

# PLANNING STATEMENT FOR REPLACEMENT ST. NICHOLAS CIW PRIMARY SCHOOL, ST. NICHOLAS

NOVEMBER 2021



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## 1. INTRODUCTION

- 1.1. The 21<sup>st</sup> Century Schools Programme Team have undertaken a planning assessment of the proposed development to demonstrate the proposal complies with national and local planning policies.
- 1.2. The proposed development relates to the existing primary school site in St. Nicholas. The site measures approximately 1.20 hectares (ha) and contains the existing school building, staff car park and hard and soft play areas. The proposal would create approximately 1,045sq.m of gross external floorspace and would be classed as major development under Article 2 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
- 1.3. On the 18 March 2019 the governing body issued a consultation document on a proposal to increase the capacity of the school from 126 (FT) places to 210 (FT) places and alter the age range from 4-11 to 3-11 from September 2021. This was to meet projected future demand as a result of existing and proposed housing developments in the area. On 23 September 2019, the Vale of Glamorgan Council's Cabinet approved the proposal to expand St Nicholas CiW Primary from 126 places to 210 places and to change the age range from 4-11 to 3-11 from September 2021. A subsequent planning application (2020/00874/RG3 refers) was submitted seeking consent to undertake the development of a replacement school which would be able to accommodate the increased pupil places. The planning application was considered by the Council's Planning Committee on 21 January 2021, where it was determined that planning permission would not be granted due to the impact the increased capacity would have on the local highway infrastructure. As a result, the Council put the scheme on hold to review options.
- 1.4. The Council has reviewed the need for pupil places for St. Nicholas CiW Primary School. The main contextual change relates to the removal of feeder schools from the secondary oversubscription criteria, which came into force in September 2020. This has resulted in a decrease in pupil applications to the existing school. Furthermore, additional population analysis has been undertaken, based on updated ONS statistics, to predict the pupil population over the next 15 years. This analysis demonstrated the number of primary aged pupils' resident within the catchment area is not projected to exceed 100 pupils over the next 15 years. Consequently, the Council's preferred option is to amend the scheme to construct a new building on the existing site to accommodate 126 primary places and 24 part-time nursery places. This would address the poor condition of the existing school and provide nursery provision in the area.
- 1.5. The Governing Body for St. Nicholas CiW Primary School will need to re-run the statutory consultation on the proposal to alter the age range of the school from 4-11 to 3-11 to allow the nursery provision to proceed on the site. In the interim the Council is submitting a planning application for the preferred option to re-develop the school to determine if the preferred option is acceptable in planning terms. It should be noted that the statutory consultation must be completed before the proposed development to extend the age range of the school can begin, regardless of whether planning consent is received. Although the planning application process for the preferred scheme will be continuing in tandem with the statutory consultation, this does not represent pre-determination regarding the outcome of the statutory consultation. This is due to the planning application being a separate process and can be amended following the outcome of the statutory consultation.

## 2. SUMMARY OF PROPOSAL

- 2.1.1. The proposal seeks to develop a replacement school building with the same pupil capacity as the existing school (126 pupils) plus additional space to accommodate 48 nursery places (24 places for a.m. period and 24 places for p.m. period). The proposal seeks to provide a net zero carbon building as well as achieving the BREEAM excellent accreditation. The internal and external spaces have been designed in accordance with Building Bulletin 99 which provides guidance on the required space for schools which are delivered as part of the 21<sup>st</sup> Century Schools programme.
- 2.1.2. The proposal aims to provide a replacement school building which has sufficient teaching space for the number of pupils at the school and provide reception and additional nursery provision within the replacement building.

## 2.2. SITE LOCATION AND CONTEXT

- 2.2.1. St. Nicholas CIW Primary School is an English-medium voluntary controlled school serving 4- to 11-year-olds in St. Nicholas and Bonvilston. There are 18 pupils per year group with a total capacity of 126 pupils. The school does not currently provide nursery provision. The school consists of two buildings: the 'Old School' built in the 1850s and a flat-roofed main building built in the 1960s. The main building is timber clad and has been categorised as being of poor condition and suitability. The school is split over two sites with reception pupils having to walk to the nearby 'Old School' following morning assembly. There is no path along this stretch of road which is a health and safety risk to younger pupils and the community. Classroom sizes are inconsistent throughout the building. There are currently existing capacity issues at the school with 72 children being taught across two classrooms.
- 2.2.2. Regarding the location of the proposed development, the site relates to the current site of St. Nicholas CIW Primary (Figure 1 refers). The site sits at the northern edge of the Village of St. Nicholas in the Vale of Glamorgan. St. Nicholas is located 2 miles to the west of Cardiff. It sits alongside one of the main vehicular routes in and out of the city; the A48. To the south and east of the school site there are residential areas, with new housing developments recently built on the eastern edge of the village. The site lies within the traditional centre of the village, on the northern edge of the St. Nicholas conservation area. The site backs onto the open countryside which falls outside of the settlement boundary of St. Nicholas.

Figure 1: Site Location Plan



2.2.3. In terms of the topography of the site, it is generally flat with nominal level differences across its length and width (Figure 2 refers). It is unlikely that any retaining structures or noticeable level changes will be required within the proposal. The proposed school building would be situated at a similar ground level to the existing structures on the site.

**Figure 2: Contour Plan**



- 2.2.4. The school building currently sits at the southern end of the site, overlooking School Lane. There is a single vehicular access and egress point in the south eastern corner, which provides access to the car park on the eastern side of the school building. The main hard play area is on the western side of the school, wrapping around to the north. Further beyond is an enclosed grass play area with external furniture. Beyond the fence line at the north of the grass play area are sports pitches and an established habitat area. At the front of the school site in the south, there are smaller, enclosed external play areas. The site is bounded by hedgerows to the front of the site with mature vegetation growing to the side and rear boundaries of the school site.
- 2.2.5. The existing school building lies within the St Nicholas Conservation Area, however, the playing fields which relate to the school are excluded from the designation. In summary the Conservation Area covers the core of the historic settlement along the A48 which forms the principal street with scattered buildings to both north and south. St. Nicholas Church (a listed building), its churchyard and the adjoining green area all provide some focus to the settlement on the north side of the main road. Modern housing has been added in several locations, most notably in Ger-y-Llan. Duffryn Lane leads southwards down the hill to a small estate of former Rural District Council housing, built in the late 1940s, which stands on the southern extremity of the conservation area, facing, and surrounded by, open countryside. Further farming land with open fields and low hedges, with clumps of woodland, are typical of the surrounding landscape.

