

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2016-2017:

**DEVELOPMENT CONTROL
COMMITTEE
2 MARCH 2017**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 5
APPLICATIONS RECOMMENDED FOR APPROVAL	

1. PURPOSE OF THE REPORT

Members are asked to determine the planning applications outlined in Appendix 1.

2. RECOMMENDATION

To approve the applications subject to the conditions outlined in Appendix 1.

1. Application No: 16/1319 - Conversion to 8 flats and shop on ground floor, external parking, amenity areas and demolition of rear annexe, Central Hotel, Clydach Road, Tonypany.
2. Application No: 17/0017 - Construction of a new Primary School on land at Glanaman Road, Cwmaman. Proposals include the construction of a new primary school building, the establishment of a new school site (including a secure boundary, MUGAs (Multi Use Games Area), staff car park, service yard, grass pitches, and a variety of external pupil spaces), and associated supporting external works. Works associated with the application will also be carried out as permitted development (works not specifically requiring planning permission) including the diversion of an existing drainage culvert, relocation of a children's play area, and demolition of a paddling pool, land on Glanaman Road, Cwmaman.

APPLICATIONS RECOMMENDED FOR APPROVAL

APPLICATION NO: 16/1319/10 (GW)
APPLICANT: Mr A Singh
DEVELOPMENT: Conversion to 8 flats and shop on ground floor, external parking, amenity areas and demolition of rear annexe.
LOCATION: CENTRAL HOTEL, CLYDACH ROAD, TONYPANDY
DATE REGISTERED: 20/01/2017
ELECTORAL DIVISION: Cwm Clydach

RECOMMENDATION: GRANT

REASONS: The site is a large vacant building and its former lawful public house use has ceased some time ago. Planning permission has been previously granted for the conversion of the building to 4 no. dwellings.

The re-development of the building for the proposed residential and shop use is considered would provide a beneficial active use for the building that would have a positive regeneration impact on the local area.

The proposal would not have a significant detrimental impact on residential amenity or on the character of the area.

Some beneficial off-street parking would be provided and it is sustainably located.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to the Service Director Planning as it is for over 5 dwellings.

APPLICATION DETAILS

The application seeks full planning permission for the conversion of the former public house to provide eight residential flats. This includes 1 x one bedroom flat, 6 x 2 bedroom flats and 1x studio flat. A shop would be provided on part of the ground floor. And the proposed opening hours are: 7am to 10pm Monday to Friday, 8am to 10pm Saturday and 8am to 9pm Sunday.

Five off street vehicle parking spaces (one within an existing garage) and cycle stands would be provided and accessed from an adopted lane to the rear of the building. A communal bin store would be provided adjacent to the parking areas.

SITE APPRAISAL

The application site consists of the Central Hotel Public House that is prominently located on the junction of Clydach Road and North Terrace, within the built up area of Clydach Vale. The large, three storey building (including the roof space) appears as a distinctive and characteristic building (of the late Victorian era) that acts as a counterpoint to the surrounding, traditional terraced properties of the locality. The street fronted building has a noticeable red brick finish with slate tiled roof. To the rear, north of the site beyond a narrow access lane is the side elevation of an elevated, end of terrace property (number 1 North Terrace). The application site is set adjacent to the main road that is mainly residential in character with a limited number of intervening commercial premises.

PLANNING HISTORY (Relevant to application)

12/0102	Central Hotel, Clydach Road, Clydach	Conversion from a public house to 4 no. houses with a change of use to class C3	Granted 10/04/12
80/0554	The Central Hotel Public House, Clydach Vale	Proposed alterations to lounge bar	Not development 03/09/80
75/0911	“ “	Ladies and gents toilets	Permitted Development 10/03/76

PUBLICITY

The application has been advertised via the erection of site notice and by direct neighbour notification. At the time of writing this report one letter of objection has been received and the comments are summarised below:

- The development would result in a loss of privacy to my property behind the public house.
- Coming and going to and from the flats would result in noise and disturbance.
- There is a major issue of parking in the area and we find it difficult to park outside our house. There is insufficient space for the number of cars that would result.
- Access to the lane has poor visibility, insufficient lighting and the road surface is poor.
- Traffic has almost doubled since the shop started trading.
- There are existing security cameras on the property. They may be recording video of us in our home.

- The Central is a listed building and how can its appearance be changed so dramatically.
- We commented on the shop licensing application to sell alcohol and have concerns about public disorder/drunkenness and how this will impact on our children.
- My son has autism and suffers from anxiety attacks. The works to the building, increased noise, increased parking outside our house will have a detrimental impact on his health.

CONSULTATION

Countryside Section – if works are not proposed in the roof spaces and the layout is as existing a bat survey would most likely not be required. A bat informative note should be appended to any planning permission.

Dwr Cymru/Welsh Water – no objection subject to condition requiring that any increase in the roof area of the building/or impermeable surfaces within the curtilage shall not be allowed to drain directly or indirectly to the public sewerage system. Advisory notes are provided.

Flood Risk Management – no objection as the applicant has not proposed an increase in the hard standing area.

Public Health and Protection – no objection subject to conditions on demolition of existing dwellings, hours of operation during construction, noise, dust, waste and temporary lighting.

Transportation Section – no objection subject to conditions. There are some concerns with only 5 vehicle parking spaces provided. However, taking into account there is space for overspill car parking to take place on North Terrace, the provision of cycle parking and the location of a bus stop in close proximity the proposal is acceptable.

Wales & West Utilities – pipes are located within the locality of the site. Should the application be approved the developer must contact them to discuss their requirements. Advisory notes for the protection of their apparatus are also provided. No construction works would be allowed over or enclosing their apparatus.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries as defined by the Rhondda Cynon Taf Local Development Plan and is unallocated.

Policy CS1 - sets out criteria for achieving strong sustainable communities including: promoting residential development in locations which support the role of principal towns and settlements and provide high quality, affordable accommodation that promotes diversity in the residential market.

Policy AW1 - residential development proposals will be expected to contribute to meeting local housing needs and the supply of new housing will include the conversion of suitable structures to provide housing.

Policy AW2 - development proposals will only be supported in sustainable locations, including sites within the defined settlement boundary, which would not unacceptably conflict with surrounding uses, have good accessibility by a range of sustainable transport options, have good access to key services and facilities and support the roles and functions of the Principal Towns.

Policy AW5 - sets out criteria for new development and requires the scale, form and design of new development to have an acceptable effect on the character and appearance of the site and surrounding area and existing features of the built environment to be retained. Development must have no significant impact on the amenities of neighbouring properties, be compatible with other uses in the locality and to design out the opportunity for crime and anti social behaviour. Development must be sustainable, have safe access and provide car parking in accordance with the Council's Supplementary Planning Guidance (SPG).

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

Policy AW7 - covers the protection and enhancement of the built environment.

Policy AW8 - sets out criteria for the protection and enhancement of the natural environment.

Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity.

Policy NSA12 – details criteria for housing development within and adjacent to settlement boundaries.

Policy NSA13 – Conversion of large buildings for residential purposes will be permitted provided: the site is within the settlement boundaries, the building is of historic or architectural importance and makes a valuable contribution to the townscape and there is no economically viable alternative use.

Supplementary Planning Guidance

Access Circulation and Parking

Design and Placemaking

Development of Flats

Nature Conservation

Planning Obligations

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local

Development Plan, particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 7 (Economic Development), Chapter 8 (Transport), Chapter 9 (Housing), sets out the Welsh Government's policy on planning issues relevant to the determination of the application, Chapter 12 (Infrastructure and Services) and Chapter 13 (Minimising and Managing Environmental Risks and Pollution).

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;
PPW Technical Advice Note 11: Noise;
PPW Technical Advice Note 12: Design;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 23: Economic Development; and
Manual for Streets.

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

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

Principle of the proposed development

The application proposes the conversion of a former public house that already has planning permission to be converted into 4 dwellings (12/0102). Whilst this permission has not been developed; it should be noted a new or alternative economic use has also not been carried on at the building and it is considered this would be less likely due to its physical condition and location out of the town centre. As such, the inclusion of a shop on the ground floor, in conjunction with the proposed residential accommodation, is considered a beneficial scheme in establishing a new use for the building and regenerating and supporting the local area.

The Council's supplementary planning guidance on the development of flats generally supports schemes which make a positive contribution to housing choice, results in a sustainable form of development and which is well designed. Its conversion to flats of the size being proposed would provide beneficial residential

accommodation and the building's appearance would be improved through its re-use.

The property is located in the main residential area of Clydach with some local shops in close proximity. A bus stop is located immediately outside the front of the building. In light of this the site is considered to be sustainably located.

Therefore, it is considered the principle of the proposal would be acceptable subject to the following material planning considerations, which are discussed below.

Impact on residential amenity

Members should note the previous use of the building was as a public house with the potential of related noise and disturbance particularly in the evenings. The pub would potentially have also included some residential aspect on the upper floors. Whilst the concerns of the objector are noted and appreciated, the impact of the proposed use would be similar to the previous use of the building and what is typical in residential areas where commercial buildings are in close proximity. In terms of the proposed shop, its entrance would be located facing the main road and the opening hours would be acceptable. It is therefore considered the proposed use would not have a significantly greater impact than the previous use.

In terms of the occupiers of the dwellings the proposed flats are considered of sufficient size for the number of bedrooms. There is some amenity space to the rear of the building for the ground floor flats and some space for the upstairs flats to store bins off the pavements. The accesses are from the main roads and well overlooked. As such, in these terms, it is considered the proposal would accord with guidance within the Council's Supplementary Planning Guidance for flat development.

Character and appearance of the area:

The building is considered to have some local historical character and the proposed plans indicate this would be largely retained. The building is currently vacant and has some windows that are damaged or boarded up. It is considered that the proposed conversion of such a visually prominent building in the street scene could have a beneficial impact on the character of the area.

Access and highway safety

The building currently only has one off-street parking space (within a garage) and customers of the former pub would have parked on the surrounding streets if going to the premises by car. This is generally the same situation for existing shops/food takeaways in close proximity to the site. The proposed development would beneficially provide 4no. off-street vehicle parking spaces and cycle stands. And Members are also advised, a bus stop is located in close proximity to the front of the building. No objection has been raised by the Transportation Section. It is therefore considered that the development would be acceptable in these terms.

Ecology (bats)

The Council's Ecologist considers if no new works to roof spaces are proposed a bat survey would not be required. The submitted plans do not detail works to the roof. Furthermore planning permission exists for the conversion of the building to dwellings (reference 12/0102). It is therefore considered that bat informative should be appended if permission is granted to advise the developer if bats are found during construction.

Other issues

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation:

Public Health Section Comments

Whilst the comments raised by the Public Health and Protection Section are appreciated, it is considered demolition, noise, dust, waste and lighting matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission regarding these issues.

Drainage

Dwr Cymru/Welsh Water require that surface water should not drain to the public sewerage system. The Council's Flood Risk Section considers there would be no increase in hard surfaced area and therefore do not object. Whilst Welsh Water's comments are appreciated the conversion is to an existing building that has existing drainage. It is considered an appropriate drainage system can be controlled through Building Regulations.

Community Infrastructure Levy (CIL) Liability

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

The application is for residential development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however, the application lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable and therefore no CIL is payable.

With regard the Class A1 retail development this does not include over 100 sqm of new floor space and therefore the development is of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of development, the impact on the character and appearance of the area, the impact on residential amenity, parking and highway safety and ecology (Policies AW1, AW2, AW5, AW6, AW7 AW8, NSA12 and NSA13).

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)

- Location plan received 2nd December 2016
- Site Plan received 21st December 2016
- Drawing no. BAA9/5 - Proposed ground floor plans received 20th January 2017.
- Drawing no. BAA9/6 - Proposed first floor plans received 20th January 2017.
- Drawing no. BAA9/7 Rev a - Proposed second floor plans received 20th January 2017.
- Proposed front and side elevation received 20th January 2017.
- Proposed rear and side elevation received 20th January 2017

and documents received by the Local Planning Authority on 21st December 2016, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. The shop shall only be open to the public between the hours of 7am to 10pm (Monday to Friday), 8am to 10pm (on Saturdays) and 8am to 9pm (on Sundays).

