



## APPLICATION SITE

The application site comprises of an irregularly shaped, undeveloped parcel of land to the north of Goitre Lane, Gurnos. The site is located to the south of Pen Y Dre High School and is bound to the south and west by Goitre Lane. To the east is an undeveloped parcel of land that falls outside of this application site however it is within the ownership of The Council. The site occupies a slightly elevated position relative to Goitre Lane to the south and the proposed access point. The land is gently undulating with a general increase in topography towards the north resulting in Pen Y Dre High School being located at a higher level.

The most recent use of the land was for grazing purposes and formed part of the Council's grazing portfolio however this ceased in 2021 and has since been unused.

The site is located within the settlement boundary as identified by LDP Policy SW4 and its associated proposals map and consists of part of an allocation for residential development as set out by LDP Policy SW3-13 (Pen Y Dre Fields, Gurnos).

## PROPOSED DEVELOPMENT

This application seeks permission for the construction of a new Primary School, including access, landscaping, play/sports pitches, parking, external works, swale, plant and associated works.

The proposed development would provide a 500-pupil capacity primary school which would include a nursery, pre-school, community facilities and flying start, to replace the existing school which has a capacity of 420 pupils. The development forms part of the Sustainable Communities for Learning school building programme.

The proposed school adopts a contemporary, functional design that allows for maximum solar gain, natural light and ventilation. The scheme is required to achieve the standard of BREEAM Excellent certification for Design and Post-Occupancy stages and it will comply with the Council's sustainable design aspirations to become Carbon Neutral by 2030 by the reduction of resource usage in developments. The key target for this project is that the building is to become Net Zero Carbon in operation.

The proposed materials, layout and design has been subject of an extensive review process as demonstrated in the Design and Access Statement which has been influenced by the need and physical constraints of the site. The new school building would be single storey and of a modular design with a flat roof, located within a central position of the site. The external finishes would largely comprise of brickwork and composite cladding on the elevations and aluminium framed glazed sections. Parts of the building would also include canopies and timber screening.

The proposed access, car park and drop-off bays would be located in the western part of the site. To the south of the school building, a communal garden area would be provided and to the east a large playground, a multi-use games area (MUGA), a grassed sports pitch, a softball amphitheatre, a therapeutic garden and climbing area would be provided.

Access into the site would be gained via Goitre Lane and facilitated via a new mini-roundabout, the internal road layout is proposed as a one way system with parking provision

(including 8 Electric Vehicle (EV) spaces, 4 motorcycle, 40 cycle and 4 accessible spaces) arranged to the west of the proposed school building. A designated drop off and pick up zone is proposed within the site. Additional pedestrian access is proposed from Goitre Lane and would be enhanced via a Toucan Crossing off Goitre Lane to the south of the main school building allowing easy access to the foyer/reception area of the school.

A detailed landscaping scheme has been submitted which includes the provision of a native woodland along the north-east boundary of the site, together with wildflower meadow mix to form part of a swale to be constructed along the northern and eastern boundaries of the site. Additionally, a number of trees would be planted in various locations across the school grounds.

## PLANNING HISTORY

There is no relevant planning history to consider in the determination of this application.

## CONSULTATION

|                                  |               |
|----------------------------------|---------------|
| Head of Engineering and Highways | No objection. |
| Planning Policy Officer          | No objection. |
| Estates Division                 | No objection. |
| Dwr Cymru Welsh Water            | No objection. |
| Planning Ecologist               | No objection. |

## PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to nearby properties on 21.02.2024, x 2 site notices were displayed within the vicinity of the site on 20.02.2024 and a notice was placed in the local press on 29.02.2024.

As a result of this publicity exercise 1 letter of objection was received. The main concerns/reasons for objecting related to:

- Highway safety concern as a result of traffic congestion and indiscriminate parking at peak times;
- The capacity of the local highway network to accommodate additional traffic;
- The pollution from the increase in traffic will have an impact on air quality in the area;
- Increased potential for noise and disturbance and anti-social activity;
- Impact on house prices.