2.2.6. Figure 3 shows the context of the site and identifies the key historic features in the vicinity and the location of the St Nicholas settlement boundary as shown in the Vale of Glamorgan Local Development Plan.

Figure 3: Contextual Plan



### 3. PLANNING POLICY CONTEXT

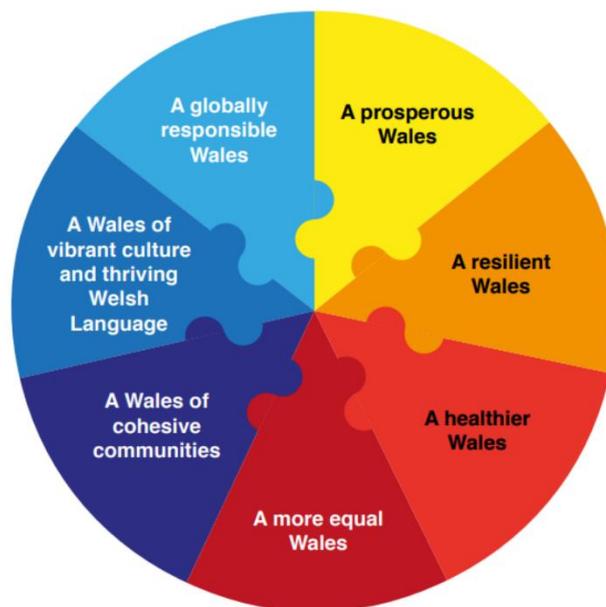
3.1.1. This section of the Design and Access Statement outlines the relevant national and local planning policy in relation to the proposed development. The applicable legislation has also been set out in this section.

### 3.2. RELEVANT LEGISLATION

#### THE WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

3.2.1. The Well-Being of Future Generations (Wales) Act 2015 (WBFG) seeks to improve the social, economic, environmental, and cultural well-being of Wales. The Act contains seven well-being goals which local authorities as well as other public bodies must seek to achieve in order to improve well-being both now and in the future (see Figure 4). This means public bodies listed in the Act must undertake their work in a sustainable way and ensure that when making their decisions they take into account the impact they could have on people living in Wales in the future in accordance with the sustainability principle; “a public body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.” (WBFG(W), Sec.2, 2015)

Figure 4: Well-being Goals (Source: Welsh Government)



3.2.2. In relation to exercising the provisions of the WBFG, the Planning Act (Wales) 2015 introduced a statutory purpose of the planning system in Wales stating that a Local Planning Authority (LPA) must exercise its function in relation to the determination of planning applications “...as part of carrying out sustainable development in accordance with the Well-being of Future Generations (Wales) Act 2015 (annex 2), for the purpose of ensuring that the development and use of land contribute to improving the economic, social, environmental and cultural well-being of Wales.” (PA(W), Sec.2(2) 2015) This enshrines the definition of sustainable development as outlined in WBFG in to the LPA’s functions under Section 2.1(a) and (b) of the Planning Act (Wales).

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## THE ENVIRONMENT (WALES) ACT 2016

- 3.2.3. The Environment (Wales) Act 2016 promotes the sustainable management of natural resources. As part of this function, it introduces an enhanced biodiversity and resilience of ecosystems duty under Section 6 of the Act. This duty applies to public authorities in the exercise of their functions in relation to Wales and seeks to maximise contributions towards achieving the well-being goals outlined in the WBFG through requiring public authorities “to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions” (Sec.6 (1), 2015). The LPA therefore must seek to maintain and enhance biodiversity when determining planning applications.

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## THE FLOOD AND WATER MANAGEMENT ACT 2010

- 3.2.4. Schedule 3 of the Flood and Water Management Act 2010 requires new developments in Wales to include Sustainable Drainage Systems (SuDS) features that comply with national standards. The use of SuDS within a development scheme is a way to help achieve sustainable development in accordance with WBFG. For new development consisting of more than one new dwelling or where the area covered by construction work equals or exceeds 100 square metres the development requires approval before construction can commence from the SuDS Approval Body (SAB). Subsequently, the proposed development would be subject to a SuDS application. This is a separate process to determining planning decisions and a development can achieve planning consent without SuDS approval. However, construction of the development would not be able to proceed until SuDS approval has been granted. Consequently, SuDS should be considered as part of the design process to ensure the development proposal complies with national standards and would not require amendments following a SuDS approval.

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## THE EDUCATION (SCHOOL PREMISES) REGULATIONS 1999

- 3.2.5. The Education Act 1996 places a duty on Welsh Government to prescribe standards for school premises in Wales. The standards for Wales are set out in the Education (School Premises) Regulations 1999 which apply to all existing and new schools maintained by a local authority. Schedule 2 – Playing Fields sets out the minimum area required for team game playing fields for schools based upon the number of pupils who attend the school who have attained the age of 8 years up to 11 years and other schools with pupils older than 11 years. Where an all-weather surface is included within a school this area can be treated as if it were twice its actual size.

## 3.3. NATIONAL PLANNING POLICY

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### PLANNING POLICY WALES (PPW) EDITION 10 (2018)

