



Cyngor Bwrdeistref Sirol  
MERTHYR TUDFUL  
MERTHYR TYDFIL  
County Borough Council

# **PLANNING AND REGULATORY** **FACT FINDING VISITS**

**1.00 PM THURSDAY, 6TH DECEMBER, 2018**

**PONT-Y-CAPEL ROAD, CEFN COED,  
MERTHYR TYDFIL**

This Agenda has been prepared by the Democratic Services Department. Any member of the public requiring information should contact the department on (01685 725284) or email [democratic@merthyr.gov.uk](mailto:democratic@merthyr.gov.uk).

Any reference documents referred to but not published as part of this agenda can be found on the Council's website or intranet under Background Papers.

## **AGENDA**

1. Apologies for absence
2. Declarations of Interest

Members are reminded of their personal responsibility to declare any personal and prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government and Finance Act 1992 relating to Council Tax, the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct

### **Note:**

- (a) Members are reminded that they must identify the item number and subject matter that their interest relates to and signify the nature of the personal interest and

(b) Where Members withdraw from a Meeting as a consequence of the disclosure of a prejudicial interest they must notify the Chair when they leave

3. P/18/0311 - Former Vaynor and Penderyn School Site and Godre'r Coed Playing Field Site, Cefn Coed, Merthyr Tydfil

To consider report of the Deputy Chief Executive **3 - 18**

4. Any other business deemed urgent by the Chair

**COMPOSITION:**

Councillors: H Barrett (Chair)  
C Tovey (Vice-Chair)

Councillors: J Amos, D Chaplin, M Colbran,  
E Galsworthy, K Gibbs, C T Jones, G Lewis, J Thomas  
and S Thomas

together with appropriate officers

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# Agenda Item 3

|                       |                         |
|-----------------------|-------------------------|
| <b>DATE WRITTEN</b>   | 15th November 2018      |
| <b>REPORT AUTHOR</b>  | Judith Jones            |
| <b>CASE OFFICER</b>   | Huw Roberts             |
| <b>COMMITTEE</b>      | Planning and Regulatory |
| <b>COMMITTEE DATE</b> | 28th November 2018      |