## POLICY CONTEXT

## National Policy

### *The Future Wales National Plan 2040:*

Policy 1 - Where Wales will grow

Policy 2 - Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 3 – Supporting Urban Growth and Regeneration – Public Sector Leadership

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 12 – Regional Connectivity

Policy 16 – Heat Networks

Policy 17 – Renewable and Low Carbon Energy and Associated Infrastructure

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

### *Planning Policy Wales (PPW) Edition 12:*

Planning Policy Wales provide guidance on matters relevant to this application, namely:

Placemaking in Action: Good Design Making Better Places

Strategic Placemaking: Accessibility

Strategic Placemaking: Previously Developed Land

Strategic Placemaking: Supporting Infrastructure

Moving within and between places: Transport

Activities in Places: Community Facilities

Activities in Places: Recreational Spaces

Productive and Enterprising Places: Energy

Distinctive and Natural Places: Recognising the Special Characteristics of Places

Distinctive and Natural Places: Recognising the Environmental Qualities of Places

1.2 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

1.3 PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities. It encourages a wider, sustainable and problem solving outlook which focuses on integrating and addressing multiple issues rather than on an approach which is fragmented, un-coordinated and deals with issues in isolation.

1.7 Where appropriate, PPW translates wider Welsh Government objectives, strategies and policy into land use planning policy.

2.2 Sustainable Places are the goal of the land use planning system in Wales; they are the output of the planning system rather than the process of achieving them. All development decisions, either through development plans policy choices or individual development management decisions should seek to contribute towards the making of sustainable places and improved well-being.

2.3 The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

2.4 Individual places can take many forms and interpretation of what makes a good place will vary. Each place will have its own unique characteristics, history and identity, based on how people have and will interact with the landscape and townscape. This 'sense of place' varies, from the rural countryside which provides an economic and environmental base for agriculture and tourism to thrive, to urban areas which are continually evolving and providing the focus for major social and economic development.

2.8 Planning policies, proposals and decisions must seek to promote sustainable development and support the well-being of people and communities across Wales.

2.26 Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle. There may be occasions when one benefit of a development proposal or site allocation outweighs others, and in such cases robust evidence should be presented to support these decisions, whilst seeking to maximise contributions against all the well-being goals.

3.3 Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area.

3.50 A broad balance between housing, community facilities, services and employment opportunities in both urban and rural areas should be promoted to minimise the need for long distance commuting. Planning authorities should adopt policies to locate major generators of travel demand, such as housing, employment, retailing, leisure and recreation, and community facilities (including libraries, schools, doctor's surgeries and hospitals), within existing urban areas or areas which are, or can be, easily reached by walking or cycling, and are well served by public transport.

3.7 Good design promotes environmental sustainability and contributes to the achievement of the well-being goals. Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution.

3.12 Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys. Achieving these objectives requires the selection of sites which can be made easily accessible by sustainable modes as well as incorporating appropriate, safe and sustainable links (including

active travel networks) within and between developments using legal agreements where appropriate.

3.19 The built and natural environment is a key determinant of health and well-being. The planning system has an important role in shaping the social, economic, environmental and cultural factors which determine health and which promote or impact on well-being in line with the Healthier Wales goal. The way places work and operate can have an impact on the choices people make in their everyday lives, including their travel and recreational choices and how easy it may be to socialise with others.

3.20 Disadvantaged and deprived communities tend to be disproportionately affected by health problems. There are links between the built and natural environment and health throughout a person's lifetime and an understanding of the wider determinants of health should be a key component of development plan preparation. The planning system should identify proactive and preventative measures to reduce health inequalities. This will include enabling opportunities for outdoor activity and recreation, reducing exposure of populations to air and noise pollution, promoting active travel options and seeking environmental and physical improvements, particularly in the built environment.

3.30 In 2019 the Welsh Government declared a climate emergency in order to co-ordinate action nationally and locally to help combat the threats of climate change. The planning system plays a key role in tackling the climate emergency through the decarbonisation of the energy system and the sustainable management of natural resources. The transition to a low carbon economy not only brings opportunities for clean growth and quality jobs, but also has wider benefits of enhanced places to live and work, with clean air and water and improved health outcomes.

3.36 The planning system is wide in its social, economic environmental and cultural scope and takes an all embracing approach to sustainable development where decisions on short and long-term needs and cost and benefits come together. It secures outcomes where multiple benefits (more than one ecosystem benefit) can be provided as part of plan making strategies or individual development proposals. The key features of the SMNR approach to which the planning system can contribute are: • improving the resilience of ecosystems and ecological networks; • halting and reversing the loss of biodiversity; • maintaining and enhancing green infrastructure based on seeking multiple ecosystem benefits and solutions; • ensuring resilient locational choices for infrastructure and built development, taking into account water supplies, water quality and reducing, wherever possible, air and noise pollution and environmental risks, such as those posed by flood risk, coastal change, land contamination and instability; • taking actions to move towards a more circular economy in Wales; and • facilitating the move towards decarbonisation of the economy.