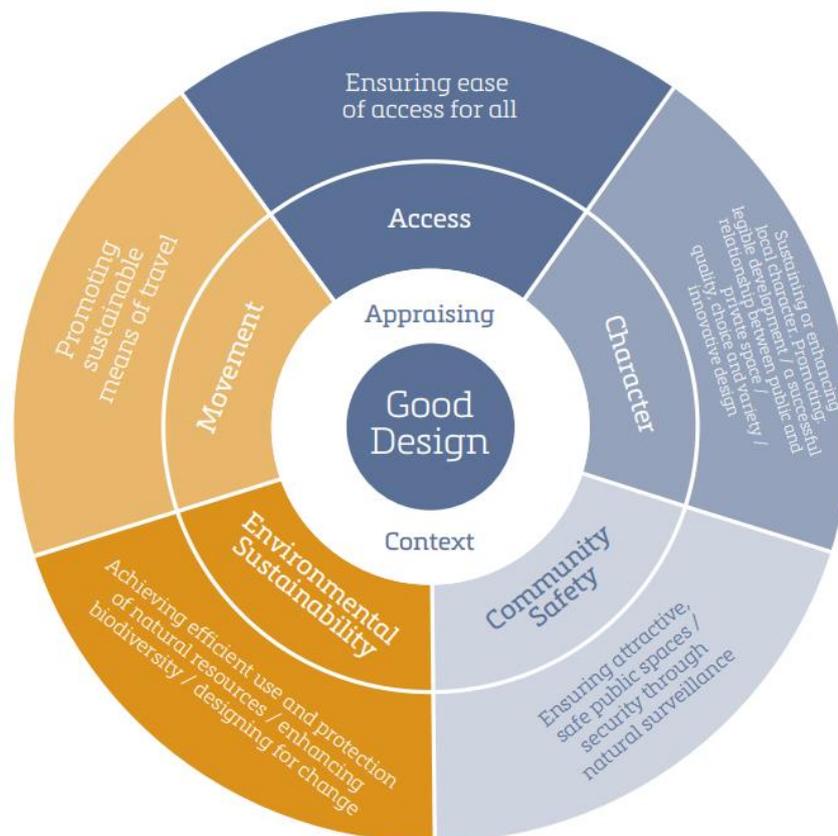
- 3.3.1. Planning Policy Wales Edition 11 (PPW) (February 2021) published by Welsh Government provides the national planning policy context for Wales. PPW sets out the land use policy context for the consideration and evaluation of all types of development to promote sustainable development which is defined by the WBFG as “the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.” (PPW, p.7). The sustainable development principle seeks to ensure the needs of the present are met without compromising the ability of future generations to meet their own needs. This concept of sustainable development is promoted by PPW relating to both the preparation of development plans and in the determination of planning applications.

3.3.2. PPW sets out the national planning policy approach to ensure the requirements of the WCFG are met through adopting a placemaking approach to plan making, planning policy and decision making. Placemaking is defined in national policy as “a holistic approach to the planning and design of development and spaces, focused on positive outcomes. It draws upon an area’s potential to create high quality development and public spaces that promote people’s prosperity, health, happiness, and well-being in the widest sense.” (PPW, p.14). To ensure those involved in the planning system follow the placemaking approach, PPW outlines the key principles that should be adhered to:

- Growing our economy in a sustainable manner;
- Making best use of resources;
- Facilitating accessible and healthy environments;
- Creating and sustaining communities;
- Maximising environmental protection and limiting environmental impact.

3.3.3. Paragraph 3.3 of PPW emphasises the importance good design plays in creating sustainable development. The scope of good design goes beyond the architecture of the building and includes “the relationship between all elements of the natural and built environment and between people and places.” (PPW, p.24). To ensure good design is achieved developments should meet the objectives of good design through the five key aspects set out in Figure 5 below:

**Figure 5: Objectives of Good Design (Source: Welsh Government)**



3.3.4. PPW endorses the use of previously developed land wherever possible to be used in preference to greenfield sites. Where the land is located within settlements PPW states

“such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome” (PPW, p.37). For the purposes of planning previously developed land is defined as:

“Previously developed (also known as brownfield) land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings) and associated fixed surface infrastructure. The curtilage of the development is included, as are defence buildings and land used for mineral extraction and waste disposal where provision for restoration has not been made through development management procedures.

Excluded from the definition are:

- land and buildings currently in use for agricultural or forestry purposes;
- land which has not been developed previously, for example parks, recreation grounds, golf courses and allotments, even though these areas may contain certain urban features such as paths, pavilions, and other buildings;
- and where the remains of any structure or activity have blended into the landscape over time so that they can reasonably be considered part of the natural surroundings;
- and which is species rich and biodiverse and may qualify as section 7 habitat or be identified as having nature conservation value; Environment Act; and
- previously developed land subsequently put to an amenity use.” (PPW, p.37)

- 3.3.5. However, PPW also states “Where there is a need for sites, but it has been clearly demonstrated that there is no previously developed land or underutilised sites (within the authority or neighbouring authorities), consideration should then be given to suitable and sustainable greenfield sites within or on the edge of settlements.” (PPW, para.3.44). Although this relates to development plans it is considered the principles outlined in this section are still relevant to windfall development which comes forward in a Local Authority.
- 3.3.6. This is further supported by the requirement in PPW for educational purposes to be subject to a sequential approach in relation to site selection stating “The sequential approach applies to retail and all other uses complementary to retail and commercial centres. Other complementary uses include, for example, financial and professional services (A2), food and drink (A3), offices (B1), hotels (C1), educational and other non-residential establishments (D1), leisure (D2) and certain other uses such as launderettes and theatres. However, some education, healthcare and community uses may have specific accessibility requirements which mean they need to be located close to the communities they serve. Planning authorities should be flexible in their approach where it is necessary. The nature of a proposed use is likely to determine what type of centre (i.e. higher or lower order centre) is most appropriate as a starting point for the sequential approach process.” (PPW, para.4.3.21)
- 3.3.7. In relation to education facilities, PPW identifies these uses as supporting infrastructure which are crucial for economic, social, and environmental sustainability. Additionally, schools are classified as sensitive development within PPW and as such “It will not be appropriate to locate sensitive uses, such as hospitals, schools, care homes and housing adjacent to busy roads or other transport routes, where there are no connectivity benefits to be gained and where health and amenity impacts associated with increased exposure of people to pollution will be unacceptable.” (PPW, para.6.7.19)
- 3.3.8. PPW also highlights the importance of community facilities which perform various functions and contribute to a sense of place important to the health, well-being, and amenity of local

communities. Community facilities “can include schools, cultural facilities, health services, libraries, allotments and places of worship” (PPW, para.4.4.1), and that planning authorities “should consider the needs of the communities and ensure that community facilities continue to address the requirements of residents in the area” (PPW, para. 4.4.2).