**Application No.**  
P/18/0311

**Date**  
1st October 2018

**Determining Authority**  
MTCBC

**Proposed Development**

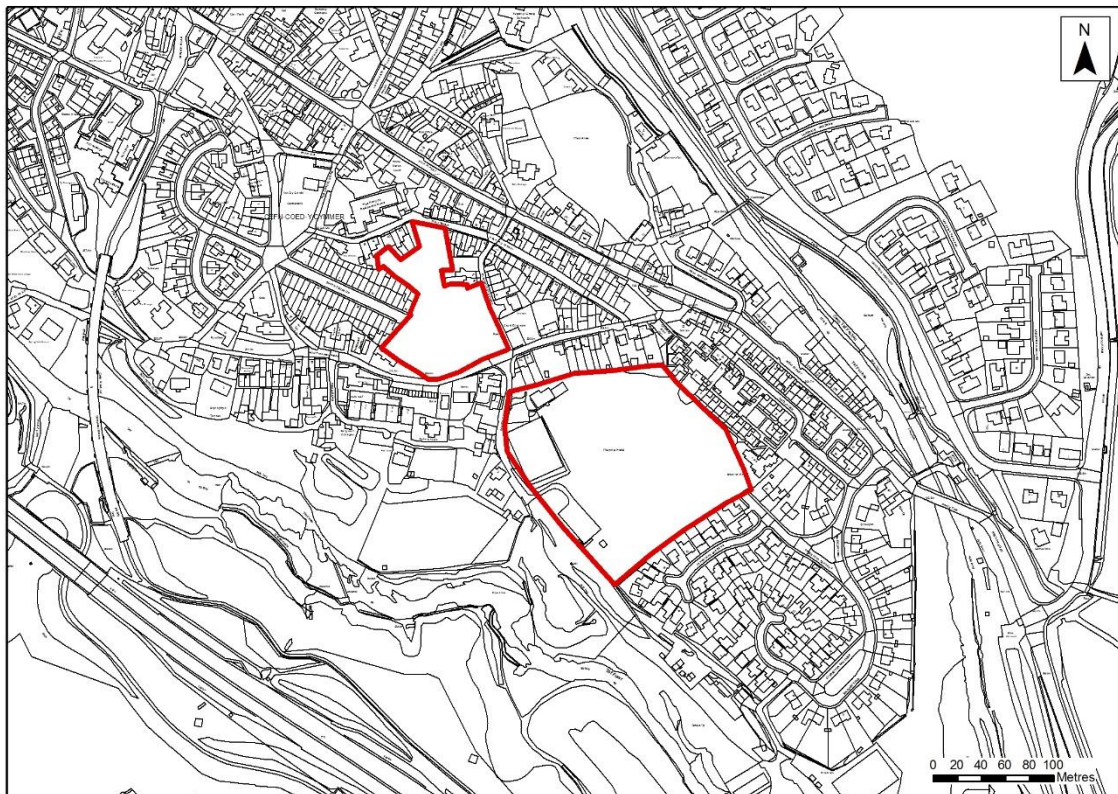
**Location**

**Name & Address of Applicant/Agent**

Construction of a new Primary school on the former School Site and provision of internal access road, car park and games area on part of the Godre'r Coed playing field site

Former Vaynor And Penderyn School Site And Godre'r Coed Playing Field Site Cefn Coed Merthyr Tydfil

Merthyr Tydfil County Borough Council  
c/o Blaenau Gwent County Borough Council  
F.a.o. Mr J Allen  
Municipal Offices, Civic Centre  
Ebbw Vale  
NP23 6XB



P/18/0311

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**APPLICATION SITE**

This application relates to two parcels of land located in a fairly central location within the settlement of Cefn Coed. The parcels, which are separated by Pont-Y-Capel

Road, comprise the former Vaynor and Penderyn School site (to the north of the road) and the Godre'r Coed playing field site (to the south of the road). The school and associated building/structures were demolished in 2012 leaving an irregular shaped site which mainly consists of areas of hardstanding and self-seeded/regenerated vegetation. The site gently falls from north to south where it eventually abuts Pont-Y-Capel Road. At this point the site is retained, for the majority of its length, by a natural stone wall which varies in height between approximately 0.5 – 2.5 metres. There is a vehicle access into the site from Pont-Y-Capel Road at this location. The northern and western boundaries are mainly bound by residential properties. The current main vehicular access to the site is gained from the west via South Terrace. A section of the northern boundary adjoins Holford Street. This part of the boundary is protected by a dwarf natural stone wall with railings above. It enables pedestrian access to the site. Old Church Street abuts approximately half of the eastern boundary of the site before it turns into a footpath that links with Pont-Y-Capel Road.

The Godre'r Coed playing field site predominantly consists of a large grassed flat area part of which is used as a rugby pitch. To the west of the rugby pitch the land rises. In this location three hardstanding plateaux, which fall from north to south, adjoin Godre'r Coed Road. Pedestrian and vehicular access can be gained from this narrow road (which also serves 6 properties) with the lower plateau used as a car park. The middle plateau, which has a mature tree lined western boundary, is a former tennis court. Pedestrian and vehicular access can also be gained from the upper northern plateau. The south western corner of the site falls towards Godre'r Coed Road and the rear boundaries of the properties of Cyfarthfa Gardens. The changing room and other storage buildings are located in the north western corner of the site. The northern boundary adjoins the rear gardens of properties in Pont-Y-Capel Road, the eastern boundary abuts properties in Heol-Y-Cae and the southern boundary adjoins the rear/side gardens of properties in Cyfarthfa Gardens and Maesgwynne. In the south eastern corner of the site (i.e. between the properties in Maesgwynne and Cyfarthfa Gardens) there is a gated vehicle/pedestrian access.

## PROPOSED DEVELOPMENT

Full planning permission is sought for the construction of a new school on the former Vaynor and Penderyn High School site and the provision of an internal access road, car park and Multi Use Games Area (MUGA) on part of the Godre'r Coed playing field site.

The proposed school would replace the existing Ysgol-Y-Graig Primary School in Brewery lane, Cefn Coed and Trefechan Nursery. It has been designed to accommodate in excess of 240 pupils including nursery provision.