4.0.2 ...when planning and managing future development planning authorities need to ensure that residents of existing and new communities have access to jobs and an appropriate range of community facilities including recreation, leisure, health and education.

4.0.3 ...ensure new development is located and designed in a way which minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, local services and community facilities. This will be achieved through integrating development with sustainable transport infrastructure and designing schemes in a way which

maximises provision and use of sustainable forms of travel, including prioritising these modes over the private car.

4.1.8 The Welsh Government is committed to reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Delivering this objective will make an important contribution to decarbonisation, improving air quality, increasing physical activity, improving the health of the nation and realising the goals of the Well-being of Future Generations Act.

4.1.10 The planning system has a key role to play in reducing the need to travel and supporting sustainable transport, by facilitating developments which: • are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car; • are designed in a way which integrates them with existing land uses and neighbourhoods; and • make it possible for all short journeys within and beyond the development to be easily made by walking and cycling.

4.1.11 Development proposals must seek to maximise accessibility by walking, cycling and public transport, by prioritising the provision of appropriate on-site infrastructure and, where necessary, mitigating transport impacts through the provision of off-site measures, such as the development of active travel routes, bus priority infrastructure and financial support for public transport services.

4.1.31 Planning authorities must support active travel by ensuring new development is fully accessible by walking and cycling.

4.1.32 Planning authorities must ensure new housing, jobs, shopping, leisure and services are highly accessible by walking and cycling. The design of development proposals should, in accordance with the sustainable transport hierarchy, start with identifying the shortest, most attractive walking and cycling connections and then addressing the other transport needs.

4.1.34 In determining planning applications, planning authorities must ensure development proposals, through their design and supporting infrastructure, prioritise provision for access and movement by walking and cycling and, in doing so, maximise their contribution to the objectives of the Active Travel Act.

4.1.37 Planning authorities must direct development to locations most accessible by public transport. They should ensure that development sites which are well served by public transport are used for travel intensive uses, such as housing, jobs, shopping, leisure and services, reallocating their use if necessary.

4.1.50 Car parking provision is a major influence on how people choose to travel and the pattern of development. Where and how cars are parked can in turn be a major factor in the quality of a place.

4.1.51 A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development. Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport.

4.4.1 Community buildings and spaces provide an important focus for sustaining communities and their well-being. They cover a broad range of activities and services that can be delivered by the public, private and third sectors. Community facilities contribute to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element in creating viable and sustainable places. They can include schools, cultural facilities, health services, libraries, allotments and places of worship. The Welsh Government is fully supportive of communities taking control of assets where it is appropriate for them to do so and there is local support.

5.9.1 Local authorities should facilitate all forms of renewable and low carbon energy development and should seek cross-department co-operation to achieve this. In doing so, planning authorities should seek to ensure their area's full potential for renewable and low carbon energy generation is maximised and renewable energy targets are achieved.

6.0.2 The special and unique characteristics and intrinsic qualities of the natural and built environment must be protected in their own right, for historic, scenic, aesthetic and nature conservation reasons. These give places their unique identity and distinctiveness and provide for cultural experiences and healthy lifestyles.

6.2.1 Green infrastructure is the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places. Component elements of green infrastructure can function at different scales and some components, such as trees and woodland, are often universally present and function at all levels. At the landscape scale green infrastructure can comprise entire ecosystems such as wetlands, waterways, peatlands and mountain ranges or be connected networks of mosaic habitats, including grasslands. At a local scale, it might comprise parks, fields, ponds, natural green spaces, public rights of way, allotments, cemeteries and gardens or may be designed or managed features such as sustainable drainage systems. At smaller scales, individual urban interventions such as street trees, hedgerows, roadside verges, and green roofs/walls can all contribute to green infrastructure networks.

6.4.5 Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems.

6.4.11 Planning authorities must follow a step-wise approach to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits for biodiversity by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for. Enhancement must be secured by delivering a biodiversity benefit primarily on site or immediately adjacent to the site, over and above that required to mitigate or compensate for any negative impact.

6.4.39 Planning authorities must protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial green infrastructure function.