- 3.3.9. PPW also outlines the importance of the Section 6 duty placed on Local Authorities contained within the Environment (Wales) Act 2016 in relation to planning stating “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, locally or nationally and must provide a net benefit for biodiversity.” (PPW, para.6.4.5, 2021). This means developers will need to demonstrate to planning authorities how biodiversity is being maintained and enhanced as part of developments.
- 3.3.10. An element of the proposed development is located within the St Nicholas Conservation Area. PPW states “The planning system must take into account the Welsh Government’s objectives to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations.” (PPW, para.6.1.5, 2021). In relation to Conservation Areas “There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised.” (PPW, para.6.1.14, 2021). PPW outlines that developments can achieve the preservation or enhancement of Conservation Areas through either making “a positive contribution to an area’s character or appearance or leaves them unharmed. Mitigation measures can also be considered which could result in an overall neutral or positive impact of a proposed development in a conservation area.” (PPW, para.6.1.16, 2021). It should also be noted that there is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level. However, in exceptional cases, the presumption may be overridden in favour of development considered desirable on public interest grounds. (PPW, 2021).

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#### TECHNICAL ADVICE NOTE (TAN) 12: DESIGN (2016)

- 3.3.11. TAN 12 builds upon the objectives of good design set out in PPW providing further guidance on the elements of good design which should be included within development proposals. The design context is individual to each proposal, however, there are broad areas which should be covered in any proposal which are outlined in TAN 12. The key guidance relating to the proposed development is set out below:

- “The public sector has a responsibility and an opportunity to set high standards in achieving good design in its own buildings and achieving low carbon targets or zero carbon where possible. In the design of schools, hospitals and other buildings and infrastructure intended for use by the local community the aim should be to achieve fitness for purpose, value for money over the whole life of the building, and a positive impact on the lives of those who use it and on its surroundings.” (TAN 12, para.5.10.1, 2016)
- “Through their location and design, public buildings can provide a strong community focus and reinforce local identity. Integration with the community they serve is essential. Most public buildings will be best placed at central points in highly visible locations. Where there is scope to emphasise civic status by development of adjoining public spaces this should be pursued. The objectives of access for all and achieving

legibility are particularly important in the design of buildings into which the public are invited.” (TAN 12, para.5.10.2, 2016)

- “Best value for money in terms of whole life costs is best achieved by integrated project teams which mobilise all the design and construction skills in the team to achieve high quality and minimum waste.” (TAN 12, para.5.10.4, 2016)
- “Consideration should be given to practical ways in which the design of development can reduce opportunities for crime, disorder and anti-social behaviour.” (TAN 12, para.5.17.1, 2016).

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#### TECHNICAL ADVICE NOTE (TAN) 18: TRANSPORT (2007)

3.3.12. TAN 18 seeks to create an efficient and sustainable transport system. To achieve a more sustainable pattern of development TAN 18 provides detailed guidance upon the location of development, parking, and the design of development. The following guidance is considered relevant to the proposed development:

- “The location of major travel generating uses including employment, education, shopping and leisure can significantly influence the number and length of journeys, journey mode and the potential for multi-purpose trips.” (TAN 18, para.3.7, 2007)
- “All new schools should be subject to TA. The level of analysis should provide the decision maker with suitable data regarding the accessibility of the site by all modes and the impacts on movement patterns likely to occur. The level of detail should be proportionate to the scale of the development. The objectives of the TIS should as a minimum include the creation or improvement of safe cycling and walking routes, restricting car access around schools, providing adequate cycle storage, and a framework for future school travel planning activity.” (TAN 18, p.50, 2007)

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#### TECHNICAL ADVICE NOTE (TAN) 24: THE HISTORIC ENVIRONMENT (2017)

3.3.13. The purpose of TAN 24 is to outline how the planning system considers the historic environment. The historic environment is defined as “All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and deliberately planted or managed.” (TAN 24, para.1.7, 2017).

3.3.14. Specifically, in relation to Conservation Areas TAN 24 states “Many conservation areas include the commercial centres of towns and villages. Generally, there will be an emphasis on controlled and positive management of change that encourages economic vibrancy and social and cultural vitality and accords with the area’s special architectural and historic qualities. Many conservation areas include sites or buildings that make no positive contribution to, or indeed detract from the character or appearance of the area; their replacement should be a stimulus to imaginative, high-quality design and an opportunity to enhance the area.” (TAN 24, para.6.7, 2017)

3.3.15. Regarding the demolition of buildings within a Conservation Area “There should be a general presumption in favour of retaining buildings, which make a positive contribution to the character or appearance of a conservation area... In cases where it is considered a building makes little or no contribution, the local planning authority will normally need to have full information about what is proposed for the site after demolition. Consent for demolition should not be given without acceptable and detailed plans for the reuse of the site unless redevelopment is itself undesirable.” (TAN 24, para.6.13, 2017).

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#### FUTURE WALES: THE NATIONAL PLAN 2040 (FEBRUARY 2021)

- 3.3.16. Future Wales: The National Plan 2040 is the Welsh Government's national development framework which sets the direction for development in Wales to 2040. Future Wales is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining, and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales is a spatial plan, which means it sets a direction for where we should be investing in infrastructure and development for the greater good of Wales and its people.
- 3.3.17. Future Wales provides a clear vision of Wales in 2040 and sets out the steps required to get there and includes a set of 11 inter-related and inter-dependent outcomes based on national planning principles which will improve places and well-being across Wales. These outcomes are supported by policies which cover a range of areas including **Policy 6 – Town Centre First** which directs that new commercial, retail, education, health, leisure, and public service facilities must be located within town and city centres and have good access by public transport to and from the whole town or city and, where appropriate, the wider region. In identifying sites for such development, Future Wales directs that a sequential approach must be used to inform the identification of the best location for these developments, and they should be identified in Strategic and Local Development Plans.

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#### WELSH NATIONAL MARINE PLAN (2019)

- 3.3.18. The Welsh National Marine Plan (WNMP) outlines the national planning policies for Wales' marine environment to support economic, social, cultural, and environmental objectives. The WNMP supports the sustainable development of the Wales marine area by setting out how development proposals should be considered by decision makers. The geographical scope of the WNMP covers the Welsh inshore region (mean high-water spring tides out to 12 nautical miles) and the offshore region (beyond 12 nautical miles). Although the potential development site is located inland it is situated near the River Thaw which feeds into the WNMP area. Therefore, the following policies are considered to be relevant to the proposal:
- Policy GOV\_01: Cumulative effects - Proposals should demonstrate that they have assessed potential cumulative effects and should, in order of preference:
    - a. Avoid adverse effects; and/or
    - b. Minimise effects where they cannot be avoided; and/or
    - c. Mitigate effects where they cannot be minimised.
- 3.3.19. If significant adverse effects cannot be avoided, minimised, or mitigated, proposals must present a clear and convincing case for proceeding. Proposals that contribute to positive cumulative effects are encouraged.
- 3.3.20. The WNMP states, the level of assessment and engagement undertaken for any development project should be proportionate to the scale and potential impact of the development. To help developers understand the level of detail required to be included within proposals development has been categorised into bands. The 3 bands are categorised as follows:
- "Band One activities are low risk and little or no additional evidence is likely to be required to demonstrate compliance with this Plan.