The main school building would be sited in a central location in the widest southern part of the site. It would be constructed over two stories with a maximum flat roof parapet height of 8.8 metres. Roof lanterns, solar panels and an enclosed roof access would increase the overall height to the building to approximately 10 metres. It would have an irregular quadrilateral design with a maximum width of 51 metres and a maximum depth of 37 metres. The building would be finished with buff brick (with contrasting brick detailing) with vertical timber cladding in recessed areas. The

window frames, door frames, rainwater goods and the frames of the glazed roof covered ground floor canopies (on the northern and eastern elevations) would be grey powder coated aluminium.

Internally, the main hall, kitchen, nursery, pre-school room, reception, plant room, head teacher's office, toilets, other offices/rooms and classrooms for reception year and years 1 and 2 would be provided at ground floor. At first floor, there would be classrooms for years 3-6, a community room, library, toilets, staff room, meeting room, specialist teaching area, an IT hub and other store rooms. Access to the roof would be gained from this level.

The front of the school would face Pont-Y-Capel Road. Due to the difference in levels a ramped and stepped access would enable all users to enter and exit the building via a centrally located single storey projecting (standing seam zinc clad) main entrance. A separate access for the nursery would also be provided in the front elevation. The majority of the existing retaining wall at the front and part of the eastern boundary of the site would be demolished to accommodate the proposal. This would be replaced with a combination of a new masonry clad retaining wall (materials to be agreed), metal railings and landscaping. The existing vehicle access to the southern boundary (i.e. from Pont-Y-Capel Road) would be extinguished with metal railings proposed along this part of the front boundary.

Three disabled car parking spaces, along with a cycle shelter would be provided to the western side of the front elevation. This area would be separated from a service yard, located to the western side of the school building, by a fence and access gate. Both this car parking area and service yard would be accessed by the entrance/exit at South Terrace. The remaining ground of the proposed school site would consist of hard and landscaped areas of play. A new hard play area would replace the existing facility to the north of the site, adjacent to Holford Street. A new pedestrian entrance would also be created from Holford Street to enable access into the site.

An internal access road would be created within the Godre'r Coed playing field site from the existing entrance at Cyfarthfa Gardens/Maesgwynne. It would mainly be constructed between 1 to 4 metres away from the rear boundaries of 49 – 57 Cyfarthfa Gardens and the front/side/rear boundary of 59 Cyfarthfa Gardens. The road would serve a 73 space car park which is proposed to the west of the existing rugby pitch and partly on land currently used as a parking area. The road would be 5.5 metres wide with a 2 metre wide footpath either side for approximately its first 37 metres and thereafter (until it reaches the car park) only on its northern side.

The rectangular shaped car park would be approximately 86 metres in length by 27 metres wide. Although the access road would require minimal engineering works, the creation of the car park, due to the topography of the land and in order to create the necessary gradients, would require a cut and fill operation and minor retaining works in its south western corner. The main purpose of the facility is to provide safe and convenient parking for those who take children to school by car. It also would provide off-street parking for school staff and visitors. In addition, the car park would provide off-street parking for all users of the playing field and MUGA.

The MUGA would be partially constructed on the old tennis courts. The alignment of the MUGA would necessitate a retaining wall being provided along the entire length of its eastern side. A footpath would run along the eastern side of the car park and MUGA before exiting the site just above the existing access off Godre'r Coed Road. Parents, pupils, teachers and visitors to the school would then have a short walk (approximately 50 metres) before entering the school site via a dedicated crossing point opposite the school entrance.

This application has been supported by the following documents:

- Design and Access Statement.
- Pre-application Consultation Report
- Transport Assessment (WSP – REV1 September 2018),
- Ecology Assessment
- Ground Conditions Desk Study Report (WYG – December 2015)

#### PLANNING HISTORY

|           |  |
|-----------|--|
| P/12/0035 | Demolition of 3 No. buildings and retaining walls - Prior notification not required 08.03.2012   |
| P/04/0277 | Construction of a multi-use games area (to include perimeter ball stop fencing, tarmac surface and floodlighting) – Granted 12.07.2004         |
| P/02/0504 | Erection of 1.8m high palisade fencing and associated gates – Granted 25.04.2003   |
| P/01/0330 | New sports barn, playing pitches, floodlighting and extension to changing rooms (incl. car park and new vehicular access) – Granted 04.04.2002 |
| P/01/0255 | Erection of 2.40 metre high boundary fence (inside stone wall) to part of perimeter – Granted 31.07.2001                                       |

#### CONSULTATION

Planning Policy Group Leader - No objection.

Engineering and Traffic Group Leader - No objection subject to conditions.