*Technical advice notes (TAN):*

TAN 5: Nature Conservation and Planning  
TAN 12: Design  
TAN 16: Sport, Recreation and Open Space  
TAN 18: Transport  
TAN 24: The Historic Environment

Local Policy

*Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:*

Policy SW1: Provision of New Homes  
Policy SW3: Sustainably Distributing New Homes  
Policy SW4: Settlement Boundaries  
Policy SW9: Planning Obligations  
Policy SW10: Protecting and Improving Open Spaces  
Policy SW11: Sustainable Design and Placemaking  
Policy SW12: Improving the Transport Network  
Policy SW13: Protecting and Improving Local Community Facilities  
Policy CW1: Historic Environment  
Policy EnW1: Nature Conservation & Ecosystem Resilience  
Policy EnW3: Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species  
Policy EnW4: Environmental Protection  
Policy EnW5: Landscape Protection  
Policy EcW9: District Heating

*Supplementary planning guidance (SPG):*

SPG Note 2: Planning Obligations (March 2012)  
SPG Note 4: Sustainable Design (July 2013)  
SPG Note 5: Nature and Development (May 2015)

PLANNING CONSIDERATIONS

The key considerations in the assessment and determination of this application are; the principle of the development, highway safety, ecology/biodiversity, visual impact/design, impact upon the character of the area and the impact upon the living conditions of neighbouring occupiers.

Principle of the development

The application site is within the settlement boundary where there is a presumption in favour of development and the efficient use of land is encouraged. The application site is within a sustainable location and would be easily accessible via sustainable and public modes of transport, which accords with the aims and objectives as set out in both local and national planning policy. Additionally, the scheme incorporates cycle parking provision to assist in

encouraging the modal shift to sustainable modes of transport as set out by the Wales Transport Strategy that informs both Future Wales and PPW.

The application site consists of part of an allocation for residential development within the LDP as set out by Policy SW3-13 (Pen Y Dre Fields, Gurnos). Using part of the site to accommodate a primary school would inevitably reduce the amount of available land for residential development and therefore could impact upon the delivery of new residential homes and the targets as sought by LDP Policy SW1. However, it is considered that the allocated 40 homes could still be accommodated on the remaining parcel of land in the allocation however at a higher density. Taking into account the amount of allocated land that would remain undeveloped and given that there would still be opportunity to provide the allocated housing, no objection is raised in this respect. The Planning Policy Officer has been consulted on the application and raised no objection and confirmed an indicative delivery timescale of 2025-2026 for the housing allocation. At present there is no progress on this delivery, which further adds to the justification to deviate from the allocation.

Additionally, the development is proposed as a replacement to an existing school in the area, therefore it must be provided within the general catchment area where there are limited suitable sites capable of accommodating a development of this scale/nature. It is also considered beneficial to provide this facility within close proximity of Pen Y Dre High School to agglomerate the education offering of the area.

In respect of LDP Policy SW9 (Planning Obligations) given the nature of the development proposed no planning obligations would be sought and no Community Infrastructure Levy (CIL) would be chargeable.

LDP Policy SW10 (Protecting and Improving Open Spaces) is applicable to the assessment of this proposal as a small area of the site is allocated as open space. Given that the only development within the designated open space is for a swale it is not considered that there would be any unacceptable adverse impact upon the open space and no conflict with Policy SW10 has been identified.

#### Character and visual amenity

At present the application site is an undeveloped field which is readily visible within the public realm, therefore, the proposed development would have a significant impact upon the amenity and character of the area.

The Design and Access Statement outlines the evolution of the design and the considerations that have been undertaken to arrive at the current proposal. The proposed design consists of a single storey building with an irregularly shaped footprint. The limited height of the building reduces its visual impact and allows it to better assimilate into the landscape, whilst the irregular shape avoids a massing impact particularly when viewed from the public realm. The proposed external materials for the elevations would largely comprise of brickwork, which would be broken up by the introduction of glazed areas and the use of canopies and timber screening, which would add further interest. Whilst the external materials are deemed to be acceptable, it would be necessary to include a condition requiring the submission of samples to agree the material finishes.

The built form has been set away from the exterior limits of the site, which further reduces any visual impact that would arise from the development. The introduction of tree planting within the school grounds would add further interest and assist in providing a high-quality development.

The nearby built form to the south and west of the application site is post war terraced housing separated from Goitre Lane by grass verges/open space. Pen Y Dre High school is located to the north and an undeveloped parcel of land separates housing on First Avenue from the application site. The proposed school adopts a contemporary design and material palette which is considered to be acceptable for the proposed use and to sit comfortably within its surroundings and would be clearly identifiable as a contemporary addition to the area. It is considered that the design is appropriate given the existing context and existing built form in the area avoiding any unacceptable visual impact or harm to the character of the area. The design has been informed in part by the provision of solar panels on its roof to maximise solar gain and to maximise lateral light and ventilation. The emphasis on renewable energy and natural lighting further adds to the sustainable credentials of the scheme.