- Band Two activities are medium risk. Some evidence is likely to be required to demonstrate compliance with this Plan. The level of evidence required will be based upon the level of risk associated with the project.
- Band Three activities are higher risk, including projects that require formal project assessment processes. A greater level of evidence is likely to be required to demonstrate compliance with this Plan.” (WNMP, p.11, 2019)

3.3.21. The proposed development is considered to fall under Band 1 of the WNMP and is considered to represent a form of development that would pose low risk to the marine environment due to the significant distance the proposal is from the WNMP area and the proposed SUDS drainage strategy which will appropriately manage surface water run-off from the site. Therefore, no water flows from the site would impact on the marine environment. Consequently, it is considered the proposal complies with the WNMP and no additional evidence has been produced.

#### 3.4. LOCAL PLANNING POLICY

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##### VALE OF GLAMORGAN LOCAL DEVELOPMENT PLAN (LDP) 2011 - 2026

3.4.1. The Local Development Plan (LDP) is the principal planning policy document for the Vale of Glamorgan. The following policies are considered to be relevant to the proposal and are reflected in the proposed development:

- Policy SP1 - Delivering the Strategy  
This policy outlines the criteria required to deliver the LDP strategy which proposed development should seek to meet to comply with the LDP vision and objectives.
- Policy SP10 - Built and Natural Environment  
This policy emphasises the need to protect the Vale of Glamorgan’s natural and built environment assets and reinforces that sensitive design and choice of location of new development can have a positive effect on the built and natural heritage of the Vale of Glamorgan. It requires new development to minimise the impact on natural systems and provide opportunities for the creation of habitats or enhance existing habitats.
- Policy MG6 - Provision of Educational Facilities  
This policy outlines the land allocated for new school development. It also references the need for existing schools to be extended or improved to meet the demand for school places over the plan period.
- Policy MD1 - Location of New Development  
This policy sets out the framework for future development to take place on unallocated sites. New development should be directed towards locations accessible by sustainable transport and reduce dependence on private cars. The policy emphasises the importance of protecting the countryside which is defined as land lying outside of identified settlement boundaries.
- Policy MD2 - Design of New Development  
This policy sets out the key principles that developers should consider in respect of design, amenity and access which together contribute to attractive, safe, and accessible environments.
- Policy MD4 - Community Infrastructure and Planning Obligations  
This policy outlines the Council’s approach towards securing community infrastructure through the use of planning obligations.
- Policy MD5 - Development within Settlement Boundaries  
This policy sets out the criteria to which new development within identified settlement boundaries will be assessed.

- Policy MD7 - Environmental Protection  
This policy follows a precautionary approach to environmental protection and encourages developers to assess the impacts of development at the earliest stages. Where development is permitted conditions will be attached to minimise the potential pollution levels and where appropriate monitor the effects of the development.
- Policy MD8 - Historic Environment  
This policy sets out the designated areas and buildings which require special protection and consideration regarding their specific qualities that add to the built and historic environment. These designations include; conservation areas, listed buildings and locally listed buildings, designated landscapes, historic parks and gardens, battlefields, and sites of archaeological interest.
- Policy MD9 - Promoting Biodiversity  
This policy outlines the Council's approach to promoting biodiversity through new development proposals which will be required to conserve and enhance biodiversity interests unless the criteria of the policy are met.

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#### BIODIVERSITY AND DEVELOPMENT SPG (2018)

3.4.2. The SPG document offers guidance to assist developers to meet the Council's proactive approach to achieve a high-quality natural environment. This includes outlining the information the Council requires to be submitted to support a planning application to demonstrate biodiversity has been appropriately considered on the site, in the form of various Ecological Surveys where applicable. Where biodiversity interests have been identified on an application site through the use of surveys, the SPG details the procedure which must be followed during the design stage of the proposed development which apply during pre and post construction phases. The guidance also includes a schedule of conservation and enhancement measures that the Council would consider appropriate to be utilised to conserve and enhance on-site biodiversity features and if necessary, provide off-site compensation.

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#### PARKING STANDARDS SPG (2019)

3.4.3. This document contains the parking guidelines adopted within the Vale of Glamorgan which are based upon the 2008 County Surveyors Society Standards. The Parking Standards cover a variety of different uses and identifies various parking zones throughout the Vale of Glamorgan which dictate the amount of parking required. The Council's approach to parking relates to maximum standards, limiting the amount of parking provided and, allows for a reduction in parking provision where it can be evidenced that local conditions and the availability of alternative forms of transport would permit a reduction. The SPG also contains guidance on the design of parking layouts, disabled bay parking provision and bicycle parking provision.

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#### TRAVEL PLAN SPG (2018)

3.4.4. The Travel Plan SPG document seeks to ensure that development proposals which are likely to generate significant travel movements are accompanied by an appropriate travel plan in order to reduce the impact on the surrounding community and encourage sustainable travel. It outlines the type of travel plans required for specific development and when they would be required setting out the thresholds for different development types.

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## TREES, HEDGEROWS, WOODLANDS, AND DEVELOPMENT SPG (2018)

3.4.5. The SPG contains guidance relating to how existing vegetation should be considered within development proposals. It emphasises the importance of protecting existing trees and integrating them within the design of development proposals through the use of a Tree Strategy. Where a Tree Preservation Order or Category A or B tree is required to be removed as part of the development the Council pursues a 2:1 policy meaning for each tree removed two must be re-planted on site. Regarding unprotected and lower category trees the 2:1 policy is encouraged where possible. The guidance does contain some flexibility to allow for the provision of additional trees off-site on public or other land in control of the applicant, but the appropriateness of this approach would need to be assessed on a case-by-case basis.