Reason: To protect the amenities of the occupiers of adjoining properties in accordance with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

4. Before the development is brought into use the means of access, together with the parking facilities, shall be laid out in accordance with the submitted ground floor plan BAA9/5. The spaces shall be retained for the parking of vehicles thereafter.

Reason: In the interests of highway safety and to ensure vehicles are parked off the highway in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. Development shall not commence until details of the tie in with the rear lane have been submitted to and approved in writing by the Local Planning Authority, and the development shall not be brought into use until the tie in has been constructed in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. No development shall take place until full engineering design and details of a scheme for blocking off and making good the pavement following the removal of the cellar doors on North Terrace have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to beneficial occupation.

Reason: In interest of highway and pedestrian Safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. Surface water run-off from the proposed development shall not discharge onto the public highway or connected to any highway drainage system unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

=====

APPLICATION NO: 17/0017/08 (CHJ)
APPLICANT: Mr Chris Bradshaw
DEVELOPMENT: Construction of a new Primary School on land at Glanaman Road, Cwmaman. Proposals include the construction of a new primary school building, the establishment of a new school site (including a secure boundary, MUGAs (Multi Use Games Area), staff car park, service yard, grass pitches, and a variety of external pupil spaces), and associated supporting external works.

Works associated with the application will also be carried out as permitted development (works not specifically requiring planning permission) including the diversion of an existing drainage culvert, relocation of a children's play area, and demolition of a paddling pool.
LOCATION: LAND ON GLANAMAN ROAD, CWMAMAN

DATE REGISTERED: 06/01/2017
ELECTORAL DIVISION: Aberaman South

REASONS: The application proposes a “state of the art” school facility on a brownfield site in the village of Cwmaman. The site is not without its challenges but the applicant has satisfactorily demonstrated that any impacts can be appropriately mitigated.

While the application is a technical departure from stated policies within the Local Development Plan, the material planning considerations involved are such that the departure is considered acceptable and the proposed development will bring with it a significant investment in the quality of education facilities for the local community.

REASON THE APPLICATION IS REPORTED TO COMMITTEE: The type and scale of the proposed development is not able to be determined under the Council’s Scheme of Delegation.

APPLICATION DETAIL

This is a detailed (full) planning application for a new combined primary school facility (with associated development comprising access arrangements, a secure boundary, a Multi-Use Games Area (MUGA), children’s play area, car parking, grass pitches and external pupil spaces) at Glanaman Road in Cwmaman.

The site will accommodate the new Cwmaman Primary School, part of the Council’s strategy to combine Cwmaman Infant School and Glynhafod Junior Schools and transfer all pupils to a single new “state of the art” school.

It will be able to accommodate 60 pre-school and 210 primary school pupils.

The application is accompanied by 108 separate plans and documents including:

- Design & Access Statement,
- Flood Consequences Assessment (FCA),
- Transport Assessment,
- Lighting Assessment,
- Ecological Assessment,
- Landscaping Plans,
- Contaminated Land Assessment and
- Detailed floor plans and elevations of the proposed buildings.

The new school, in simple design terms, is long and narrow, orientated so that its northern narrow elevation faces directly onto Glanaman Road. It comprises of a central double height core flanked on all sides with a single height structure. It has a

maximum footprint of 70 metres long by 30 metres wide. It has a maximum height at its centre of 7.50 metres stepping down to 6.50 metres and further reducing to 3.7 metres where it becomes single height.

It is proposed to finish the school building in bright modern colours that tend to be the fashion for new education facilities. The materials proposed include a “through render” and insulated polyester powder coated aluminium on the external walls with a “standing seam” aluminium roof and polyester powder coated fascias and rain water goods. The use of this type of material reduces maintenance cost and helps the building to remain attractive looking for many years.

Members are advised that a number of plans and artist impressions showing what the building will look like will be made available as part of the Committee presentation.

The proposed building is arranged around the “heart space”, leading directly to the main hall; resource space; administrative office and other ancillary spaces. These spaces are separated into four separate zones to organise the building by user group. The main entrance and administrative areas are located on the eastern elevation overlooking the main entrance route to provide natural surveillance. A separate staff corridor is closed off to separate the staff and pupil areas. The main hall is located next to the reception lobby, and includes storage for PE equipment. The arrangements of rooms allow the hall to be used by community groups whilst the administrative and teaching accommodation is secure. Two separate entrances are located to the western elevation to allow catering staff and the public to access catering and community facilities respectively outside of the pupil secure boundary. The heart space serves as the main circulation hub, as well as an ICT area; with adjoining cloakrooms and store areas. Proposed clusters of classrooms are arranged linearly on either side of a wider central core area. Each classroom enjoys a view over the external play space though a glazed façade as well as dedicated storage areas accessed from within the classroom space.

The overall scheme also includes the diversion of an existing drainage culvert, relocation of an existing children’s play area and demolition of a paddling pool. Committee is advised that these elements of the project are considered to be “permitted development” (*that is to say that by virtue of the fact that the works are being carried out by the Council, Parts 12, 13 & 14 of The Town and Country Planning (General Permitted Development) Order) 1995 applies and the works involved do not specifically require planning consent*) but have been included in this assessment for completeness. Further information relating to these elements of the overall proposal is contained later in the report.

As part of the development the applicant proposes to raise the floor level of the school building above the floodplain while compensating for the loss of the floodplain by reducing ground levels (thereby providing flood water storage capacity). Again, an

assessment of the flood consequences is contained within the latter part of this report.

SITE APPRAISAL

Cwmaman is located approximately a 4 miles south of Aberdare and 12 miles north of Pontypridd.

The current Cwmaman Infants School and Glynhafod Junior School are located on Fforchaman Road and Glynhafod Street respectively. They serve pupils separately in their original school buildings.

Situated facing Glanaman Road, the site is located between the two existing schools and 2.6 miles from Cwmbach train station and the A4059 road that leads into Cwmaman itself.

The application site as a whole measures approximately 4.41 hectares (10.9 acres) although the footprint of the proposed "built development" site area is significantly smaller at 2.187 hectares (5.40 acres).

The site was previously the Fforchaman Colliery and is formed of a green amenity space onto Glanaman Road, and a sparse woodland area to the east.

The site currently includes a children's playground and paddling pool.

To the north of the site are Glanaman Road and a residential area predominantly composed of traditional terraced housing.

Glanaman Road itself is a main bus route and provides direct vehicular access to the site. Currently it is a two lane road providing some off-street parking and featuring a number of bus stops.

From the road itself, there is a slight (upward) level change before reaching the predominantly flat application site.

On the south boundary (outside the park) is woodland area. The established trees provide a small amount of shelter on the open site. There are also informal routes through the middle of the site and south boundary, serving as a route from the village of Cwmaman to the St Gwynno Forest trail just south of the site.

To the east is the Cwrt Alun Lewis Sheltered Housing Development.

Finally, to the west is the remainder of the park which contains a grass pitch and the Canolfan Cwmaman Changing Rooms. Both are enclosed by a metal fencing and secured gates, although the grass pitch is open from the footpath running south of the site.

In terms of the predominant land uses, the immediate area around the site contains of a mix of residential development, park land and woodland spaces. The residential area lies north and east of the site and consists of 2 to 3 storey traditional terraced housing. To the east and south is medium to dense woodland, while to the west is park area. On the northern site boundary fence, there is a memorial for Chloe Christopher who passed away in the property opposite the shrine.

The site is (as defined by the Council's LDP) is:

- outside the settlement boundary of the smaller settlement of Cwmaman,
- in a coal resources protection area, and
- not allocated for any specific purpose.

The application site is mostly located within a C2 Flood Zone (as defined by the NRW Development Advice Maps).

Glanaman Road serves as the primary vehicular and pedestrian access route into the site. It connects to the A4059 (primary route into Cwmaman) and Cwmbach Train Station to the east and the terminal bus stop to the west which incorporates a roundabout. There are also two bus stops within walking distance of the proposed school.

There is currently on street parking to the residential side of Glanaman Road and two lay-bys on the application site side of the road.

There is an unlit footpath to the south of the site which does not currently connect to the site directly. The footpath connects to the St Gwynno Forest Trail and is used by hikers and cyclist frequently. (The existing grass footpath to the east of the site which forms a connection from the southern footpath to Glanaman Road will be reinstated outside the school boundary. This will maintain pedestrian access outside of the site and provide another route into the eastern section of the site.)

PLANNING HISTORY

08/0198	17/03/2008	Change of use of derelict land to create footpaths, woodland planting and introduction of timber carved sculptures	Granted with Conditions
07/1144	13/08/2007	Change of use of derelict land to create footpaths, woodland planting and introduction of timber carved structures.	Granted with Conditions

PUBLICITY

Committee is advised that this application has been one of the first received by the Council (as Local Planning Authority) to be subject to the requirements of Article 1 of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016. This requires an applicant (on “major” schemes) to carry out “pre-application consultation” on the proposal – independent of the LPA.

The intention of this new piece of Welsh Government legislation is to “front-load” the development process so that when an application is submitted, all interested parties (including both the public and consultees) will have had the opportunity to comment and any changes are made prior to the application itself being submitted. This process was carried out between 22nd November 2016 and 20th December 2016. A 47 page Pre-Application Consultation Report was submitted with the application (as required by the 2016 Order).

To avoid confusion, the traditional statutory planning application consultation process was carried out with the same properties that were consulted as part of the applicant’s pre-consultation process. This comprised of a formal notice being placed in the press (Western Mail), 10 notices being placed in the vicinity of the application site and 63 properties being individually notified of the proposal by letter.

As a result of this exercise, 5 letters were received (at the time of writing the report). A précis of the material planning considerations have been included for Committee’s information.

- Concern that the paddling pool is being lost (for a MUGA)
- Suggestion that the paddling pool facility is transferred to the local community to run
- Loss of light / overshadowing from the new building
- Loss of privacy
- Adequacy of parking / loading / turning
- Highway safety / traffic generation
- Noise and disturbance
- Hazardous materials (contaminated land)
- Smells
- Inappropriate design of the building
- Loss of views / amenity value of the site
- Potential for the sale / loss of the existing school sites to cause nuisance / disturbance in the village
- Money would be better off spent in upgrading the existing schools
- Concerns in respect of works to the stream / culvert exacerbating flooding issues
- There are errors in the information submitted with the application

- Insufficient off road parking to cater for the existing properties and the increased traffic from the new development
- Greater risk to children walking to school from indiscriminate parking.
- Concerns over the use of the MUGA facilities outside of school hours.
- Concerns over elevated gas levels at the site and unburnt colliery spoil and coal fragments
- Concerns over the amount of waste material required to be disposed of from the site and where it is going to go.

These comments have been specifically addressed later in the report.

In addition to the above, Members may be aware that the Council (as the Local Education Authority) also carried out its own exercise in respect of the proposed amalgamation of the existing schools and consulted the following.

- The Federated Governing Body of Cwmaman Infants' School and Glynhafod Junior School
- Pupils of Cwmaman Infants' School and Glynhafod Junior School
- Parents, carers, guardians, and staff members of Cwmaman Infants' School and Glynhafod Junior School
- Other governing bodies of neighbouring primary schools
- The Church in Wales and Roman Catholic Diocesan Authorities
- Welsh Minister for Education & Skills
- Assembly Members for the Rhondda Cynon Taf constituencies and regional Assembly Members for the area
- Members of Parliament for the Rhondda Cynon Taf constituencies
- Estyn
- Teaching and staff trade unions
- Central South Education Consortium
- South East Wales Transport Association
- South Wales Police and Crime Commissioner
- The local Communities First Partnership
- Cwm Taf Local Health Board
- The Early Years and Childcare Partnership

The following meetings were also convened:

- Meetings of both School Councils (Cwmaman Infants' and Glynhafod Junior) – 15th March 2016
- Meeting of the Federated Governing Body of Cwmaman Infants' and Glynhafod Junior – 15th March 2016

- Open Evening for all parents, governors, school staff, members of the community etc – 27th April 2016

The open evening/exhibition was held at Glynhafod Junior School, the purpose of which was to provide further information on the proposal, answer any questions and give attendees the opportunity to view impressions of the proposed new primary school on the preferred site on Glanam Road, Cwmaman. Officers from the Education and Lifelong Learning and Corporate Estates Divisions were in attendance, as were representatives from the design team.