No concern is raised in relation to the design of the proposed development, to its visual impact or its impact upon the character of the area. The proposed development is considered to comply with the requirements of LDP Policy SW11.

#### Residential amenity

The land subject of this application is allocated for development with the principle being considered and justified in an earlier section of this report. The proposal would inevitably have a different impact when compared with the existing site. However, this is not considered to be unacceptable or to warrant concern.

The proposed school has a low profile, would be single storey and would be set away from the closest residential properties by approximately 40m. Therefore, in respect of outlook, overlooking and overbearing impacts, no concerns have been identified.

In respect of noise and disturbance, the building has been designed to comply with the acoustic performance criteria set out in Building Bulletin 93 (BB93) and the relevant BREEAM credits (Hea5 and Pol5). The application has been supported by an Acoustic Design Report and a Baseline Noise Survey Report. The reports conclude that at the closest receptors (residential properties to the west, south and east of the site) the noise levels should not exceed 35dB. Given the noise levels reported, the survey concludes “no significant impacts are predicted as a result of plant noise emissions”.

The use of the land as a primary school will generate additional vehicular and pedestrian movements to/from the site. However, this is not expected to result in a level of disruption that would result in any unacceptable impact upon the living conditions of nearby residents. The proposed development has been considered against the relevant criteria of LDP Policy SW11 and no conflict has been identified.

#### Highway safety/Parking

Vehicular access to the school would be gained via a new mini-roundabout constructed on Goitre Lane. This access point leads to the internal highway which is arranged as a one-way

system and provides access to both the school and parking area. The supporting swept path analysis shows that all vehicle types expected at the site are able to enter and exit in a forward gear.

The parking provision as proposed includes a total of 80 spaces, this exceeds the requirement as set by the Wales Parking Standards 2008. Included in the overall provision are 8 electric vehicle spaces which accords with the requirements of Future Wales Policy 12 (Regional Connectivity) to provide at least 10% Electric Vehicle Spaces for non-residential developments and 4 accessible parking spaces. The proposal also includes a dedicated space for a service vehicle and 4 motorcycle spaces. Cycle storage for up to 40 cycles is also proposed to be provided.

Pedestrian access is proposed from Goitre Lane however it is separated from the main vehicular access point and would be constructed with a new Toucan crossing linking the site with the existing pedestrian footpath network in the area. Works to the highway network would need to be approved by the Highway Division to ensure it meets adoptable standards.

The proposed development is supported by a Transport Statement and a Travel Plan outlining the potential impact of the new school and the level of traffic generated in respect of vehicular and pedestrian movements to/from site. It is accepted that the development will generate additional movements to/from the site. However, the Transport assessment found that there was capacity within the highway network to accommodate the proposed development without having an adverse impact upon highway safety. The swept path analysis has also shown that the site is able to accommodate large passenger service vehicles. The Travel Plan seeks to increase the number of trips to and from school taken by sustainable modes of transport by introducing education around the benefits of sustainable journeys and bike safety lessons and introducing schemes such as a 'walking bus'.

Details relating to the construction phase of the development and how traffic will be managed are included within the Construction Environmental Management Plan (CEMP) submitted in support of this application. The CEMP includes hours of operation, details of protection measures during construction and details of the temporary access/construction required to implement the development. Temporary access into the site would be formed to the north-west of the site via the shared access into the Pen-Y- Dre school, with off-street parking for contractors and deliveries provided. These details are considered to be sufficient as to support the proposed development and ensure there is no unacceptable impact upon highway safety during the construction phase.

The proposed development in respect of both vehicular and pedestrian access and safety has been designed in consultation with the Head of Engineering and Highways, who has not raised highway safety concerns with the development. The proposed development is considered to comply with the requirements of LDP Policies SW11 and SW12.

#### Drainage/Water supply

Surface Water: Due to the scale of the application site the development will be subject to Schedule 3 of the Flood and Water Management Act 2010, therefore requiring approval of Sustainable Drainage Systems (SuDS), in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. This is a separate consent that falls outside the remit of the Town

and Country Planning Act. However, the drainage strategy for the site which includes the construction of a swale, rain water harvesting and the use of permeable surfaces has been provided and reviewed by the Head of Engineering and Highways who raises no concern in respect of the proposed methods of achieving SUDs compliance.