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## ST. NICHOLAS CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN (2009)

3.4.6. The St. Nicholas Conservation Area Appraisal and Management Plan (CAAMP) was adopted as supplementary planning guidance (SPG) and is a material consideration where development proposals would impact upon the St. Nicholas Conservation Area. The St. Nicholas CAAMP builds upon policy set out by the Welsh Assembly in Planning Policy Wales and Circular 61/96, and local policy including the Vale of Glamorgan Supplementary Planning Guidance 'Conservation Areas in the Rural Vale' (1999). This document provides a further, firm basis on which applications for development within, and close to the St. Nicholas Conservation Area can be assessed.

## 3.5. PLANNING HISTORY

3.5.1. Previous planning decisions including appeal decisions are considered as material planning considerations. Therefore, a review of the planning history on the site has been taken to identify any decisions which should be considered as part of the proposed development. The site has been subject to a number of planning applications which are detailed below:

- **2020/00874/REG3:** Proposal - Proposed replacement primary school including additional nursery provision and associated works. Decision – Refused, 22/01/2021.
- **2016/00431/REG3:** Proposal - Proposed canopy to the front/south elevation. Decision - Approved, 08/06/2016.
- **2008/00243/REG3:** Proposal - Retention of metal storage container (6.0 x 2.4m) to store outdoor P.E. equipment. Decision - Approved 18/04/2008.
- **2005/01996/REG3:** Proposal - Metal storage container (6.00 x 2.4m) to store outdoor PE equipment on playing field to rear of St. Nicholas Primary School. Decision – Approved, 10/03/2006.
- **2004/01248/REG3:** Proposal - Provision of an external boiler room to house the new heating system equipment. Decision - Approved 20/10/2004.
- **2004/0187/REG3:** Proposal - Infill extensions in 2 No. separate locations to increase classroom areas. Existing external screens to be re-used thus overall appearance to elevations unchanged. Decision - Approved 10/12/2004.
- **2001/01435/REG3:** Proposal - Site a steel container in playing fields. Decision - Approved 10/01/2002.

- 3.5.2. The majority of the planning history demonstrates that the school has been subject to several planning applications associated with extensions and adaptations relating to the arising educational needs of the school. However, the most recent planning application (2020/00874/RG3 refers) was refused. This refusal relates to a similar proposal to provide a replacement school on the existing school site. The refused development would significantly increase the school capacity from 126 places to 210 places. The Planning Committee considered the increase in capacity of the school would exacerbate traffic congestion in the vicinity of the school to the detriment of highway safety contrary to LDP Policy MD2 (Design of New Development) criterion 6.
- 3.5.3. Regarding the current proposed development, the proposed school building would be more similar in scale and capacity to the existing school on the site. It is noted the proposed school would be larger than the existing building to accommodate the current size requirements for a school delivered under the 21<sup>st</sup> Century Schools Programme. Furthermore, the school would also include additional nursery provision for 48 places split between the a.m. and p.m. school periods (24 pupils during each time slot). It is considered the current proposal addresses the key issue raised under the previous refusal which related to the significant increase in pupil capacity at the school. It should be noted the current proposal includes on-site parking measures and parent pick-up and drop-off areas to alleviate the existing congestion issues experienced at the existing school. Therefore, it is considered the proposed development would represent an improvement on the existing traffic situation experienced at the school and would ensure that education provision is maintained within the community whilst making efficient use of the site through its re-development.

## 4. PLANNING ASSESSMENT

- 4.1.1. This section analyses the relevant policy and assesses whether the proposal complies with both national and local planning policy.

### 4.2. LOCATION

- 4.2.1. Regarding national policy contained within PPW, there is a presumption in favour of sustainable development. An important consideration relating to the sustainability of a proposal is its location. St Nicholas is identified as a minor rural settlement within the LDP settlement hierarchy, a sustainable location which can support an appropriate level of development to meet local needs.
- 4.2.2. Policy MD1 of the LDP (p.99, 2017) directs new development proposals to settlements which are considered to offer a range of services and facilities. Criterion 2 supports proposals that reinforce the role and function of the settlements as providers of commercial, community and healthcare facilities. In respect of the proposed new school, criterion 3 supports proposals for appropriate new enterprises, tourism, leisure, and community facilities in the Vale of Glamorgan, and promotes sustainable construction and makes beneficial use of previously developed land or buildings (criterion 7).
- 4.2.3. The proposed development would involve the redevelopment of the existing school building, setting the new building further into the school site. This would result in the new building being placed on the existing grassed play area and result in the partial loss of the existing school playing field that is located to the rear of the school buildings. Whilst the existing school is located within the St. Nicholas settlement boundary, the existing sports pitches are situated outside of it and in planning terms would be classed as countryside. Notwithstanding this, the proposed layout of the school would straddle the settlement boundary and would also retain a useable school playing field whilst enhancing amenity play space associated with the school.
- 4.2.4. Policy MD2 of the LDP requires all development proposals to fully consider the context and character of its location and contribute positively to its local setting, ensuring that residential amenity is safeguarded and that it is of an appropriate scale, density, and design.
- 4.2.5. To ensure that the proposal will not have a detrimental impact upon the setting of the countryside a 1 1/2 storey building has been proposed with a palette of external finishes sympathetic to its countryside setting. Furthermore, the proposed replacement school would be designed to current construction standards exceeding those used in the existing school building and ensuring the proposal would deliver a net zero carbon building. Consequently, the proposal would have a limited environmental impact and significantly improves upon the existing situation at the site. Additionally, the footprint of the proposed building shall be set back from the current school building, assisting in reducing the visual impact and potential overlooking of neighbouring residential properties. In addition, the majority of existing trees within the site boundary and existing hedgerows will be retained wherever possible. Additional landscaping is proposed on site, including further tree planting to the site boundaries to minimise the visual appearance of the new school building and help reduce noise from the external areas of the school.
- 4.2.6. Consequently, the layout and location of the proposed school building within the site has been designed to minimise the impact on the residential amenity of neighbouring properties in accordance with Policies MD 1 and MD 2 of the LDP.

- 4.2.7. Furthermore, it is considered that the proposal represents a more efficient use of the land to meet current and future demand for school places. In this respect, the proposal accords with the guidance set out in PPW which encourages the efficient use of land and redevelopment of previously used land where its re-use will promote sustainability principles (p.37) and encourages development which maximises the use of existing infrastructure that supports decarbonisation and socially and economically connected places (PPW p.39).