Following this consultation process, when the final Statutory Notice was published on the Council website and comments requested, it is understood that none were received.

CONSULTATION

In addition to the publicity exercise, a number of internal / external consultations were undertaken. A brief précis of replies have also been included for Committee's information

External

- The Police Authority – No objection.
- Natural Resources Wales – Significant concerns remain. Suggest conditions but are likely to object if the scheme does not meet the requirements of the conditions.
- Dwr Cymru / Welsh Water - No objection (subject to conditions)
- Sport Wales (formerly Sports Council for Wales) – No response received
- Utilities Companies – advise of location of apparatus in the area.
- Fire Service – No objection
- The Coal Authority – No objection (subject to conditions)

Internal (RCT)

- Transportation Section – No objection (subject to conditions)
- Public Health & Protection Section - No objection (subject to conditions)
- Countryside Section – No objection (subject to conditions)
- Leisure Services Section – No objection
- Drainage Section – No objection (subject to conditions)

POLICY CONTEXT

Rhondda Cynon Taf LDP

Proposals Map

The application site is:

- Outside the settlement boundary of the smaller settlement of Cwmaman;
- In a coal resources protection area; and
- Is not allocated for a specific purpose.

Core Policies

- **Policy CS 1:** Development in the North – emphasises building strong, sustainable communities.
- **Policy CS 10 – Minerals** – provides for the safeguarding of mineral resources.

Area Wide Policies

- **Policy AW 2** promotes development in sustainable locations, which are defined as sites where development would: accord with policy NSA 12; not unacceptably conflict with surrounding uses; have good accessibility; have good access to key services and facilities; not be in Zone C2 floodplain unless justified and consequences are acceptable; support the roles of functions of settlement, including small settlements; and would be well-related to utilities.
- **Policy AW 5** gives amenity and accessibility criteria for new development.
- **Policy AW 6** gives design criteria for new development.
- **Policy AW 7** states that development affecting public open space will only be permitted where: there is a surplus, or the loss is replaced, or the open space is enhanced.
- **Policy AW 10** requires development not to pose a risk of unacceptable harm in a range of public health matters, including land instability and flooding.
- **Policy AW 14.4** safeguards the resources of coal.

Strategy Area Policies

Policy NSA 12 gives criteria for development within settlement boundaries, including no loss of open space and remediation of instability, and makes provision for up to 10 dwellings on the outside edge of settlement boundaries in the north.

SPG

- Design & Place-making
- Access, Circulation & Parking

National Planning Policy

Planning Policy Wales (Edition 9 - 2016)

Section 4.4 (sustainability objectives – a more equal Wales) promotes access to facilities including education facilities and open and green space, to maximise opportunities for community development and social welfare.

Para. 4.6.2 (priorities for urban and rural areas) advocates regeneration through integrated communities within the existing settlement pattern, promoting mixed use development with education uses and open space.

Para. 4.7.4 (minimising travel demand) states that major generators of travel demand including schools should be located within existing urban areas or in other locations which are, or can be, reached by walking or cycling, or which are or can be well served by public transport.

Para. 11.1.11 (open space) states that formal and informal open green spaces, including parks with significant recreational or amenity value, should be protected from development.

Para. 13.3.2 (flood risk) states that Local Planning Authorities should recognise that it will be inappropriate to locate certain types of development including schools within areas defined as being of high flood hazard.

TAN 15 (Development and Flood Risk)

... defines areas of floodplain without significant flood defences as Zone C2, where only less vulnerable development should be considered, subject to application of the justification test, including acceptability of consequences (4.2). Schools are included in the definition of highly vulnerable development (5.1).

Highly vulnerable development in Zone C2 should not be permitted (6.2). Less vulnerable development in Zone C2 is only justified if it is part of a regeneration initiative or is needed to sustain a settlement, or it relates to key employment objectives, provided the site is previously developed by the PPW definition and the consequences of flooding are acceptable (6.2).

Previously developed land is defined by PPW in figure 4.4, and excludes “previously developed land subsequently put to an amenity use”.

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

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

The principal planning issues in the consideration of this application are, design (including visual amenity), highway safety, residential amenity, flood risk, ecology

and public safety (including contaminated land and past mining activity). These issues are to be considered against the back drop of the policies within the Council's LDP and National Policy (Planning Policy Wales and TAN 15).

It is also necessary to distinguish between those works which do specifically require planning permission and those that do not.

Permitted Development

Committee will be aware that not all building works require planning consent. Work that can be done without planning consent is known as "permitted development". What does and does not require planning consent is set out in The Town & Country Planning (General Permitted Development) Order 1995. As the Local Authority, the Council enjoys a significant number of permitted development rights that do not exist for other developers. Of particular relevance is Part 12 (Development by Local Authorities), Part 13 (Development by Local Highway Authorities) and Part 14 (Development by Drainage Bodies).

The effect of this means that not all aspects of the proposed redevelopment of this site require planning consent and therefore can be undertaken (by, or on behalf of, the Council) at any time, and should Committee approve this planning application, can be undertaken independently of the rest of the development. In practice, this will mean that the MUGA facility, the relocation of the children's play ground and the diversion of the existing drainage culvert do not specifically require the grant of planning permission to commence although it is unlikely that such works would be undertaken if planning permission was not granted. Should planning permission be granted, separate demolition consent for the paddling pool would also be unnecessary. While Committee is entitled to consider the development as a whole the aforementioned elements have been included in the application for completeness so that the local community can see and understand the full extent of the redevelopment proposed.

Design

The proposed building is of a modern design. It proposes bright modern materials and is a contrast from the traditional dressed stone school buildings that characterises this and many other towns and villages throughout the country.

While the building could incorporate some more traditional materials, it is considered that the proposed materials better reflect the character of the design and its shape. The materials chosen are robust and designed to look attractive throughout the life of the building, and while no material can be entirely maintenance free, the materials chosen will significantly reduce regular refurbishment costs.

While the new building sits within an established terraced street it is considered that Glanamman Road provides a clear delineation between "old" and "new" (or "traditional")

and “modern”) such that it is appropriate in this location and trying to recreate a period style school in this location would be disharmonious to the character of the street scene.

The building has been sited so as to have a minimal adverse impact on the existing residential properties in Glanaman Road. While some properties (around numbers 69 to 74) will experience a different outlook to the open aspect currently enjoyed, the front elevation is approximately 30 metres away from the fronts of these properties and at a maximum height of 7.5 metres will not have any overbearing or overshadowing impact (even allowing for the creation of a raised plateau to keep the school out of the floodplain)..

The site will feature both hard and soft landscaping to help integrate it into the backdrop and provide an attractive environment for both the pupils and residents alike.

The site will also be secured with a perimeter fence to prevent unauthorised access. While this is a necessity, it is also important that the type of fencing / means of enclosure are proposed that they harmonise with the residential character of the surrounding area.

Having regard to the above comments and subject to the following conditions, the proposals are considered to comply with Policy AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Prior to the commencement of building works on the school, MUGA or children’s’ play area, samples of all external materials to be used shall be submitted to, and approved in writing by, the local planning authority. The completed development shall be built in accordance with the materials approved.

Reason: In the interests of visual amenity and to accord with Policy AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Prior to the erection of any means of enclosure (other than security / safety fencing erected during the construction period), details shall be submitted to, and approved in writing by, the local planning authority.

All means of enclosure shall be erected in accordance with the approved scheme.

Reason: In the interests of visual amenity and to accord with Policy AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Highway Safety

The proposed development proposes that two existing schools on separate sites within the village are combined within one building / site. Therefore, once the school is operational, there should be no overall net change within Cwmaman as a whole.

While the current sites may be re-used or redeveloped in the future, any application would need to be considered on its individual merits and should not impact on the determination of this application.

In respect to the impact of the development on Glanaman Street and its immediate surroundings, clearly there will be an additional impact both at the construction phase and during its operation. The construction of the school will generate the necessity for construction traffic to access and egress the site. The level of traffic required for the construction of the school can appropriately be mitigated by the imposition of a construction method statement condition which would address the means of access, the parking of vehicles and the management of the vehicular and pedestrian traffic.

As part of the application process, the Council's Transportation Section reviewed the submitted site plan, Transport Assessment (November 2016) and Walked Route to School (January 2017) Assessment.

The catchment area in this community extends to Maerdy Road west of Cwmaman and to Cwmaman Road to the east. It extends no further than approximately 1.5 miles from either existing school.

The majority of pupils reside within the 1.5 mile catchment area and therefore it is not anticipated that school buses will need access the site apart from the occasional excursion outside peak times which is considered acceptable.

Traffic flow information has been collected to establish the baseline traffic conditions along Glanaman Road (along the frontage of the development site) to enable junction capacity analysis at the proposed site access junctions. WSP/PB (the applicant's consultants) commissioned TRACSIS to carry out an Automatic Traffic Count survey to determine existing traffic flows on Glanaman Road.

The proposed school will be accessed from (Glanaman Road) and the main distributor road, which also forms the main bus route within the village. Data was collected during the school term from Monday 31st October to Friday 4th November 2016, so the survey includes the existing schools' traffic.

The average weekday traffic flow on Glanaman Road during the school (AM and PM) peak hours is shown in **Table 1**. Traffic flows are generally low, with less than 2 vehicles travelling in each direction every minute during the school peak hours.

Table 1 Base Traffic Data at 2016

	Eastbound	Westbound	Two-Way
AM Peak	45	29	74
PM Peak	55	76	131

Traffic Growth Factors (derived from TEMPRO software) has been derived for the opening year of 2018 and 2028 as future year.

Table 2 Growth Factors

Base Year	Forecast Year	Growth Factors	
		AM	PM
2016	2018	1.0128	1.0132
2016	2028	1.0628	1.0538

The resulting traffic flows along Glanamman Road are shown in Table 3 Below:-

Table 3 Base Traffic at 2016, 2018 and 2028.

AM Peak	Eastbound	Westbound	Two-Way
2016	45	29	74
2018	46	29	75
2028	48	31	79
PM Peak			
2016	55	76	131
2018	56	77	133
2028	59	81	140

The roads and junctions in the vicinity of the site have sufficient capacity to cater for transfer of trips and therefore the road capacity is not compromised by the proposed development and is therefore considered acceptable.

As part of this assessment, the impact of development that is consented or allocated within the catchment area of the proposed school has also been considered. As established in the Policy Review section, the RCT LDP allocates 40 dwellings on the land to the end of Godreaman Street with a delivery period of 2019 to 2021 in the current Joint Housing Land Availability Study. This site is located within the catchment area for the Cwmaman Primary School. For the purposes of this assessment, it is considered that the dwellings will be occupied soon after the school

Opening Year (2018), with the surplus spaces at the new primary school being filled by the (children of the) residents.

WSP/Parsons Brinckerhoff have been commissioned by Morgan Sindall to undertake a 'Walked Routes to School' assessment within the catchment area of the proposed new primary school in Cwmaman.

The assessment involved a site visit on Tuesday 1st November 2016 between 2:00pm and 5:00pm to establish the existing conditions and constraints for school children walking the main key routes to/from the proposed location of the new primary school. The site visit intentionally included a period of the day when school-aged children would walk to or from school. The assessment of the routes was undertaken by foot and then by car.

It is noted that the proposed location of the new primary school will be positioned between the two existing school locations (which the new school is replacing). Therefore it is considered that the walked routes to school that children are currently undertaking could be very similar to the expected walked routes.

The routes assessed are as follows and includes the full catchment area for the school.