Head of School Planning and Improvement - No objection.

Environmental Health Manager - No response.

Countryside Officer/Ecologist - No objection but the proposal does offer opportunities for biodiversity enhancements.

Landscape Architect - No objection subject to conditions.

Welsh Water - No objection subject to conditions.

Wales & West Utilities - No objection.

Sport Wales - No objection.

South Wales Police (Designing out Crime Officer) - Observations made regarding secured by design.

Glamorgan Gwent Archaeological Trust – No objection.

## PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, 176 letters were sent to neighbouring properties on the 9th October 2018 and 16 site notices were displayed within the vicinity of the site on the 10th October 2018. The application was also advertised in the Merthyr Express on 11th October 2018.

As a result of this publicity exercise, 10 letters of objection have been received (2 of these from the same address) and one email which supports the application. The objections/concerns relating to this planning application are summarised below:

- Loss of part of the field/open space.
- Increased noise levels in Cyfarthfa Gardens as the result of increased traffic.
- No objection subject to traffic calming measures being put into place.
- Greater difficulty accessing and exiting the Cyfarthfa Gardens estate.
- Children's safety will be put at risk in Cyfarthfa Gardens as a result of increased traffic travelling to the proposed car park.
- There are plans to close the roads accessing and exiting Cefn Coed from the Heads of the Valley road. This will increase traffic along Cefn High Street resulting in cars not being able to turn into the estate causing more emissions.
- The road leading from Cyfarthfa Gardens to the playing field is too narrow to cater for two-way traffic as cars park on both sides of the road. This will result in hazards to residents and the cars parked on the road outside the properties.
- The proposed car park will cause congestion at peak times both within the estate and also on the main road (High Street) where there is a mini roundabout. This increases the risk of accidents.
- The car park would increase anti-social behaviour and an increase in crime.
- Residents will be unable to leave their driveways at certain times of the day.
- Cars idling in a residential area will create fumes, impacting on resident's health. The proposal access road/car park would also result in increased noise.
- The congestion caused by the car park and access road proposal could result in delays for the emergency services when trying to access properties on the estate.
- The traffic generated by Cyfarthfa Park has been discounted.
- The mini-roundabout serving Maesgwynne/Cyfarthfa Gardens should remain.
- Businesses located at Maesgwynne would be affected by the proposal.
- Pont-Y-Capel Road and its infrastructure could not safely or adequately support the increase in daily traffic.

- The construction vehicles needed to build the school would have a hugely negative impact on Pony-Y-Capel Road and the movement of vehicles and works at the site could potentially damage property (i.e. 7 Pont-Y-Capel Road).
- Inability to park outside houses in Pont-Y-Capel Road and damage to cars and houses as a result of increased traffic.
- Increased noise in Pont-Y-Capel Road.
- Support for Pont-Y-Capel Road becoming a one-way system.

As stated above an e-mail received from an owner of a property in South Terrace stated that the writer was very much in favour of the new primary school and looked forward to its completion.

## POLICY CONTEXT

The following policies are relevant to the determination of this application:

### National planning policy

Planning Policy Wales, Edition 9, November 2016:

#### Chapter 2 Local Development Plans

Para 2.1.2 points out that '*planning applications must be determined in accordance with the adopted local development plan unless material considerations indicate otherwise*'.

#### Chapter 4 Planning for Sustainability

Para 4.9.1 states that '*previously developed (or brownfield) land should, wherever possible, be used in preference to greenfield sites*'.

Para's 4.11.9 – 4.11.12 set out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context. Regard should be given to the appropriate scale, appearance, landscaping and quality of building design and should also be accessible for all.

#### Chapter 8 Transport

Para 8.2.1 states that '*The Active Travel (Wales) Act 2013 aims to make walking and cycling the most attractive option for shorter journeys. In particular, everyday journeys such as to and from a workplace or education establishment or in order to access health, leisure or other services or facilities*'.

Para 8.7.1 sets out the criterion that should be considered where transport implications may occur, such as impacts on local travel demand, public transport provision, accessibility and highway safety.