### 4.3. TRANSPORT

- 4.3.1. The proposed development is located on an existing school site which already benefits from existing highway infrastructure. The nearest bus stop to the school is situated on the A48 approximately 0.1 miles (3-minute walk) from the school, served by the X2 hourly bus service.
- 4.3.2. The proposed replacement school would slightly increase the pupil capacity by including nursery provision on the site. There would also be an increase in staff at the school from 17.5FTE to 20.5 FTE staff. This will affect the existing transport network to some degree. Consequently, the proposed development is supported by a Transport Assessment which assesses the proposal using traffic, parking, and pedestrian surveys to understand if there is spare capacity in the highway network or whether mitigation would be required. The Transport Assessment identifies that there would be an increase in vehicles during the AM and PM School peak hours. The existing school currently generates approximately 132 two-way movements during the AM peak hour, 94 two-way movements during the School PM peak hour and 18 departures during the network PM peak hour. The proposed development, with the introduction of nursery pupils and staff will result in a traffic generation of 155 two-way movements during the AM peak hour, 114 two-way movements during the School PM peak hour, and 21 departures during the network PM peak hour. This would create an increase of 23 tow-way movements during the AM peak, 20 two-way movements during the School PM peak and 3 two-way movements during the network p.m. peak. Overall, this is considered to be a minor increase in traffic compared to the existing situation and is not considered to result in unacceptable levels of highway impact local to the development site. However, to mitigate against this increase a Transport Implementation Strategy has been included in the Transport Assessment. The strategy includes a commitment to produce a Travel Plan and monitoring framework and the implementation of a one-way system for school traffic which will reduce the conflicts between traffic and between traffic and pedestrians. Furthermore, a parent pick-up and drop-off area for 10 vehicles has been provided within the confines of the site, additionally the internal road layout also provides additional drop off / pick up capacity which is considered an improvement upon the existing situation.
- 4.3.3. The proposed development includes a total of 21 parking spaces which comprises; 20 staff parking, 5 visitors and 1 commercial space being provided, of these 2 will have electric vehicle charging points and 1 space is reserved for disabled parking. The proposed parking provision meets the maximum provision of 20 car parking spaces and 1 commercial vehicle parking space as outlined in the Parking Standards SPG. It is important to note that the SPG promotes maximum standards and highlights that “such an approach will enable more flexibility to the application of the parking standards (where supported by appropriate and robust evidence) to reflect local conditions and the availability of alternative forms of transport and may result in a reduction in the level of vehicle parking required.” (para.5.2, 2019).

- 4.3.4. The proposed development does seek to include a car sharing scheme which will be outlined in a subsequent Travel Plan to support the proposal and promote sustainable travel to and from the site. The proposed site layout also includes bicycle parking provision for 20 bikes situated directly outside the front entrance of the school with the aim to promote active travel to and from the school.

#### 4.4. EDUCATION FACILITIES

- 4.4.1. PPW promotes the development of adequate and efficient infrastructure including services such as education in appropriate locations (para.3.57, 2018). The proposal would result in the creation of a new school building replacing the existing school on the site once complete. The proposed school is required to provide adequate space to meet local demand for school places and the new structure is considered to represent a more efficient model than the existing school which has been subject to a series of alterations over the years. Additionally, at present the school is split over two sites with reception pupils having to walk to the nearby 'Old School' following morning assembly.
- 4.4.2. The proposed replacement school would enable educational provision to be provided to meet the existing need of 126 primary school places and 48 nursery places. Additionally, the new school shall provide improved learning facilities for existing and new pupils.
- 4.4.3. LDP Policy MG6 allocates 6 sites for new school development to meet the educational need in the Vale of Glamorgan. However, the policy does acknowledge "in addition, existing schools will be extended or improved to meet demand for school places during the plan period" (LDP, p.65, 2017). It is considered the proposed replacement school would represent an upgrade to the existing school which is unable to provide education within a building that is fit for the 21<sup>st</sup> Century. Furthermore, the construction of the proposed school would seek to meet the BREEAM excellent classification and be a net zero carbon building ensuring the new build is sustainable and enhances the wellbeing of people using the building.

#### 4.5. DESIGN

- 4.5.1. LDP Policy SP10 notes that the Vale of Glamorgan's built, and natural environment and heritage of the Council area must be preserved and enhanced. Policy MD2 expands upon this requirement, directing proposals to have full regard to the context of the local natural and built environment and its special features to create high quality, healthy, sustainable, and distinct places. It also outlines a series of design considerations, including seeking development that:
- Positively contributes to the context and character of surrounding natural and built environment and protects existing features of townscape or landscape interest;
  - Responds appropriately to the local context and character of neighbouring buildings and uses;
  - Provides a safe and accessible environment for all users, giving priority to pedestrians, cyclists, and public transport users; and
  - Has no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree;
  - Incorporates sensitive landscaping, including the retention and enhancement where appropriate of existing landscape features and biodiversity interests;
  - Where appropriate, conserves and enhances the quality of, and access to, existing open spaces and community facilities;

- Safeguards existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise, and disturbance;
- Promotes the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour;
- Mitigates the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use and eventual demolition, and include features that provide effective adaptation to, and resilience against, the current and predicted future effects of climate change.

4.5.2. The proposed design consists of a single storey school building orientated to maximise external play areas and make efficient use of the application site.

4.5.3. The scale of the proposed new building has sought to reduce its impact on the adjoining residential area and the adjacent open countryside, and the proposed materials are durable and suitable for a community building of this type. The external finishes have been chosen to reflect colours within the existing landscape and urban environment to reduce the visual impact of the proposed development on the area, reflecting the local context.

4.5.4. The overall design of the building provides a self-contained facility which will significantly improve the school's facilities in contrast to the existing school building.

4.5.5. The building will provide significant sustainability gains from the current facility with features including improved natural daylight, natural ventilation, and passive heating to ensure that the school not only benefits from an improved learning environment but also reduced running costs. Furthermore, the roof will include solar photovoltaic panels (PV) and the school will be heated by air source heat pumps helping to future proof the design as energy requirements change.