- Glanaman Road
- Mountain Road, between the Prospect Place and Glanaman Road / Morris Street junctions;
- Fforchaman Road (including Station Terrace), between the junctions with Milton Street /
- Fforchneol Row and Prospect Place / Mountain Road;
- Aman Street (and the footpath at its western end), between Glanaman Road and Fforchaman Road
- Llanwonno Road, between the junctions with Aman Street and St Joseph's Terrace
- Milton Street/Prospect Place, between the junctions with Fforchneol Row and Mountain Road;
- Brynmair Road, between the junctions with Cwmaman Road and Fforchaman Road;
- Fforchneol Row, between the junctions with Cwmaman Road and Milton Street / Fforchaman Road.

Overall it is considered that the various walked routes reviewed in this assessment are currently suitable for promotion as walked routes to school, with a medium degree of risk. However, there are a number of junction crossings with full height kerbs and limited footways which will require un-controlled crossing points and up-grading which can adequately be secured by a suitably worded condition subject to implementation prior to the first beneficial use of the new school.

The Walked Routes to School Assessment identified the following mitigation measures to overcome concerns with regards un-controlled crossing points for safe pedestrian access:-

- Measures to discourage drivers from parking on the footways on Glanaman Road, this will ensure there is adequate width to allow pedestrians to safely walk without having to enter the road to pass the parked vehicle.
- Widening of any footways on Glanaman Road that are currently less than 1.5m wide, which is the recommended acceptable minimum footway width stated in the Department for Transport document "*Inclusive Mobility*".
- Provide a formal pedestrian crossing facility on Glanaman Road in the vicinity of the proposed school (which provides adequate visibility of approaching traffic from the crossing points). This will allow the safe crossing of the road for school children.
- Consideration of the provision of traffic calming measures on Glanaman Road in the vicinity of the school (such as reduced speed limit, SLOW road markings, speed cushions).
- Consider providing improved pedestrian crossing facilities at the junction between Glanaman Road, Morris Street and Mountain Road.
- Throughout Cwmaman, it is recommended that dropped kerbs and tactile paving are provided on the corner radii of junctions along the key routes where footways are provided.

The Active Travel Act was introduced in November 2013 and applies to all new development within Wales. For the purposes of definition, 'active' refers to walking and cycling routes. The Active Travel Act requires the Welsh Ministers and local authorities to take reasonable steps to enhance the provision made for, and to have regard to the needs of walkers and cyclists.

It is considered that the proposals will meet these objectives by locating the new primary school in a central location within the community, which has adequate existing provision for walking and cycling. A School Travel Plan will also be implemented as part of this development, which will be used to encourage active travel amongst the pupils and staff which is acceptable.

The proposed development is served off Glanaman Road which is also a bus route.

There is concern that there is no dedicated footway crossing provided on Glanaman Road from the proposed school to the northern footway on Glanaman Road.

There is also concern that 85th percentile vehicular speeds at this location are in excess of 30Mph for young children crossing Glanaman Road which is a bus route and carries a fair amount of vehicular traffic.

There is potential to overcome these concerns by:

- providing a traffic calming scheme along Glanaman Road reducing speeds to in the region of 20Mph,
- provide pedestrian crossing facilities and providing school keep clear markings to maintain free flow of traffic and
- maintain visibility from the proposed exit point which can be secured by a suitably worded condition.

The proposed new junction and off-site highway works relating to traffic calming will require stage 1, 2, 3, & 4 safety audits and any recommended mitigation measures will need to be addressed by the developer.

The proposal provides for two new junctions, with the eastern junction used for access only and the western for exit only via a one-way system. The proposed access leads to the main access door, maintenance area, 8 space pick up / drop off area and 34 space staff car park (including 4 spaces for disabled users). The developer has submitted swept path analysis that shows HGV vehicles / buses being forced to turn left onto Glanaman Road and use the bus terminal to turn due to the presence of resident parking along Glanaman Road opposite the site. There is some concern that larger vehicles would attempt to turn directly east resulting in multiple manoeuvres to the detriment of highway safety. However, taking into account the limited use by larger vehicles, buses and refuse vehicles on balance the proposal is acceptable.

Light vehicles such as cars / minibuses can perform the manoeuvre east without impacting on the residents parking opposite the site which is acceptable.

The internal access road measures 6.5m in total with 2.0m used for the pickup and drop off parking bays which is acceptable for safe vehicular movement. There is a raised pedestrian plateau in the centre of the access road linking to a grassed verge area with no link to the footway on Glanaman Road. The raised crossing should be either removed or a footway link to the existing footway on Glanaman Road provided.

A speed survey was carried out in the vicinity of the site between 31st October 2016 and Sunday 6th November 2016 which indicates 85th percentile speeds of 33 miles per hour requiring visibility splays of 2.4m x 40m in accordance with TAN 18 and manual for Streets. There is potential to provide the required visibility splays which are in excess of this requirement and can be secured by a suitably worded condition.

Both junctions should be provided with un-controlled pedestrian crossings with buff tactile paving for safe pedestrian access by able and less able bodied pedestrians that can be secured by suitably worded condition as part of the safe routes to school assessment.

In accordance with the SPG Access, Circulation & Parking 2011 the proposed combined schools require up-to a maximum of:-

Number of classrooms	Parking Requirement SPG	Cycle Parking	Disabled Parking
10			
Required	23	8	3.5
Provided	34	22	4.0

Taking the above into consideration the off-street car parking and cycle parking provided is in excess of the maximum standards set out in the SPG and is therefore acceptable.

The submitted TA indicates that the proposed amalgamation of both schools will result in 65 AM pupil trips and 65 PM pupil trips. There will also be 27 staff vehicular trips taking the total to 92 Peak AM trips and 92 Peak PM trips.

There is some concern that the proposal provides for only 8 dedicated drop-off and pick-up spaces within the curtilage which could potentially result in indiscriminate on-street car parking along Glanaman Road which is a bus route.

There is also potential for the proposed car park to be used for picking up and dropping off for the nursery with 7 spare staff parking spaces available.

However, taking into account that the school operates a Breakfast Club which starts at 8 and an after school club running until 16:30pm a number of trips to and from the proposed site will be staggered which will go some way to mitigate the impact on Glanaman Road.

The proposed is an improvement on the existing situation with both existing schools having no such facility leading to indiscriminate on-street car parking on the adjacent residential streets to the detriment of safety of all highway users.

There is concern with regards the existing high on-street indiscriminate car parking that takes place on the main through road on Fforchaman Road associated with the existing Cwmaman Infants School which will be alleviated as part of the new school proposal and acceptable.

There is some concern that the existing parking lay-by on Glanaman Road has a kerb up-stand of 75mm which are problematic for use. Therefore detailed design of

the lay-by with a maximum 25mm up stand will be required and can be secured by a suitably worded condition as part of the off-site highway works.

There is a bus stop opposite the school which is sub-standard and requires upgrading with raised bus boarder kerbing and new flag and pole to promote sustainable modes of travel for able bodied and less able bodied pedestrians.

Current travel demand indicates that 42 pupils and 3 staff use public transport and therefore the bus stop upgrading will be benefit to the school and the wider community and can be secured by a suitably worded condition.

A Travel Plan framework has been submitted for consideration as part of the planning application whose aim is to reduce single occupancy car trips to and from the school and to promote greater use of sustainable modes of travel which is considered acceptable subject to a suitably worded planning condition.

The two existing schools have no travel plan in use and therefore the above is acceptable to promote sustainable modes of travel and reduce dependency on the private motor vehicle.

In order to promote sustainable modes of travel such as cycling the development has provided secure cycle stands. However, the proposal does not include a shower area for staff which would potentially reduce the likelihood of staff wishing to travel by sustainable modes of travel such as walking and cycling.

Transportation Section Conclusion

The proposal provides for satisfactory access, parking and circulation for the new school which is acceptable subject to detailed design. However, no information has been supplied with regards to the off-site highway improvement works including safe route to school upgrades, pedestrian crossing points, school keep clear markings, 20Mph speed limit across the site frontage, safety audits and any traffic regulation orders associated with the proposal.

The off-site highway works will be carried out on the public highway, that can be secured by suitably worded conditions and therefore the proposal is acceptable.

The proposed development is therefore considered to be in accord with Policy AW2, AW5 and AW6 of the LDP, subject to the conditions listed below.

Notwithstanding the submitted plans, a scheme of traffic management and off-site highway improvements in the vicinity of the site to include traffic calming measures, visibility splays, new bus stop boarder kerbing, upgraded pedestrian footways and pedestrian crossing points shall be laid out and constructed in accordance with design and details that includes a Stage 2 Safety Audit to be submitted to and approved in writing by the Local Planning

Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation unless otherwise agreed in writing.

Reason: To ensure that adequate crossing facilities are provided to serve the proposed development, in the interests of pedestrian safety.

Notwithstanding the submitted plans, the Safe Routes to School Pedestrian improvements shall be provided in accordance with design and details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation unless otherwise agreed in writing at the following locations:- Glanaman Road, Mountain Road, Morris Street, Fforchaman Road, Aman Street, Llanwonno Road,

Reason: To ensure that adequate Safe Routes to School Pedestrian facilities are provided leading to the school together with encouraging walking as an alternative sustainable mode of travel, in the interests of pedestrian safety.

A Travel Plan which sets out proposals and targets together with a timescale, to limit or reduce the number of single occupancy journeys to the site and to promote travel by sustainable modes of travel shall be submitted to and approved in writing by the Local Planning Authority within 6 months of beneficial occupation. Annual reports demonstrating progress in promoting sustainable transport measures shall be submitted on each anniversary of the date of the planning consent to the Highway Authority. The financial penalties to be applied for non-compliance with the targets set out in the Travel Plan should be agreed with the Local Planning Authority.

Reason: To ensure satisfactory provision for alternative travel modes to and from the site and use of sustainable travel.

No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;

- a) the means of access into the site for all construction traffic,***
- b) the parking of vehicles of site operatives and visitors,***
- c) the management of vehicular and pedestrian traffic,***
- d) loading and unloading of plant and materials,***
- e) storage of plant and materials used in constructing the development,***
- f) wheel washing facilities,***
- g) the sheeting of lorries leaving the site.***

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

Reason: *In the interests of highway safety and free flow of traffic.*

Countryside & Ecology

The application was submitted with an Ecological Assessment and a Landscaping Plan and the details contained therein have been assessed by the Council's Countryside Section.

In respect of the old school playing field, the report concludes minimal ecological issues and impacts.

The assessments included appropriate habitat surveys and an assessment of protected species potential for an additional area of land identified as a replacement playing field. In habitat terms it appears that the rough grasslands areas although quite rich in flora are not of such ecological significance as to merit consideration for SINC designation or planning policy objection.

However, as mitigation, the capacity to restore a similar diverse wildflower habitat through natural restoration and management would be desirable. The re-use of seed sources/top soil could be considered.

The survey report also identified reptile potential and subsequently dealt with this via the November 2016 Reptile Report.

The Report also identified some potential for bats to use the paddling pool building and recommended bat survey work for that feature.

Subsequent details reported a building inspection was carried out in January by TACP (the Council's consultants) ecologist, which included full building access to the paddling pool building with a thorough check for potential and evidence of bats. It concluded that bat roost potential is low and no further action is needed, other than ensuring the door is kept locked to keep any bats out, and the need for a re-survey if the building is still standing in 12 months.

The report also identified method statements for nesting bird sensitive site clearance. An appropriate and effective translocation scheme has already been completed. As part of the recommendations, the areas into which reptiles have been moved need to be sympathetically managed - such management could also allow some habitat restoration to be achieved.

Ecology Conclusions

The Council's Ecologist has concluded that the applicant has submitted a reasonable survey(s) with a clear assessment conclusion. It is suggested that the inclusion of a Wildlife and Habitat Protection Plan for Construction and Operation condition to include a precautionary consideration of bats (in line with the submitted bat survey). Accordingly, a condition to this effect is proposed

The proposed development is therefore considered to be in accordance with Policy AW5, AW6 and AW8 of the LDP subject to the inclusion of the following condition.