#### Chapter 11 Tourism, Sport and Recreation



Para 11.1.12 states that *'All playing fields whether owned by public, private or voluntary organisations, should be protected from development except where:*

- *facilities can best be retained and enhanced through the redevelopment of a small part of the site;*
- *alternative provision of equivalent community benefit is made available; or*
- *there is an excess of such provision in the area'.*

Technical advice note (TAN):

- TAN 16: Sport, Recreation and Open Space January 2009
- TAN 12: Design, March 2016
- TAN 18: Transport, March 2007

### Local planning policy

Merthyr Tydfil Local Development Plan (LDP) 2006-2021:

- Policy BW1 - Development Strategy – Primary Growth Area
- Policy BW4 - Settlement boundaries / locational constraints
- Policy BW7 - Sustainable design and place making
- Policy BW8 - Development and the water environment
- Policy BW12 - Development proposals and transport
- Policy BW15 - Community facilities
- Policy BW16 – Protecting/enhancing the network of leisure facilities
- Policy TB11 - Access, parking and accessibility of local facilities

### Other Material Considerations

Supplementary Planning Guidance (SPG) 4 - Sustainable Design (July 2013)  
Open Space Strategy (adopted June 2016)

## PLANNING CONSIDERATIONS

### Land use

The application site lies within the Primary Growth Area (Policy BW1) and settlement boundary as defined by the LDP. Furthermore, the Vaynor and Penderyn School buildings until 2012 occupied the northern parcel of land. Therefore, in terms of this part of the application site, the development of a school on previously development land is, in principle, acceptable and accords with policy BW4 of the LDP. In terms of the proposed development on the Godre'r Coed playing field site (identified as an open space for outdoor sports area/pitch in the Open Space Strategy), policy BW16 of the LDP seeks to enhance and protect the loss of existing leisure facilities. The proposal does not result in the loss of the facility because the rugby pitch and considerable areas of other parts of the open space would remain if the proposals were to be developed. Notwithstanding this, paragraph 11.1.12 of Chapter 11 (Tourism, Sport and Recreation) of Planning Policy Wales (PPW) states:

*'All playing fields whether owned by public, private or voluntary organisations, should be protected from development except where:*

- facilities can best be retained and enhanced through the redevelopment of a small part of the site;*
- alternative provision of equivalent community benefit is made available; or*
- there is an excess of such provision in the area'.*

The statutory consultee for considering such matters, Sport Wales, has raised no objection to the application. Indeed, Sport Wales consider that the provision of a new hard surfaced games area (which would be used by the community), the improved access and increased parking may encourage greater use of the site.

It is therefore considered that the existing facilities would be enhanced through the redevelopment of a relatively small part of the site. As such the principle of the access road, car park and MUGA is acceptable and accords with paragraph 11.1.12 of PPW. Furthermore, as noted above, planning permission (application numbers P/01/0330 and P/04/0277) has previously been granted for a car park and a multi-use games area on this part of the application site.

Given the above, the other main planning considerations for this proposal would be:

- The impact of the proposal on the character and appearance of the area;
- The impact of the proposal on highway and pedestrian safety;
- The Impact on residential amenity

#### The impact of the proposal on the character and appearance of the area

The design and siting of the school is a response to the constraints of the site. Although, its height reflects the predominantly two storey nature of the surrounding residential streets, its simple form, shape, external materials, fenestration arrangement and flat roof design results in a contemporary building which has its own distinctiveness. This individual design approach, which adds interest and a sense of place to this part of Cefn Coed, is typical of many prominent public buildings located in the heart of communities. In contrast to the drab, vacant and overgrown site, the building would once again bring vibrancy and quality to the area and its development is welcomed.

Due to the level changes between the school site and Pont-Y-Capel Road, it was necessary to design a disabled compliant ramp along with steps to the main entrance. The architect has attempted to reduce the visual impact of the walls of the ramp by introducing landscaped areas between each level. The stepped access has also been deliberately widened to enable enhanced views of the building and provide better legibility. To the east of the access, a large replacement retaining wall would be constructed above which would be railings and landscaping. It is important that the external appearance of this boundary wall is of a sufficient quality and material to prevent it having a negative impact on the character and appearance of the area. This could be controlled via a suitably worded condition. To the west of the ramp a grassed landscaped area, protected by roadside railings, provides some relief to the hard nature of the remainder of the front boundary.

The land surrounding the building, although limited, provides both hard and soft areas of play to accommodate the needs of the pupils. The boundary treatments vary with most, which abut residential properties, being retained and/or repaired.