4.5.6. The proposal is, therefore, considered to be in accordance with LDP policies SP10 and MD2, by enhancing education facilities in the area and contributing to the improved appearance and operation of the site.

#### 4.6. CONSERVATION AREA

4.6.1. Part of the proposed development site is located within the St. Nicholas Conservation Area. Policy MD8 - Historic Environment states development proposals “within conservation areas, development proposals must preserve or enhance the character or appearance of the area” (LDP, p.110, 2017). Approximately 0.27ha of the front end of the site lies within the conservation area which includes the existing school building. The existing building will be demolished following the completion of the proposed replacement school, the existing school is a prefabricated single storey structure. UPVc panels are the predominant material to the elevations with wooden style cladding elements breaking up the elevations. The St Nicholas CAAMP does not identify the existing building as having special architectural merit or contributing to the overall character of the Conservation Area. Although, the school building does not have architectural merit the presence of a school within St Nicholas has a historic value. A school has existed within the village since the 1870s being originally built to accommodate the growing population of the village. The proposed development would retain the school use within the village which is considered to appropriately reflect the history and current needs of the village.

4.6.2. The demolition of the existing school would not have a detrimental impact upon the character of the conservation area as the building is not considered to relate to the

prevalent character of buildings within the Conservation Area which relates to the Victorian era. The proposed building would be set outside of the Conservation Area and would be single storey in nature with a 1 ½ storey element to the southern elevation. The low height of the building and the fact that it will be set back from the conservation area ensures the proposal does not detract from the character of the Conservation Area. Furthermore, the colour palette of the external materials is softer and considered to be more rural in character appropriately reflecting the surrounding context. The area of the development site where the existing building is located will be used as a staff parking area and allow for parent pick up and drop off. It is considered this would not detract from the Conservation Area as the land would remain open in nature and help in removing parked vehicles accessing the school which park within the village.

- 4.6.3. The CAAMP identifies an area of significant views which can be seen from the adjacent public footpath which runs along the eastern boundary of the site. The proposed building would maintain this view to the west from the footpath.
- 4.6.4. Consequently, the proposed development is considered to comply with LDP Policy MD8 - Historic Environment and guidance contained within the St Nicholas CAAMP.
- 4.6.5. It is also noted that the proposed development is within proximity of a listed building and scheduled monument. The proposal has been supported by a Heritage Impact Assessment which has concluded the appearance of the new building will be a modern addition to the village, although not the first modern designed building to be placed on the northern side of School Lane, some of which are visible from the Cottrell Ringwork. The northern elevation of the proposed new building will be the one visible from the Cottrell Earthwork. It will be at least twice the height of the existing school building and thus it would not be possible to screen the structure from the scheduled monument. Such mitigation would not be possible. In lieu of the fact that mitigation in the form of screening will not be possible, offsetting, and compensatory measures are suggested for any slight harm to the significance of the Cottrell Ringwork that may occur from the development. It has been discussed with the 21st Century Schools Programme Manager at Vale of Glamorgan Council that information can be provided on the Ringwork for users of the footpaths, perhaps in the form of information panels located adjacent to the end of the path at the northern end of the school grounds. Education materials on the monument and medieval St Nicholas can also be prepared for pupils at the school, which could also include information on St Nicholas Church.

#### 4.7. OPEN SPACE

- 4.7.1. The siting of the new proposed school will result in the loss of approximately 0.14 ha of the existing sports playing field which presently contributes 1.1 ha of open space provision within St Nicholas. The Council's Open Space Background Paper (2013) indicates that St Nicholas has an overprovision of outdoor sport facilities of 1.89 ha. The partial development of the playing field shall therefore not have a detrimental impact on open space provision within St. Nicholas. Notwithstanding this loss, the proposed layout shall include sufficient space within the remaining school playing field to provide an Under 10s mini-football pitch and an under 10s rugby pitch which is considered appropriate based on the age range of the school. The proposal also includes a new multi-use games area (MUGA) and enhanced informal and formal play spaces which will be accessible to the local community outside of school hours.

- 4.7.2. Consequently, it is considered sufficient open space would be provided as part of the proposed development to meet the needs of the school, the immediate community, and the wider Wenvoe Ward.

#### 4.8. ECOLOGY

- 4.8.1. LDP Policy MD9 requires new development to conserve and enhance biodiversity interests unless it can be demonstrated “the need for the development clearly outweighs the biodiversity value of the and the impacts of the development can be satisfactorily mitigated and acceptably managed” (LDP, p.112, 2017). A preliminary ecological appraisal (PEA) of the site was undertaken to inform the proposed development.
- 4.8.2. The PEA has highlighted areas of biodiversity interest, indicating that that whilst no protected species are present on the site, existing natural features provide habitat for wildlife species, particularly hedgerows abutting the site. The PEA recommends that development should seek to retain areas of natural habitat where possible and enhance current habitats, through the provision of wildlife corridors, using native planting and by providing a 5m no build buffer around all vegetated site boundary habitats.
- 4.8.3. In addition, a tree survey has been commissioned to minimise tree removal and advise on appropriate mitigation measures. The report concluded “This site has potential to accommodate development whilst retaining the trees of value. The significant trees on or adjacent to this site should be given due consideration in the development design process.” In accordance with the report and local planning policy contained within the Trees, Woodland, Hedgerows and Development SPG, where category A or B trees are removed to accommodate the development these will be replaced with appropriate species at a 2 for 1 planting ratio.
- 4.8.4. The proposal would result in the loss of 4 trees within the Conservation Area to accommodate the proposed development. This would result in a requirement to provide 8 replacement trees. The proposal provides an overprovision of additional tree planting of 15 trees planted throughout the proposed scheme.
- 4.8.5. Considering the ecological impacts of the proposed development, the proposed mitigation and enhancements set out in the PEA and outlined on the proposed layout plans it is considered the proposal satisfies LDP Policy MD9 and PPW guidance which states that “development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity” (PPW, para.6.4.5, 2018).

## 5. CONCLUSION

- 5.1. The proposed development will significantly enhance the primary school facilities for the area, replacing an existing facility with a purpose-built modern building, which will enhance the site as well as the teaching and learning experience offer for the area.
- 5.2. This statement has demonstrated that the proposed development takes into account its impact on the site and surrounding area. It is, therefore, considered that the proposal is consistent with Welsh Government guidance and local planning policy.