No development shall take place until a Wildlife and Habitat Protection Plan for Construction and Operation has been submitted and approved in writing by the local planning authority. The plan shall include:

- a) An appropriate scale plan showing 'Wildlife and Habitat Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented, and areas of reptile and habitat mitigation;***
- b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction***
- c) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season, hibernating and breeding reptiles, etc.***
- d) Details of toolbox talks, any re-surveys and any precautionary measures e.g. bats and nesting birds***
- e) Details of long-term management of reptile/habitat mitigation area.***
- f) Details of root zone protection measures of retained boundary trees***
- g) Details of water pollution control measures.***
- h) Details of invasive plant control measures***
- i) Persons responsible for:***
 - (i) Compliance with legal consents relating to nature conservation;***
 - (ii) Compliance with planning conditions relating to nature conservation;***
 - (iii) Installation of physical protection measures during construction;***
 - (iv) Implementation of sensitive working practices during construction;***
 - (v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;***

(vi) Provision of training and information about the importance of the 'Wildlife and habitat Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority'

Reason: To safeguard the ecological interest in the site in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

Flood Risk - Policy Context

Schools are defined in Technical Advice Note 15 (Development and Flood Risk) as “highly vulnerable development” for flood risk purposes. Part of the application site is located within a C2 Flood Zone (undefended flood plain) as defined by Natural Resources Wales Development Advice (DAM) Maps. Not all of the site is covered by this designation therefore, there is no requirement to refer the application to Welsh Government under Circular 07/12 – The Town and Country Planning (Notification) (Wales) Direction 2012.

The applicant was made aware of this designation in early pre-application discussions and has been working closely with Natural Resources Wales prior to and during the application to ensure that they have all of the information required to make an informed recommendation in respect of the proposal. Accordingly, the application was submitted with a Flood Consequences Assessment (FCA). The applicant's approach to siting highly vulnerable development in a C2 Flood Zone is to raise the site for the school building above the level of the floodplain and to mitigate the resultant loss of floodplain by providing flood water storage areas.

Technical Advice Note (TAN) 15 (Development and Flood Risk) generally discourages the provision of highly vulnerable development in undefended areas that are prone to flooding (C2 Zones). However, it also advises that “where a site falls *partially* within Zone C it will be a matter for the planning authority to judge whether to apply Section 6, though it is probable that an assessment in accordance with Section 7 and Appendix 1 will be required.”

In this instance much but not all of the site falls within the C2 floodplain and as such it is at the discretion of the Council as the Local Planning Authority, to decide how much weight to apply to Section 6 of the TAN in determining this planning application. Committee is advised that, whilst in simple terms the proposals do not comply with Section 6 of TAN 15, taking into account the proposal to raise the site for the school above the extreme flood levels and to provide compensatory flood water storage, it is considered appropriate in this case to place lesser weight on the policy of directing highly vulnerable development away from the C2 Flood Zone.

Subject to Natural Resources Wales offering no objection to the modelling and recommendations of the FCA prepared in support of the current proposals and appropriate conditioning being attached to any planning permission to ensure the provision of the flood alleviation measures and demonstrable emergency evacuation procedures as appropriate are in place, it is considered reasonable to conclude that no policy objection should be raised to the current proposals.

Part of the justification for development in this location is the overriding need for the school, in line with Planning Policy Wales sustainability objectives (section 4.4; para. 4.6.2) and LDP policy CS 1 for building strong, sustainable communities. The Design and Access Statement (DAS) submitted with the application only addresses the educational need for the school in a high level way; however the processes and procedures involved in the delivery of a new school (that the Council's Education Directorate would have done prior to the planning application) will have clearly identified such a need.

Similarly, the other justification is that the location of the school is, by necessity, limited to its catchment area. Evidence of a lack of suitable and available alternative sites would also have been an issue in the consultation process undertaken by the Local Education Authority and it is apparent, from discussions with colleagues in the Education Directorate, that the proposed site is indeed the only viable education site that could meet the criteria set down by the Welsh Government and the needs of the local community. No suitable and available sites outside the C2 zone were found.

Therefore provided the flood risk issue can be adequately addressed, there would be no objection under policy AW 2.

FCA Assessment

This section summarises the findings of a Level 3 Flood Consequences Assessment (FCA) undertaken by Waterman Infrastructure & Environmental Ltd. on behalf of Rhondda Cynon Taf County Borough Council for a proposed primary school on land adjacent to Glanamman Road, Cwmaman.

The FCA was undertaken in line with Planning Policy Wales and Technical Advice Note 15: Development and Flood Risk (TAN15). The aim of the FCA was to demonstrate that the site can be redeveloped safely, without exposing the new development to an unacceptable degree of flood risk or increasing the flood risk to third parties. The objectives of the study were to:

- Identify potential sources of flooding and assess the risks they pose to the site;
- Consider the effect of the predicted impacts of climate change on future flood risk to the site;
- Assess the impact of the proposed development on flood risk to third parties; and

- Recommend appropriate flood risk mitigation measures.

The requirement for a Level 3 FCA arose from the outcomes of a discussion with Natural Resources Wales (NRW), who requested a hydrological and hydraulic modelling exercise to be undertaken assessing the flood risk posed by the Aman Fach and Aman Fawr watercourses.

On Site

The site is located off Glanamman Road in Cwmaman and is currently used as an amenity area for the local community. The Aman Culvert runs beneath the site and follows the approximate path of the historic watercourse linking the Nant Aman Fach and Nant Aman Fawr with the downstream reaches of the Aman River.

The course of the Aman River was progressively culverted to the east of the site during the development of Fforchaman Colliery. Since the discontinuation of work at the colliery in the 1960's the surrounding land was landscaped to form the common ground that exists at the site today. Ground levels at the site have changed dramatically since the closure and landscaping of the site, with colliery spoil in the 1970's resulted in levels rising by up to 6m.

As a result, the River Aman which used to run openly through the site is now culverted over a significant length which includes a number of sharp bends and multiple inflows from the surrounding land to manage surface water discharges back into the watercourse downstream at Llanwonno Road.

The historical context of the River Aman demonstrates the fact that historically the floodplain would not have been defined by the capacity of a wider culvert network, instead being defined by the capacity of the River's natural floodplain. As the levels have changed and flow constrictions added, the mechanisms of flooding too have changed.

Despite the significant changes made in this area, only one known record of flooding in Cwmaman was recorded in 1986. Evidence indicates that the culvert upstream of the Aman Culvert on the Nant Aman Fawr was deliberately vandalised and blocked causing widespread flooding throughout the western terrace on Glanamman Road with significant depths of flooding reported. No details on this event are available and it proved difficult to use this information in the hydrological / hydraulic modelling exercise.

The scheme involves the re-development of the site to include the provision of a new primary school and associated sports pitches, recreational areas and access roads. In addition, the proposals include for the straightening of a section of the Aman Culvert which runs beneath the plot of the proposed school and will remove two significant bends that currently exist along the alignment.

The majority of the site lies within Zone C2 of the NRW Development Advice Map (DAM). Zone C2 is defined by the 0.1% (1000 year) Annual Exceedance Probability (AEP) Fluvial, Tidal, or combined event that does not benefit from flood defences.

The risk reported appears to be solely posed by the Nant Aman Fach which is inconsistent with the site's flood history, which suggests that the Nant Aman Fawr has caused flooding historically due to a blockage. As a result this would appear to call into question the accuracy of the hydraulic model and previous studies in this area have confirmed that the mapping is based on national generalised modelling, not accounting for local characteristics of the watercourse including hydrological data and hydraulic structures.

As such, more detailed information was deemed a necessity to properly understand the flood risk posed at the site and detailed hydraulic modelling was undertaken to this end.

The major source of flood risk at the site appears to be fluvial flooding as a result of the Nant Aman Fach and Nant Aman Fawr watercourses. The Nant Aman Fach rises on the southern slope of the Cefnrhos-Gwawr and flows in a south-easterly direction towards Cwmaman. The headwaters of the Nant Aman Fawr lie within St. Gwynno Forest close to the A4233 and flow in an eastward direction towards Cwmaman.

The two watercourses converge at a point south of the Glanaman Road Bridge to form the Aman River which is culverted for approximately 700m flowing beneath the site before reaching its outfall under Llanwonno Road.

It is reported that the flood risk mapping of this area is unlikely to have considered the interaction between the Aman Fawr and Aman Fach and is highly unlikely to have considered in detail the impacts of the culverted section of the River Aman and the impacts of the Aman Fawr culvert / Glanaman Road Bridge.

Each of these characteristics has significant impacts on flood risk in Cwmaman and was considered in detail as part of the hydraulic modelling study.

Waterman carried out a detailed hydraulic model build in line with the requirements of NRW and to inform the FCA. This required a detailed review of existing data and, where required, collection of new data for the construction of the hydraulic model including LiDAR Data, river channel surveys, culvert details, OS Mastermap and site topographic surveys.

One dimensional and two dimensional ground models and structures were developed accounting for vegetation and cultural features and ground, channel, flood plain and culvert roughness factors. Hydrological assessments explored the statistical and flood hydrographs to define flows at key locations in order to estimate peak flows.

A complete set of mapped results were derived from the baseline model summarising flood depths in a 1 in 100 year plus climate change and 1 in 1000 year event.

As the results show, there is a clear fluvial flood risk posed to a large area of Cwmaman including the undeveloped site, with depths above 0.6m occurring during a 1 in 100 year event plus climate change. The proposed development therefore required a consideration of these flood depths in setting the finished floor levels of the school and mitigation measures have been rigorously assessed to offset any impacts to third party land and property that result from these alterations.

Design measures have been implemented to ensure that finished floor levels within the school and grounds are sufficiently managing flood risk, providing a safe environment for its proposed use. This exercise has included a consideration of third party impacts posed by any changes to ground levels and any mitigation measures required to counter these impacts.

In the early stages of the proposed model development, a series of simple design guidelines were set out by the project team ensuring that TAN15 was followed and design criteria set out by RCT was satisfied. The following provides a summary of these principles:

- The main school site (school building, car park and surrounding grounds) should be flood free in a 1 in 100 years plus climate change event as per TAN 15.
- The applicant (RCT) requested that the school building is dry during a 1 in 1000 year event which significantly exceeds the already stringent requirements of TAN 15.

The proposed solution controls the direction and rate of flows on the floodplain to ensure that the school remained flood free without increasing flood risk elsewhere. This has been achieved through application of a series of earth bunds, flood channels and storage areas.

An earth bund that runs along the Cwmaman FC football ground to the west of the Site is highly effective in reducing flood depths along Glanamman Road. The bund separates the two sources of flooding from the Aman Culvert and Glanamman Road Bridge and in doing so; flows that overtop the Aman Culvert are diverted away from the residential properties along Glanamman Road and instead flow to the east.

The low level playing fields and MUGA to the south and west of the school plateau join with the flood storage area to the east of the school. A level access has been created between Glanamman Road and the playing fields to effectively create a new flow route which intercepts flood water as it makes its way down Glanamman Road and directs it around the school to the south and finally eastwards.

Flood waters enter the flood storage area to the east of the school via a series of diversion channels present to the north and south of the school which ensure the quick transfer of flows around the school. The diversion to the south is a shallow flood relief channel that follows the western and southern perimeter of the site.

The north diversion is a culvert built beneath the school's access road. The result of these channels is that water is efficiently diverted around the school minimising the potential for flood waters to spill back onto Glanaman Road.

The flood storage area to the east of the school has not been significantly changed in terms of ground levels. Once in the storage area, flood water is held back and attenuated by the presence of an earth bund to the east of the site. Overspill weirs control the release of flow back onto its natural course along the valley ensuring even distributions of flows are achieved to reduce existing flooding levels for the Cwrt Alun Lewis Sheltered Housing and residences to the east.

It is important to note that the proposals allow for a drainage route from the flood storage area back into the Aman Culvert via an outlet feature in the south east corner of the site.