In terms of the MUGA and car park on the Godre'r Coed playing field site, although engineering works are required to create the necessary levels, they would mostly be developed on existing hard surfaced area. Therefore, their visual appearance would not be dissimilar to that current or in the past (i.e. when the tennis courts were in use). It is appreciated that the car park would have a more formal layout and the MUGA would be enclosed by fencing, however, their visual impact would not cause significant harm and they are facilities which would normally be found in recreation grounds. The greatest visual impact from the access road would be from within the playing field site. Its width is required to enable two-way traffic and the provision of a footpath. The finishing material (tarmac) would ensure longevity and prevent debris being transferred onto the adjoining highway. The benefits of providing this access far outweigh any visual harm.

It is considered the development is appropriate to its local context and would integrate effectively with the surrounding area. The proposal is inclusively designed to ensure access for the widest range of people possible. As such the proposal complies with policy BW7 of the LDP.

#### The impact of the proposal on highway and pedestrian safety

The proposed school is located in a highly sustainable location in the heart of the community. For those wishing to walk, cycle and/or catch a bus to the school it would be readily accessible.

The Transport assessment (TA) correctly points out that the historic development of this part of Cefn Coed has resulted in narrow streets with limited footway provision and gaps in the continuity of footways. There is also a prevalence of on-street parking which causes obstructions. Nevertheless, these roads are used by pedestrians and cyclists to visit local services on the High Street and surrounding streets as well as gaining access to such facilities and attractions further afield.

Given the narrowness of the streets and on-street parking, vehicle speeds are generally low. It should also be noted that the frequency of vehicle movements along these streets is also low. For example, the TA observed the vehicle movements entering and exiting Pont-Y-Capel Road from High Street. It shows a two-way flow of approximately 1 vehicle per minute during the AM (08.00-09.00) and PM (15.30-16.30) peak periods. Although it is appreciated that the proposed school would inevitably increase traffic movements during peak times on some surrounding streets (e.g. Pont-Y-Capel Road) the majority, where necessary, could continue to be used as shared surfaces by pedestrians, cyclists and vehicles. It is also noted that a new pedestrian crossing is proposed to link the northern boundary access with High Street along with a two metre wide footpath and pedestrian crossing to the front of the school site (i.e. on Pont-Y-Capel Road). A further pedestrian crossing would be provided on Godre'r Coed Road to enable safe access from the MUGA and car park to the proposed school and vice versa.

Based on the travel mode of pupils attending the existing Ysgol-Y-Graig School (which is not expected to vary significantly for the proposed new school based on the addresses of pupils) 41% walk, 3% cycle and 7% arrive by bus/minibus. In terms of staff (the new school is expected to employ 37 staff), 21% walk and 6% use public transport. This leaves 50% of pupils and 73% of staff travelling by car or taxi (Note: mode splits are shown to the nearest whole number therefore they do not total 100%). Based on a pupil to car ratio of 1:2 (i.e. as a result of car sharing or parents with more than 1 child attending the school), the TA concludes that the proposed school would result in 100 two-way vehicle trips in the AM and PM peak periods. In terms of staff there would be 27 one-way vehicle trips in the AM peak and 27 one-way vehicle trips in the PM peak.

Given the combination of the size and shape of the site, associated vehicular access concerns, and the essential requirement to provide a school and grounds that is fit for purpose, car parking (apart from disabled parking) could not be accommodated on the school site. As such, as described above, a 'Park and Stride' facility is proposed on part of the Godre'r Coed playing field site. The provision of this facility and in particular the access to the car park via Cyfarthfa Gardens/Maesgwynne has resulted in one of the main reasons residents of this estate have objected to the application.

The TA, following analysis of both the anticipated direction and number of vehicle movements at peak times, concluded that there would be sufficient capacity to enable the proposed development to be accommodated without any adverse impact upon the operation of the Maesgwynne roundabout. During peak times, the forecasted queue lengths would be less than 3 cars at Maesgwynne and less than 2 cars on either Brecon Road or High Street. As such, based on the evidence provided, the proposal would not have a detrimental impact or cause significant congestion at this roundabout.

