing:

(a) A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.

(b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (a) above.

(c) A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

ii) The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme (i) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority. Any validation report shall be carried out by, or under the direction of, a suitably qualified competent person.

iii) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the work recommencing. Any revised contamination proposals shall be carried out by, or under the direction of, a suitably qualified competent person.

Reason: In the interest of health and safety and environmental amenity in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.