These measures are implemented with the intention of moving flow around the school and keeping the most vulnerable areas of the site - the school, play grounds, car park and access road - dry in even the most extreme flooding events. These levels tie in the school access road and car park to existing ground levels on Glanaman Road ensuring a safe and dry exit from the site during extreme flooding events.

The on-site impacts of the mitigation measures are very positive. All of the design criteria agreed have been met and a good degree of freeboard to the school has been achieved. The site is not flooded in a 1 in 100 year event (plus climate change event) and areas to the east on Glanaman Road are not flooded meaning there is a clear means of vehicular egress during this event.

Flood depths in the 1 in 1000 year event are not significant and are shallow and of little danger. The maximum water level during a 1 in 1000 year event means that the School itself remains dry as 150mm of freeboard is still provided.

As a result the FCA concludes, the proposed scheme is considered to be compliant with TAN15 and the development can be considered safe.

Off Site

The mitigation measures employed for this development have been derived with a strong emphasis on delivering betterment to the wider community by reducing baseline flooding levels wherever possible and minimising third party effects. The FCA concludes that this has been achieved.

Results from the 1 in 100 year (plus climate change) event demonstrate that resulting from the proposals there are widespread benefits to the surrounding community in Cwmaman. Most notably, properties along Glanaman Road are shown to have flood depths either substantially reduced or removed completely to the houses facing the site. Furthermore, flood depths are reduced across the Cwrt Alun Lewis Sheltered Housing Development and along most of the residences to the east of the site.

Minor increases in flood levels to the area of out-buildings to the rear of the gardens of properties in Aman Street of approximately 22mm and 85mm are possible in the Q100 plus climate change and Q1000 events respectively which when compared to the betterment in reduction of flooding levels to the Aman Street properties themselves is considered by the FCA to be a reasonable compromise.

A 1 in 1000 year event has proved the most significant return period with regards to increases in flood depths. Again, it is noted that all significant areas are shown to be unaffected by the development with many areas still seeing some improvements. The areas shown to be negatively impacted are those same locations in which garden sheds and storage containers are located and are of lesser consequence than the residences themselves.

As part of the development proposals the plans include an engineering solution for straightening a section of the Aman Culvert. This is not being considered as a mitigation measure but the impacts of the culvert straightening were investigated to ensure that downstream velocities were not impacted.

Very little difference was noted in the FCA between the peak velocities experienced within the model, both under normal in bank conditions and during more extreme events. As a result, it is considered that the straightening of the culvert will not significantly increase downstream velocities or pose an additional risk to the properties and land downstream of the Aman Culvert.

Flood Risk - NRW Response

NRW have advised that they have previously provided pre-application advice stating that further modelling work was required to demonstrate that the risks and consequences of flooding can be managed to an acceptable level in accordance with TAN15.

They have concluded that this modelling work has now been completed and they are satisfied that it was fit to inform the Flood Consequences Assessment (FCA).

Notwithstanding this, NRW express significant concerns with the proposed development as submitted. They recommend that the LPA should only grant planning permission if the scheme can demonstrate that the proposed development

will not cause an increase in flooding elsewhere (third party land) in accordance with TAN15. NRW have advised that they would object if the scheme does not meet this requirement.

Flood Risk

The application site lies almost entirely within Zone C2, as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (July 2004).

NRWs Flood Map information, which is updated on a quarterly basis, confirms the site to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Cwm Aman, which is a designated main river.

NRW refer to Section 6 of TAN15 and the Chief Planning Officer letter from Welsh Government, dated 9th January 2014, which affirms that highly vulnerable development should not be permitted in Zone C2 (paragraph 6.2 of TAN15).

Notwithstanding this policy advice, NRW have reviewed the hydraulic model which has been developed to support the findings of the Flood Consequences Assessment (produced by Waterman Infrastructure and Environment Ltd, dated February 2017) in order to provide advice on the acceptability of the consequences of flooding.

NRWs detailed advice in relation to flood risk is set out below:

As outlined above proposed development is located within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) flood outlines. Therefore a number of mitigations measure are proposed to manage flood risk at the site.

NRW note that the school building will be raised to a level of 189.75m AOD and the school grounds (area immediately adjacent to the school buildings, as shown in figure 10 of the FCA) will range in levels between 189.45m AOD and 189.60m AOD.

The car park and access road will range in levels between 188.81m AOD and 189.59m AOD. Therefore, the school building, school grounds and access/car park, as described in Figure 10 of the FCA, are predicted to be flood free during the 1% (1 in 100 year) event with an allowance for climate change (25%) and is therefore considered to be in line with the guidance set out in A1.14 of TAN 15.

The school building is also predicted to be flood free during the 0.1% (1 in 1000 year) flood event. However the car park, which is set at 189.45m AOD, is predicted to flood to a maximum depth of 300mm with a maximum velocity of 0.45 m/s. This predicted depth is in line with the guidance set out in A1.15 of TAN 15, however the maximum velocity exceeds the indicative guidance. The access road to the school is predicted to flood to a depth of 600mm with a maximum velocity of 0.45 m/s during this event. This predicted depth is in line with the guidance set out in A1.15 of TAN 15, however the maximum velocity exceeds the indicative guidance

Further flood mitigation measures

In order to offset the above ground raising a complex set of mitigation measures are proposed. These mitigation measures include a series of earth bunds, flood channels and storage areas. These are described below, although Committee is advised that this is not exhaustive. Section 5 of the FCA describes the mitigation measures in full.

The playing fields on the western and southern side of the raised school will be lowered to a level of 188.0m AOD. The lowered playing fields create a new flow route around the school and are designed to flood. These areas (which include MUGAs (Multi Use Games Area) and grass pitches) will act as flood storage and conveyance areas. They are predicted to flood during the 1% (1 in 100 year) and 0.1% (1 in 1000 year) flood events to depths of 1-2m with a maximum velocity of 1.00m/s. This equates to a hazard rating of "Danger" for all (including the emergency services).

Water will enter the flood storage area on the eastern area from the new flood flow route (as described in the above point) via a series of diversion channels to ensure the transfer of flows around the school. These will be made up of relief channels as well as new culverts.

Once the water is within the flood storage area, a significant earth bund around the eastern perimeter will keep the flood water held within the storage area. It is noted that a 'play area' is proposed within the flood storage area. They highlight that as a part of the mitigation measures this area is specifically intended for the purpose of storing flood water and is therefore predicted to flood during the 1% (1 in 100 year) and 0.1% (1 in 1000 year) flood events.

An earth bund is proposed that runs along the football ground on the western side of the site. The bund will be set to height of between 189.7m AOD and 190.3m AOD. They suggest that the most western part of this bund does not appear to fall within the red line boundary of the school development.

There will be an earth bund around the Vodafone Communications tower. The bund will stand at 1.0m and therefore is predicted to keep this infrastructure flood free during and up to the 0.1% (1 in 1000 year) flood event. However, this bund is also considered to be outside of the red line boundary of the school development.

Impact of the development on flooding elsewhere

As a result of these mitigation measures and due to the complexity of flooding in the area, there is an increase in flood risk elsewhere. These are located to the rear of Aman Street within the garden areas of residential properties, including sheds and storage containers.

The increase in flooding is shown to be to be 22mm during the predicted 1% (1 in 100 year) event and a maximum of 220mm during the predicted 0.1% (1 in 1000 year) flood event. NRW note that these properties are already predicted to flood during these events. However, this is not in line with guidance set out in Section 9 of TAN 15 which states that there should be no increase in flooding elsewhere.

Areas of new flooding were also identified (i.e. areas that were not predicted to flood previously, in Figure 14 of the FCA). NRW understand that this area falls within land that is within RCT ownership and that no new properties are now predicted to flood as a result of this development.

Notwithstanding this advice, they advise that if the Council are minded to grant permission, the development would only be acceptable if the measures, as detailed in the Flood Consequences Assessment, are implemented and secured by way of conditions on any planning permission.

However, as described above, NRW note that two flood defence bunds are outside of the red line boundary of the school development. NRW consider that these will need to be secured through appropriate mechanisms (such as a S106 agreement - but Committee is advised that these are located on Council owned land therefore this type of mechanism is not necessary.

NRW advise that the following conditions are necessary if the Council intend to grant planning consent:

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Consequences Assessment (FCA) submitted by Waterman dated February 2017 and drawings produced by Bradley Associates Job no 152307, drawings 02 - 17, and the following mitigation measures detailed within the FCA:

- ***Provision of the mitigation measures as described on pages 15 &16***
- ***The finished floor levels of the school building must be set to 189.75m AOD.***
- ***The finished floor levels of the school grounds must be set to 189.45 to 189.60m AOD***
- ***The finished level of the access and car park must be set to 188.82 – 189.59m AOD***
- ***The finished level of the playing fields must be set to 188.00m AOD***

Reason: To prevent and reduce the risk of flooding.

NRW are particularly concerned over the complexity of the proposed mitigation measures and the FCA has not provided any information on how the mitigation measures will be maintained to adequate standards throughout the lifetime of development. Therefore NRW advise that the following measures must be secured with suitably worded conditions if the Council want to grant permission.

Prior to the first beneficial occupation of the development hereby permitted, a scheme shall be submitted to, and approved in writing by, the local planning authority detailing measure for the long term maintenance (for the lifetime of the development) of the completed flood mitigation measures. Maintenance must be carried out in strict accordance with the measures detailed in the approved scheme

Reason: To ensure the maintenance of the mitigation measures.

All flood storage areas (as defined by the FCA) shall remain free from built development for the lifetime of the development; this includes the flood storage area to the eastern side of the school as well as the flood flow routes around to the south and west of the school.

Reason: To ensure the effective storage of flood waters.

NRW advise that, as it is for the Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, they recommend that the applicant considers consulting other professional advisors on the acceptability of the developer's proposals, on matters that NRW cannot advise on such as emergency plans, procedures and measures to address structural damage that may result from flooding. NRW refer to the above information and the FCA to aid these considerations. They also advise that they do not normally comment on or approve the adequacy of flood emergency response and procedures accompanying development proposals, as they do not carry out these roles during a flood. Their involvement during a flood emergency would be limited to delivering flood warnings to occupants/users. In light of these comments, the following condition is also proposed.

Within six months prior to the first beneficial occupation / use of any part of the development, a scheme shall be submitted to, and approved in writing by, the local planning authority detailing a strategy for the provision of a Flood Management Plan.

The strategy shall set out a timetable for the provision of a phased Flood Management Plan based on key milestones to be completed as part of the development. The strategy shall be implemented in accordance with the approved scheme.

The Flood Management Plan(s) shall be prepared in consultation with Rhondda Cynon Taf County Borough Council's Emergency Planning Team and the Emergency Services. The Plan should, as a minimum, include:

- ***Details to confirm that occupiers of the development are signed up to the Environment Agency flood warning service and are aware of the flood consequences.***
- ***Arrangements for vacating those parts of the site shown to be at highest risks of flooding where the risks to people and property could be significant on receipt of a flood warning.***
- ***Arrangements for evacuating the site if necessary.***
- ***Arrangements for post event clear up and recovery which should also include inspection of any infrastructure that may have been damaged during the flood to ensure that it is safe before the site is re-occupied.***

The Flood Management Plan shall be implemented in accordance with any approval and prior to the first beneficial occupation of the school.

Reason: In the interests of public safety having regard to the location of the site within a C2 Flood Zone.

Flood Risk Activity Permit

NRW advise that the straightening of the Aman culvert will require a Flood Risk Activity Permit.

Flood Risk Conclusions

The concern of NRW is a significant material consideration in the determination of this application and Committee will need to decide whether these risks are acceptable having regard to the specific advice of the Council's flood risk consultants and all other relevant consultees.

Waterman have carried out a detailed hydraulic assessment of the Aman Fach, Aman Fawr and Aman River including detailed modelling of the Aman Culvert which, when referenced to current Natural Resources Wales guidelines and Welsh Government climate change directives, suggests that flooding within Cwmaman could occur with greater frequency in the future.