The residents' concerns regarding the free flow of traffic into and out of the playing field site is fully appreciated. It is noted that some properties (e.g. 23 and 24 Maesgwynne) have no alternative but to park cars on-street due to the lack of any driveways and/or garages. In the case of these properties, the parking of cars on the north eastern side of the road, close to the entrance of the playing fields, would undoubtedly cause some disruption to the free flow of traffic. However, the proposal to provide a 5.5 metre wide internal road to access the car park would significantly reduce any congestion along the Maesgwynne/Cyfarthfa Gardens access route. Notably, vehicles entering into the playing field site would have the right of way (due to the cars being parked on the other side of the road) and therefore the majority of any queuing would likely take place along the proposed internal access road as a result of vehicles trying to exit. Taking this scenario into consideration, it is assumed that parking would not take place on either side of the road since this would prevent access to the playing field site which would be an offence. Furthermore, not all vehicles would arrive and depart at the same time, thus this would enable drivers to safely negotiate parked cars when the opposite side of the road is free of traffic. The situation that may arise at Maesgwynne/Cyfarthfa Gardens is not unusual and occurs on many residential and other streets throughout the County Borough and beyond. Whilst it is acknowledged there would be an increase in traffic movements

at peak times, it would not result in significant harm to the free flow of traffic either within the estate or on adjoining roads. The combination of low traffic speeds and the presence of adequate footpaths would reduce any risks to children or any other pedestrians.

With regards to the concerns over increased traffic on Pont-Y-Capel Road and the suggestion of a one-way system, the purpose of the 'Park and Stride' proposal is to limit the number of traffic movements along this road as a result of the proposal. The TA concludes that the surrounding roads, given the proposals put forward, can safely accommodate the anticipated volumes of additional traffic. As such, although a one-way system may be considered in the future, it is not necessary to mitigate the impact of this development. The concerns raised regarding damage to property and vehicles is a civil matter; however, a Construction Management Plan could be secured via a suitably worded condition to control time of working and delivery movements.

The TA and Engineering and Traffic Group Leader have highlighted the importance of the implementation of a School Travel Plan (STP). The main aim would be to reduce the number of vehicle journeys made by both parents and staff and encourage both walking and cycling to and from school. This is a welcome proposal and could be secured via a suitably worded condition attached to any planning permission.

Finally, there is no evidence to suggest that the dualling of the A465 Heads of the Valley Road would significantly impact on the flow of traffic through Cefn Coed and thus adversely affect this proposal.

The position of the school is such that it would encourage parents/children/teachers to use modes of transport other than the car. This firmly fits with the aspirations of the Welsh Government and the Council particularly in terms of meeting the well-being objectives. The car park would provide sufficient spaces and the development as a whole would not result in a significant adverse impact on pedestrian or highway safety. The Engineering and Traffic Group Leader has raised no objection to the proposal and as such, the proposal complies with policy TB11 of the LDP.

#### The Impact on residential amenity

The siting and height of the school building is such that it would not result in any significant overbearing impact or loss of light to neighbouring residents. Likewise, there would be limited overlooking from first floor windows given the separation distances between the school and the closest residential properties. There is clearly going to be an increase in noise and disturbance as a result of children playing outside and the general comings and goings that are part and parcel of a busy school. Nevertheless, such noises do not usually result in a harmful nuisance and it is interesting to note that no objections have been received in respect of this issue.

The proposed access road would undoubtedly increase activity, particularly at peak times, which would result in noise and disturbance to some residents in Maesgwynne and Cyfarthfa Gardens. However, the greatest impact would normally be for a limited period of the day and at a time when such disturbance is not wholly

unreasonable (i.e. not in the early hours of the morning or late at night). Although concern has also been raised with regard to increased noise on Pony-Y-Capel Road, as stated above, the aim is to limit traffic movements along this road by providing a 'Park and Stride' and new access. Therefore, any increase in noise would be minimal. Notwithstanding this, the overall benefits for the wider community of the school development and enhanced facilities on the playing fields far outweigh any harm caused by increased traffic movements in both these locations.

As highlighted above, it is not considered that the proposed access road would result in any significant congestion issues and therefore any impact from car emissions would be minimal.

Given the above, the proposed development would not cause any significant harm to the amenity of local residents and therefore complies with policy BW7 of the LDP.

### Other Issues

Antisocial behaviour and crime are matters for the Police. Nevertheless, it is proposed to gate and fence the access road in an attempt to limit such activities. However, it should be noted the pedestrian access gate would not be locked. This would enable use of the playing field at all times by the community.