Foul Drainage: Dwr Cymru Welsh Water have been consulted on this application and confirmed that foul flows from the proposed development can be accommodated within the public sewerage system.

Water Supply: Dwr Cymru Welsh Water have confirmed that there is a lack of capacity in the potable water network to provide a suitable supply to the development and a hydraulic modelling assessment would be required. To overcome this a condition has been suggested to be applied to any subsequent grant of consent requiring details to be provided and the works undertaken prior to the development coming into beneficial use.

### Ecology

The application site comprises an undeveloped grassland field that has previously been used for grazing purposes. There are a small number of trees and scrub throughout the site with a denser area of scrub and woodland located in the northern section of the site. A limited amount of connectivity has been identified by the Council's Ecologist to nearby habitats and other ecological features.

An ecological assessment of the site, including a bat survey and reptile survey, has been submitted in support of the proposed development and has identified a baseline for onsite ecological value. No European Protected Species were identified on site however a precautionary approach is proposed to the implementation of the development to minimise any potential impact upon wildlife. The measures include limiting external lighting to only what is necessary for health and safety and limiting the timing for the implementation of works.

In order to comply with the requirements of Chapter 6 (Distinctive and Natural Places) of PPW it is necessary to achieve a net benefit for biodiversity on site and for this to be outlined by a Green Infrastructure Statement (GIS). In this instance a GIS has been provided which outlines what measures are proposed to achieve net benefit and why these have been chosen for this site. The LPA are satisfied that the proposed mitigation as proposed will result in an overall benefit to biodiversity, therefore this requirement as outlined in PPW has been satisfied.

The proposed development would introduce new habitat types to the site such as hedgerow, woodland and ponding, which would increase the diversity of habitats currently available and would significantly increase habitat connectivity within the immediate vicinity of the development. Additional ecological enhancements proposed are; bird and bat boxes, reptile hibernacula and wild flower planting area.

Any loss of existing grassland will be compensated for by the introduction of both meadow grassland and wildflower planting. Ecologically sensitive management of grassland areas alongside the establishment of new habitats and sustainable drainage systems will improve the condition, diversity and resilience of ecological resources within the site over time. A management plan for the site has been developed and is proposed as part of this application. Given that this is a Council project and will remain in the ownership and control of the local

authority the site will be managed as part of the over-all estate and therefore the development will result in the long term, ongoing management of the site.

The scheme will result in the removal of 5 existing trees from within the site however it is proposed that 32 new trees would be planted across the school grounds. The proposed tree planting on site is considered to be acceptable and would appropriately compensate for the loss of trees required to accommodate the proposed development in accordance with the 1:3 ratio set out in PPW. The tree and shrub planting scheme as proposed has been informed by the needs of the school, to be attractive all year round and to minimise maintenance requirements. A key focus in the design of the planting scheme was to include plants that are particularly beneficial for wildlife with 43 out of 64 species of trees/hedges/shrubs/perennials that are proposed are either native or suitable for pollinators. The wildflower meadow mixes are also native.

When considering the proposed planting scheme against the existing base line for ecology it is considered that a net benefit would be achieved and therefore the scheme is compliant with the requirements of PPW and LDP Policies EnW1 and EnW3.

## CONCLUSION

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 wellbeing objectives set out as required by section 8 of the WBFG Act.

The proposed development would provide a much needed replacement primary school and community facility within the area. The school is considered to represent a high-quality development which accords with the Council's aspirations in respect of the standard of design, build and energy efficiency. The development is acceptable in respect of highway safety, visual impact, impact upon the character of the area, ecological interests and impact upon the living conditions of neighbouring occupiers. The proposal meets national and local planning policy requirements and is considered to be acceptable. 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:

Site Location Plan 26CB01-LAW-XX-GF-DR-A-039-0001\_P02  
Ground Floor Plan GA 26CB01-LAW-XX-GF-DR-A-061-1001\_P04  
Roof Plan GA 26CB01-LAW-XX-GF-DR-A-061-1002\_P02  
Proposed North, West, East & South Elevation 26CB01-LAW-32-XX-DR-A-062-2100\_P03  
Proposed Sections 26CB01-LAW-XX-GF-DR-A-063-001\_P03  
Existing Site Plan 26CB01-LAW-30-GF-D-A-039-002\_P01  
Proposed Site Plan 26CB01-LAW-30-00-D-A-069001\_P00  
Vehicle Swept Path Analysis - Fire Tender CC2538-CAM-XX-XX-DR-C-0100-P04  
Vehicle Swept Path Analysis - Refuse CC2538-CAM-XX-XX-DR-C-0101-P04  
Vehicle Swept Path Analysis - Standard Rigid Bus CC2538-CAM-XX-XX-DR-C-0102-P04  
Vehicle Swept Path Analysis - Rigid Truck CC2538-CAM-XX-XX-DR-C-0103-P03  
Vehicle Swept Path Analysis - Standard Design Vehicle CC2538-CAM-XX-XX-DR-C-0104-P03  
Proposed External Hard Works 26CB01-CAM-50-XX-D-C-1100-S4-P04  
Proposed Levels Plan 26CB01-CAM-51-XX-D-C-0600-S4-P04  
General Arrangement Plan 26CB01-CAM-52-XX-D-C-0002-S4-P01  
Proposed Surface Water Drainage Plan 26CB01-CAM-52-XX-D-C-0504-S4-P03  
Proposed Foul Water Drainage Plan 26CB01-CAM-52-XX-D-C-0509-S4-P03  
Pitch Drainage Construction Details 26CB01-CAM-52-XX-D-C-1105-S4-P02  
Drainage Construction Details 26CB01-CAM-52-XX-D-C-1106-S4-P02  
Drainage Construction Details 26CB01-CAM-52-XX-D-C-1107-S4-P02  
Proposed Catchment Plan 26CB01-CAM-53-XX-D-C-1500-S4-P03  
External Services Plan 26CB01-WSP-73-00-D-ME-500301\_P02  
Landscape and GI Constraints and Opportunities Plan 2387201-SBC-00-XX-DR-L-300-PR02  
Tree Pits and Hedge Details 2387201-SBC-00-XX-DR-L-500-PR01  
Strategic Soft Landscape Plan 26CB01-SBC-00-XX-DR-L-0400\_P04  
External Areas Calculations 26CB01-SBC-00-XX-DR-L-0401\_P03  
West off-site habitat compensation sketch design 26CB01-SBC-00-XX-DR-L-0402\_P04  
South off-site habitat compensation sketch design 26CB01-SBC-00-XX-DR-L-0403\_P04  
Biodiversity Enhancement Plan 26CB01-SBC-00-XX-DR-L-0405\_P01  
Biodiversity Strategy V2 14th May 2024 Ecological Services  
Ecological Impact Assessment V2 13th May 2024  
Ecology & Landscape Addendum V1 9th May 2024  
Invertebrate Survey Report October 2022  
Phase One Ecology Report  
Reptile Survey Report 30th October 2023  
Bats and Tree Survey 12th February 2024  
Project Specific Method Statement Morgan Sindall  
GI Statement Rev F 15 05 24 (Soltys Brewster)  
Remediation Strategy 15th March 2024 (Ashfield)  
Arboricultural Report 8th April 2025 (ArbTS)  
Planning Statement February 2024 (Asbri Planning)  
Design and Access Statement February 2024 (Lawray Architects)  
Transport Assessment February 2024 (Asbri Transport)  
Travel Plan February 2024

Acoustic Report (Formant Ltd)  
Baseline Noise Survey Report  
Energy Statement February 2024 WSP  
Site Investigation Report November 2023 (Integral Geotechnique)  
Archaeological and Heritage Desk-Based Assessment January 2024 EDP

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

3. **No buildings within the application site shall be brought into beneficial use** until such time as reinforcement works to the local water supply network to serve the development have been completed as identified in a Hydraulic Modelling Assessment and that written confirmation of this has been submitted to and approved in writing by the Local Planning Authority.

**Reason** - To ensure the site is served by a suitable potable water supply in accordance with Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan.

4. Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at manhole reference number SO04087205.

**Reason** - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

5. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

**Reason** - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

6. The development hereby approved shall not be brought into beneficial use until the provision of a grease trap has been installed in accordance with details that have first been submitted to and approved in writing by the local planning authority. Thereafter the grease trap shall be maintained so as to prevent grease entering the public sewerage system.

**Reason** - To protect the integrity of the public sewage system and ensure the free flow of sewage in accordance with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

7. **Prior to the school building being brought into beneficial use** details of cycle stands for visitors and staff shall be submitted to and approved in writing by the Local Planning Authority. The cycle stands shall be implemented in accordance with the approved details prior to the school building being brought into beneficial use and shall be retained in good condition thereafter.