The potential causes for flooding are a result of insufficient capacity within the culvert networks that direct flows from the Aman Fawr and Aman Fach downstream to the River Aman. Specifically, the Aman Culvert is shown to be a flood restriction which could cause water to back up and overtop the banks at Glanaman Road Bridge and at the headwalls of the culvert itself in more extreme events.

Flood management principles including raising finished floor levels have been agreed with NRW and applied to the proposed school development site and the provision of mitigation measures to protect third parties from any detrimental impacts of the development have been adopted.

The proposed mitigation measures have been shown to be effective in all return periods from 1 in 5 year to 1 in 1000 year flood events. The main school site is shown to be flood free in all events with a clear vehicular egress route in all events up to a 1 in 100 year plus climate change event.

Significant reduction and elimination of flooding levels to third party properties is shown to result from the proposals with minor increase in flooding levels limited to the lower garden areas and out buildings of properties to the east of the site in Aman Street where the residential buildings themselves will actually benefit from a reduction in flooding levels.. While this requires a balanced judgement that strict adherence to the over-arching policy context does not readily offer as no distinction is made between the flooding of properties and the flooding of curtilage, there would seem to be a tangible benefit to the owners of these few affected properties in a flooding scenario than if the development did not proceed.

Sensitivity analysis has shown that changes to the model parameters do not significantly affect flood risk at the school or its grounds.

Blockage analysis has shown that the school building is capable of remaining flood free in even the most extreme blockage scenario of the Aman Culvert during a 1 in 1000 year flood event and whilst flooding of the school grounds is noted within some of the scenarios, depths do not exceed the thresholds set out in TAN15.

In respect of the potential to exceed recommended velocities (for flood water) it has been advised that In a 1 in 100 year (plus climate change) flood event, the escape routes to safety from the school via the play grounds , car park and access road are safe and remain dry and flood free.

In a 1 in 1000 year extreme flood event it is almost certain the school would have been evacuated along with all of the residents of Cwmaman. However even in the case of somebody been still in the building they are in a place of safety which remains flood free and the rescue services could still reach them as the water level of 300mm is 50% of the depth of 600mm which is the maximum limit acceptable to NRW, therefore the velocity of 0.45 m/s, which is limited to a small area of the access road becomes much less significant.

As a result, the FCA concludes that the site is capable of being developed safely having regard to the consequences associated with flooding when compared with an event if the development did not proceed. Committee is advised that this overall betterment is a material consideration that weighs in favour of the application.

(At the time of writing the report, the applicant was working closely with its flood risk consultants to see if any additional mitigation could be incorporated into the scheme which would result in no additional detriment. An update will be provided at Committee on any progress that has been made).

Drainage

As part of the application process, the Council's Drainage Section and Dwr Cymru / Welsh Water were consulted in respect of the drainage arrangements for the development.

DC/WW are satisfied that the discharges from this site can be accommodated at the Cynon Waste Water Treatment Works and subject to the following conditions, are satisfied with the proposal (and the development therefore complies with Policy AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan)

Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between manhole reference number SS99997505 and ST00990402 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

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 (and to comply with Policy AW10 of the Rhondda Cynon Taf Local Development Plan).

The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

Reason: To protect the integrity of the public sewer and avoid damage there to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment (and to comply with Policy AW10 of the Rhondda Cynon Taf Local Development Plan).

The approved use shall not commence until an adequate grease trap has been fitted in accordance with details that have 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 (and to comply with Policy AW10 of the Rhondda Cynon Taf Local Development Plan).

The Council's Drainage Section has offered no objection in regards to flood risk management/surface water drainage as the submitted drainage strategy provides enough detail in principal to adequately manage the surface water on site.

It is suggested however that the applicant provides further detailed information in relation to the surface water drainage in accordance with their document 'Planning Requirements Relating to Flood Risk Management' document to ensure the surface water is managed appropriately in line with the proposed drainage strategy.

No development shall take place until such time as a timescale for the submission of site specific surface water drainage details to serve the built development (in accordance with 'Planning Requirements Relating to Flood Risk Management') is submitted to, and approved in writing by, the local planning authority. The drainage details shall be provided in accordance with the timescales approved and completed prior to the first beneficial occupation of the development.

Reason: In the interests of the amenities of the area and to comply with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

Compliance with Other National and Local Planning Policy

Loss of Open Space:

The loss of open space has to be justified using the criteria provided in LDP policy AW 7 and PPW 9

The Design and Access Statement includes justification in 2 separate places, firstly under PPW (para.11.1.11), then under policy AW 7, to the effect that: no suitable alternative sites were found; amenity, ecology and flood issues are addressed; the amenity space is underused (implying that there is a surplus of open space); and new, enhanced community facilities will be provided (sports courts, hall and room).

As part of the application process, consultation was had with the Council's Leisure Services Section. The response details that any loss of green space will be more than adequately compensated for by the creation of the MUGA and a greatly improved play area. The areas to be lost is heavily use by dog walkers at present however there is good access to wider areas of informal green space in the area which, if necessary, could be enhanced by better signage.

While the development may result in a net loss of informal open space (and may therefore be contrary to Policy AW7 of the LDP) it is considered that the improvement in the overall level of recreational facilities on this site more than compensates for any loss and the overall improvements to the educational facilities in the village also outweighs any loss when balancing competing interests.

Committee is advised that the use of the MUGA is for the exclusive use of the school during school hours / term time however it is included in the proposed to give wider community access at all other times. It is not envisaged (due to the size) that it will be used for organised sporting team events (which would likely bring with it additional vehicular activity and therefore potential additional parking difficulties) but rather be used by children in the local community as a kick about area. No details of how the MUGA will be operated (for wider community use) have been submitted with the application and the propensity for the facility to cause an element of nuisance to residents of Glanaman Road exists. Therefore it is considered reasonable to restrict the use of the MUGA solely to the school until such time as an operational management plan has been submitted. A condition to this effect is proposed.

The use of the Multi Use Games Area (MUGA) shall be restricted to the use by the school during normal school activities and hours. The facility shall not be available for wider community use until such time as a detailed operational management plan is submitted to, and approved in writing by, the local planning authority. The plan shall include (as a minimum):

- ***The permitted activities***
- ***The proposed hours of operation***
- ***The person(s) responsible for locking the facility to prevent unauthorised access outside of the permitted hours***
- ***A telephone number and responsible person for local residents to contact in the event of unauthorised access / misuse***

The MUGA shall be operated in strict accordance with any approval.

Reason: In the interests of the amenities of the area and to accord with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

At the time of writing this report, no response has been received from Sport Wales. They did respond to the applicant's pre-application consultation exercise and expressed concern that the proposal involved the loss of a playing field area that was previously laid out as a full sized sports pitch. Sport Wales requested evidence that there is sufficient playing field provision in the area to accommodate this loss, without which they would object to the application. In response to this the applicant responded that this was an existing low value amenity grass area which is frequently waterlogged and poorly drained and that no full sized sports pitches will be lost in the development. The applicant also commented that a new grassed sports pitch and play areas will be provided as part of the redevelopment including a MUGA and an enhanced public play area and amenity grass area to the east of the site.

Accordingly, it is considered that the development complies with both local (AW5 & AW6) and national planning policies.

Mineral resources

Although the site is in a “coal resources protection area”, it is considered that since the site is close to a residential area and is in fact the reclaimed site of a former colliery, it is unlikely that in practice the development would sterilise coal reserves. There is therefore no policy objection in respect of the proposal.

Noise (and Disturbance)

Committee is advised that **this issue has been dealt with through Section 61 of the Control of Pollution Act 1964** rather than through the Planning Acts. Members are advised that this is a legitimate mechanism and some may recall that this method was used in the redevelopment of the Sobell site school / leisure development. This mechanism is considered to be both more flexible and more capable of enforcement than the use of a planning condition and enables certain works to be carried out (such as internal works) outside of “normal” hours where the nature of the work is such that it will not cause any loss of residential amenity.

As part of this agreement the applicant has stated that the hours of operation will be between 07:30 – 18.00 hours (Monday to Friday) and 08.00 – 13.00 hours (Saturday).

It has also specified that HGV movements associated with construction activities and deliveries to the site will take place between 09.30 – 12.00 and 13.00 – 15.00 hours. The Transportation Section is satisfied that this effectively prohibits large deliveries / construction traffic during the critical school run hours.

Sustainable Locations

Sites outside settlement boundaries and in C2 flood risk zones are not normally considered under policy AW 2 to be sustainable locations for development. PPW9 indicates that schools should be within urban areas to minimise travel demand. However, in this case, the site is accessible by a range of transport modes including walking and cycling and relates well to the area the school will serve, so that it has potential to be a focal point for the community, as the colliery on the same site would have been in the past. The location outside the settlement boundary in this case **does not mean that the site is too remote to be considered as a sustainable location.**

Public Safety (including contaminated land and past mining activity)

The application site falls within the defined High Risk Area. Within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. In this instance, the Coal Authority records indicate that there are three recorded mine entries present within the eastern part of the application site.

The Coal Authority initially expressed concerns that the assessment submitted with the application did not appropriately assess the risks to the safety and stability of this development from the coal mining legacy issues. Specifically, the report failed to fully address the implications for the development of the presence of the three recorded mine entries.

Following their initial concerns, the applicant undertook further work which established that all three shafts have been filled with discard and tailings and that two of the three shafts have been capped.

The report reiterated that the school building would be situated outside the influencing zones of the shafts and identified zones where any built development should be avoided. Committee is advised that only non-occupied structures (bin store and sprinkler tank base) are present within a service yard which is located within this area.

The report identifies that there exists the possibility that the fill to the mine shafts may have been displaced over time and the Coal Authority is pleased to note that the report goes on to commend the undertaking of further intrusive site investigations to accurately locate all three mine shafts, to investigate the caps (where present) and to investigate the nature of shaft backfill.

At this point, the report does not indicate in any detail what further remedial measures may be required to ensure their stability in light of the new use proposed at the site. It does however conclude that the future stability of the shaft caps and backfill will not be affected by the creation of the proposed flood attenuation scheme over these features due to the relatively impermeable nature of the surrounding fill materials and the infrequent and short term that flood water would be present over the shafts.

While some remedial concerns remain and, subject to the inclusion of an appropriately worded condition, the Coal Authority is satisfied such that no objections are raised (in fact they have withdrawn their original objection).

While Committee may understandably be concerned over development in the vicinity of previous coal mining activities, it is the nature and heritage of many Valley communities that this legacy exists and it is not uncommon for developments to have to take such complications into account. Hopefully, the responses from the Coal Authority will reassure Members that this (statutory) consultation process is far from a simple "desk top" exercise and that it adds significant value to the development process. A condition is proposed (below) to satisfy the requirements of the Coal Authority.

No built development shall take place within the application site until such time as further site investigations are undertaken (as outlined in the Terra Firma letter / report dated 3rd February 2017).

Following the results of the site investigations, measures for the detailed remediation of affected areas shall be submitted to, and approved in writing by, the local planning authority.

The specified remediation measures shall be fully implemented in accordance with any approved details.

Reason: In the interests of public safety and to comply with the requirements of Planning Policy Wales and Policy AW5 & AW10 of the Rhondda Cynon Taf Local Development Plan

The Council's Public Health and Protection Section was also consulted as part of the application process. Some concerns were initially expressed over the levels of intrusive investigation undertaken however, following discussions and the submission of additional information no objections are raised subject to the following conditions

The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme (referred to in the Earth Science Partnership report ref. 5877b.02/2537) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the LPA. Any validation report shall be carried out by a competent person.

Reason: In the interests of the amenities of the area and to accord with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan

If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the LPA prior to the work recommencing. Any revised contamination investigation and mitigation shall be carried out by a competent person.

Reason: In the interests of the amenities of the area and to accord with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan

Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed by a competent person for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its

importation. Subject to approval of the scheme of investigation, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken by a competent person in accordance with a scheme and timescale to be agreed in writing by the LPA. Only material approved by the Local Planning Authority shall be imported.

Reason: *In the interests of the amenities of the area and to accord with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan*

Third Party Correspondence.