### CONCLUSIONS

The proposed school would be constructed on previously developed land in a highly sustainable location where parents, pupils, teachers and the wider public would have the ability to access by modes of transport other than the car. The building and outdoor spaces would provide a learning and recreational environment that would hugely benefit both pupils and the community. The development would bring a visually poor site back into use and by doing so introduce a distinctive building that would positively add to the character and appearance of the area. The TA has concluded that the development could be constructed without having an adverse impact on highway or pedestrian safety. Whilst the concerns of local residents are fully appreciated, it is considered that the development would not significantly harm their amenity.

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

For the above reasons, the proposed development is acceptable and complies with the relevant LDP Policies. Accordingly, the following recommendation is made:

**RECOMMENDATION:**     **BE APPROVED** subject to the following **CONDITIONS:**

1. The development shall begin not later than five years from the date of this decision.

**Reason** - To comply with Section 91 of the Town and Country Planning Act 1990.

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

- Drawing Numbers: TS1048 - P04; TS1048 - P05; TS1048 - P06; TS1048 - P07; TS1048 - P08; TS1048 - P09; TS1048 - P12; TS1048 - P13; 4324-WSP-XX-CP-DR-CH-100-001/S01; 4324-WSP-XX-CP-DR-CH-100-002/S01.

**Reason** - To ensure compliance with the approved plans and clearly define the scope of the permission.

3. **No development or site clearance shall take place** until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

**Reason** - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason** - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

5. Prior to the construction of the school building hereby approved samples of the materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**Reason** - To ensure that the external appearance of the proposed development will be acceptable in the interests of visual amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

6. Notwithstanding the submitted plans, prior to the occupation of the school hereby approved the colour and type of boundary treatment to be erected

shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the school is brought into use.

**Reason** - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

7. Prior to the access road hereby approved being brought into use, details of the entrance gate and railings shall be submitted to and approved in writing by the local planning authority. The entrance gate and railings shall be erected as approved before the road is brought into use.

**Reason** - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

8. **No development shall commence** until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the relevant part of the development being brought into use.

**Reason** - To ensure adequate disposal of foul and surface water drainage in accordance with Policy BW8 of the Merthyr Tydfil Local Development Plan.

9. **No development shall take place** until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

**Reason** - In the interest of safety and visual amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

10. **No development shall commence**, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during demolition and construction; and



vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

**Reason** - In the interests of the highway safety and free flow of traffic and to protect the environment and so as to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

11. Demolition or construction works shall not take place outside the hours of 0800 to 1800 Mondays to Fridays and 0900 to 1400 on Saturdays and at no time on Sundays or Public Holidays.

**Reason** - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

12. **BEFORE the development hereby approved commences on-site**, a site investigation to determine the nature and extent of contamination shall be undertaken, and the results provided to the Local Planning Authority in the form of a risk assessment. The site investigation should include sampling of the fill material through trial pits or boreholes. If the site investigation results indicate that the site is contaminated, a scheme of remediation works shall be submitted to and approved by the Local Planning Authority in writing. The scheme as approved shall be fully implemented and completed **BEFORE** the development hereby approved commences on site.

**Reason** - To ensure that any contaminated soil or material is addressed and dealt with in an appropriate manner, in the public interest and in the interests of the future occupiers of the dwelling hereby approved.

13. If the site investigation indicates that the site is contaminated, the school hereby approved shall not be occupied until a third party report which verifies that the submitted scheme of remediation works have been implemented in full, has been submitted to and approved in writing by the Local Planning Authority. This report should also provide evidence that any material imported to the site as part of any remediation strategy is free from contamination.

**Reason** - To ensure that any contaminated soil or material is addressed and dealt with in an appropriate manner, in the public interest and in the interests of the future occupiers of the dwelling hereby approved.

14. Before the school hereby permitted is brought into use, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The recommendations contained within the approved School Travel Plan shall be implemented in full thereafter.

**Reason** - In order to promote sustainable modes of transport. in accordance with Policy BW12 of the Merthyr Tydfil Local Development Plan.

15. Before the school hereby permitted is brought into use, a Road Safety Audit shall be submitted to and approved in writing by the local planning authority. Any measures recommended in the audit reports shall be fully implemented in accordance with a timescale which has first been submitted to and agreed in writing by the local planning authority.

**Reason** - In the interests of highway and pedestrian safety in accordance with Policies BW12 and TB11 of the Merthyr Tydfil Local Development Plan.