**Reason** - To support sustainable transport and in the interests of highway safety in accordance with Policies SW11 and SW12 of the Merthyr Tydfil Replacement Local Development Plan.

8. The parking facilities shall be laid out in accordance with the Proposed Site Plan (Drawing No. 26CB01-LAW-30-00-D-A-0690011 - P00) and constructed in consolidated materials, details of which shall first be submitted to and approved in writing by the Local Planning Authority prior to the beneficial occupation of the school building. The development shall be completed in accordance with the approved details prior to the beneficial occupation of the school building and the parking and turning area shall remain available for such purpose at all times thereafter.

**Reason** - To ensure vehicles are parked off the public highway, in the interests of highway safety and the free flow of traffic in accordance with Policies SW11 and SW12 of the Merthyr Tydfil Replacement Local Development Plan.

9. The proposed highway works along Goitre Lane as shown on the General Arrangement Plan (Drawing No. 26CB01-CAM-52-XX-D-C-0002-P01) which includes a new toucan crossing and roundabout shall be provided prior to the school building being brought in to beneficial use.

**Reason** - In the interests of highway safety in accordance with Policies SW11 and SW12 of the Merthyr Tydfil Replacement Local Development Plan.

10. Prior to the construction of the development hereby approved details/samples of the materials to be used in the construction of the external surfaces of the building(s) 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 in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

11. **Prior to the development hereby approved coming into beneficial use**, a detailed plan indicating the positions, height, design, materials 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 in accordance with the approved details prior to the school building being brought into beneficial use.

**Reason** - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

12. The solar panels hereby approved and associated equipment shall be removed from the site in its entirety within 2 months of it no longer being required for generating electricity or 25 years from the date of this permission, whichever is sooner.

**Reason** - In the interests of visual amenity and no permanent degradation of panels which would no longer be required in accordance with Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan

13. **Prior to the development hereby approved coming into beneficial use** the biodiversity/ecological enhancements as shown on the Proposed North, West, East & South Elevation (Drawing No. 26CB01-LAW-32-XX-DR-A-062-2100\_P03) and shall be implemented in full and maintained as such in perpetuity.

**Reason** - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

14. **Prior to the installation of any external lighting**, a detailed lighting scheme shall be submitted to and approved in writing by the local planning authority to protect bat foraging/commuting areas. The details shall include:

- horizontal and vertical illuminance plans demonstrating dark corridors/routes to be provided from north to south and east to west across the site, together with dark routes for access to the integral bat boxes.
- a plan illustrating the lux levels across the site overlaid with the dark corridors
- the onsite lighting shall include details of the proposed colour temperatures
- details of night control to ensure lighting is not operational when not required.

The lighting scheme shall be carried out in accordance with the approved details.

**Reason** - To ensure there is no adverse impact upon European Protected Species in accordance with Policy EnW2 of the Merthyr Tydfil Replacement Local Development Plan.

15. Prior to the beneficial occupation of the new school building, the electric vehicle charging points shall be provided in accordance with the submitted details as shown on the Proposed Site Plan (Drawing No. 26CB01-LAW-30-00-D-A-069001\_P00) and should be retained as such in perpetuity.

**Reason** - To support the use of electric vehicles in accordance with Policy SW12 of the Merthyr Tydfil Replacement Local Development Plan and Policy 12 of Future Wales

16. All soft landscaping as proposed shall be carried out no later than the first planting season following the beneficial occupation of the development hereby approved. If within a period of up to five years from the planting of any proposed landscaping, any tree or hedgerow planted is removed, uprooted or destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective), a replacement of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

**Reason** - To safeguard long term amenity, landscape and ecological interests in accordance with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan

17. Prior to the construction of any retaining walls which exceeds 1m in height, details, including structural calculations and facing materials, shall be submitted to and approved in writing by the Local Planning Authority. The retaining 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 SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

18. Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 0800 to 14:00 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 Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

## INFORMATIVES

1. Technical approval of the proposed S278 works on the existing highway will be required from the Highway Authority.
2. The proposed scheme will require a sustainable drainage system designed in accordance with the attached Welsh Government Standards for sustainable drainage. The scheme will require approval by the SuDS Approving Body (SAB) prior to any construction work commencing.
3. Please note that Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This protection includes bats and places used as bat roosts, whether a bat is present at the time or not. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately (0300 065 3000).
4. Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended). The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September.