Members will note from the **PUBLICITY** Section of this report that this proposal has been the subject of extensive public engagement both by the Local Education Authority and the Local Planning Authority (including both the pre-application and application publicity procedures)

At the time of writing this report, five letters were received expressing various levels of concerns in respect of aspects of this development. Some of these issues are addressed elsewhere in the report.

One letter (proposing, but not including, a petition) was received in respect of retaining the paddling pool and its potential for transfer to community responsibility. Committee is advised that it can only determine the application that is submitted for consideration. The applicant has chosen that the preferred method for the redevelopment of the site involves the removal of this facility and the application must be determined on that basis. Notwithstanding this, Committee is also advised that there is a technical reason that means it is not possible to retain the paddling pool. The MUGA is required to be part of the facilities available to the school. While the site would appear to be large enough to physically accommodate the paddling pool and a MUGA, the provision of both would mean that the resulting Flood Consequence Assessment would be materially altered and would result in a negative effect that would effectively mean that none of the development could proceed due to its impacts both on and off the site.

In terms of residential amenity (specifically the standards that residents of the area, particularly Glanaman Road, could reasonably expect to enjoy) the provision of a school is likely to have a significant impact over and above the current situation. That is not to say that these impacts are unacceptable. Cwmaman is a relatively small village and the proposal involves the relocation of the existing school facilities so there would be little net impact on the village as a whole. The new school building is attractive and will make a positive contribution to the visual amenity of the area. The mass of the new building is located approximately 30 metres away from the nearest residential properties and will not have any significant impacts in respect of an overbearing impact. There will be some loss of an immediate view for a small number of properties but the remainder of the panoramic views available in the area

will remain largely unaffected (Committee will also be aware that the loss of a private view is not a material planning consideration).

There will be a significant amount of traffic movements in the area, specifically in relation to the construction process. This is inevitable with development on this scale and will be more difficult due to the historic layout of streets in the vicinity of the site and the number of parked cars that prevents easy access / ingress. A condition is proposed to minimise the impacts as far as is possible but it is acknowledged that there will be a significant amount of inconvenience during this period. During the operational period, the new school, because of its modernity, incorporates drop of and pick up points and staff / visitor car parking that are an improvement on the existing facilities in the village.

There is a residual concern in respect of noise and disturbance in respect of the use of the MUGA outside school hours by the community, especially in respect of its impact on Glanaman Road. A condition is proposed which should reduce any impacts to an acceptable level. There will be considerable noise and disturbance through the construction period but Committee will note that this will be controlled by the Council's Public Health & Protection Section through Section 61 of the Environmental Protection Act 1964. Hours of construction and times of construction traffic and deliveries are controlled through this mechanism and detailed earlier in the report.

Due to the historic nature of the site it was always known that the potential for contamination (including gas levels) exists. The application was accompanied by the appropriate technical ground investigations and the Council's Public Health and Protection Section are satisfied that appropriate investigations have taken place and safeguards proposed. A condition is included that covers unexpected contamination that may be discovered during the construction process.

Some concern has been expressed in respect of the Council's intentions for the existing school sites once they become vacant. While these concerns are understandable, any future redevelopment is not the subject of this application and may be the subject of future applications that could be made in respect of either the use or the redevelopment of the site as a whole. Any application will need to be considered on its own merit and, depending on the proposal, may need to take into account any impacts that the new school redevelopment (this application) will have.

One letter referred to a view that the money would be better spent upgrading the facilities at the existing schools. Committee is advised that it can only deal with the applications that are submitted. While the view of the author is acknowledged it is not a material planning application that can be taken into account in the determination of this application.

There is an understandable concern that any works to the existing stream / culvert may have implications for the village. Committee is advised that the application has

been the subject of extensive discussions with NRW and that the Flood Consequence Assessment shows that there will be significant areas of betterment in respect of the consequences of flooding following the construction of the school.

One letter refers to there being errors in the information submitted with the application. Committee is advised that the application was accompanied by 108 plans and documents. It is likely that not everyone will agree with the content or accuracy of all of the information submitted however Committee is advised that while some documents have been revised and updated during the application process, this is a normal part of the planning process and, in reaching their recommendations, all of the consultees seem satisfied that their responses are based on appropriate information submitted by the applicant.

There was also concern expressed in respect of the amount of waste material required to be removed from the site and where it is going to go. Committee is advised that a significant amount of the material to be excavated on site will be re-used to backfill and create the bunds associated with the flood prevention works. Committee is advised that it is not a normal requirement of the planning process to know where any excavated material will be taken however Committee is advised that it this is controlled by other legislation outside of the planning process. More importantly, a condition requiring the submission of a Construction Management Plan is included to ensure that any disruption is minimised so far as possible.

COMMUNITY INFRASTRUCTURE (CIL) LEVY

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 (as amended) however, the CIL rate for this type of development as set out in the Charging Schedule is £nil and therefore no CIL is payable.

CONCLUSION

Committee will note from the above comments that this site in Cwmaman offers some complications in terms of development opportunities. That said, there would seem to be no alternative sites available that are consequence free. The application demonstrates there is an identified need to modernise education facilities in the area and, it is, on balance, considered that need overrides national and local overarching policies to protect communities from flood risk (TAN 15, AW 2 and AW 10) and loss of open space (PPW9 11.1.11 and AW 7).

Particularly as in this case, subject to NRW's comments on the final FCA, a solution potentially exists that not only confirms that the site would remain "dry" in all scenarios but also that the works would, in reality, deliver betterment to surrounding residents save for a small number of garden areas located remotely from the

respective houses who would, by themselves, achieve betterment from the development proceeding that the “do nothing” scenario.

As this area (the village) is known to be at risk of flooding there would be general plans, in the event of a flood event, to deal with the emergency. As part of this development it would be necessary to prepare a site specific Emergency Plan (as was done as part of the Aberdare Community School (Sobell) development as well as for the Lido re-development in Pontypridd (and other schemes). While the concern of NRW is noted a number of conditions are proposed (necessary) if development is to proceed.

In respect of all other aspects of the development, the circumstances offer no more specific challenges than any other development site. Subject to information submitted with the application and the inclusion of appropriate conditions it is considered that access in and around the site is acceptable, the design of the building will enhance the area and bring a new community focus, the provision of a Multi Use Games Area and play facilities will cater for the children of the area and be an improvement over the existing facilities. The applicant has satisfactorily demonstrated that the past use of the site has been factored in to the development / construction process and that appropriate safeguards are being incorporated.

The residents of Cwmaman have also had significant opportunity to have a stakehold in the education proposals in general for the area and on this specific development having been consulted on three separate occasions. In respect of the planning application, only five letters of concern /objection have been received and many of the issues can be adequately addressed through the use of conditions.

In light of the above comments, it is considered that the proposed scheme forms an acceptable departure from the Local Development Plan. The nature of the departure is not of a scale that would require the application to be referred to the Welsh Government under The Town and Country Planning (Notification) (Wales) Direction 2012

Should Committee be minded to approve the application, it will be necessary to include the “standard” condition that development will need to commence before the expiry of five years from the date of the consent although it is understood that development is likely to begin as soon as practically possible after the granting of consent to maximise grant funding from the Welsh Government. The condition is as follows:

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

Reason: To comply with Section 92 of the Town & Country Planning Act 1990.

The application was originally submitted with 108 plans and documents, and like most major planning applications have been the subject of revision and replacement throughout the application process (although not to such an extent that would have necessitated a re-consultation). Accordingly, if Committee is minded to approve this application it is a requirement that a list of approved plans and documents is provided to clarify what comprised the approved scheme. To this effect the following condition is proposed.

The development hereby approved shall be carried out in accordance with the plans and documents listed in the Planning Issue Sheet (dated 20/02/17) unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

Subject to the above conditions being included, the following recommendation is made:

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the plans and documents listed in the "Planning Issue Sheet" (dated 20/02/17) unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Prior to the commencement of building works on the school, MUGA or children's play area, samples of all external materials to be used shall be submitted to, and approved in writing by, the local planning authority. The completed development shall be built in accordance with the materials approved.

Reason: In the interests of visual amenity and to accord with Policy AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. Prior to the erection of any means of enclosure (other than security / safety fencing erected during the construction period), details (including samples

where appropriate) shall be submitted to, and approved in writing by, the local planning authority. All means of enclosure shall be erected in accordance with the approved scheme.

Reason: In the interests of visual amenity and to accord with Policy AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. Notwithstanding the submitted plans, a scheme of traffic management and off-site highway improvements in the vicinity of the site to include traffic calming measures, visibility splays, new bus stop boarder kerbing, upgraded pedestrian footways and pedestrian crossing points shall be laid out and constructed in accordance with design and details that includes a Stage 2 Safety Audit to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation unless otherwise agreed in writing.

Reason: To ensure that adequate crossing facilities are provided to serve the proposed development, in the interests of pedestrian safety.

6. Notwithstanding the submitted plans, the Safe Routes to School Pedestrian improvements shall be provided in accordance with design and details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation unless otherwise agreed in writing at the following locations:- Glanaman Road, Mountain Road, Morris Street, Fforchaman Road, Aman Street, Llanwonno Road,

Reason: To ensure that adequate Safe Routes to School Pedestrian facilities are provided leading to the school together with encouraging walking as an alternative sustainable mode of travel, in the interests of pedestrian safety.

7. A Travel Plan which sets out proposals and targets together with a timescale, to limit or reduce the number of single occupancy journeys to the site and to promote travel by sustainable modes of travel shall be submitted to and approved in writing by the Local Planning Authority within 6 months of beneficial occupation. Annual reports demonstrating progress in promoting sustainable transport measures shall be submitted on each anniversary of the date of the planning consent to the Highway Authority. The financial penalties to be applied for non-compliance with the targets set out in the Travel Plan should be agreed with the Local Planning Authority.

Reason: To ensure satisfactory provision for alternative travel modes to and from the site and use of sustainable travel.

8. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;
- a) the means of access into the site for all construction traffic,
 - b) the parking of vehicles of site operatives and visitors,
 - c) the management of vehicular and pedestrian traffic,
 - d) loading and unloading of plant and materials,
 - e) storage of plant and materials used in constructing the development,
 - f) wheel washing facilities,
 - g) the sheeting of lorries leaving the site.

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of highway safety and free flow of traffic.

9. No development shall take place until a Wildlife and Habitat Protection Plan for Construction and Operation has been submitted and approved in writing by the local planning authority. The plan shall include:
- a) An appropriate scale plan showing 'Wildlife and Habitat Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented, and areas of reptile and habitat mitigation;
 - b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction
 - c) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season, hibernating and breeding reptiles, etc.)
 - d) Details of toolbox talks, any re-surveys and any precautionary measures e.g. bats and nesting birds
 - e) Details of long-term management of reptile/habitat mitigation area.
 - f) Details of root zone protection measures of retained boundary trees
 - g) Details of water pollution control measures.
 - h) Details of invasive plant control measures

- i) Persons responsible for:
- (i) Compliance with legal consents relating to nature conservation;
 - (ii) Compliance with planning conditions relating to nature conservation;
 - (iii) Installation of physical protection measures during construction;
 - (iv) Implementation of sensitive working practices during construction;
 - (v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - (vi) Provision of training and information about the importance of the 'Wildlife and habitat Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority'

Reason: To safeguard the ecological interest in the site in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. No built development shall take place within the application site until such time as further site investigations are undertaken (as outlined in the Terra Firma letter / report dated 3rd February 2017).

Following the results of the site investigations, measures for the detailed remediation of affected areas shall submitted to, and approved in writing by, the local planning authority.

The specified remediation measures shall be fully implemented in accordance with any approved details.

Reason: In the interests of public safety and to comply with the requirements of Planning Policy Wales and Policy AW5 & AW10 of the Rhondda Cynon Taf Local Development Plan.

11. The use of the Multi Use Games Area (MUGA) shall be restricted to the use by the school during normal school activities and hours. The facility shall not be available for wider community use until such time as a detailed operational management plan is submitted to, and approved in writing by, the local planning authority. The plan shall include (as a minimum):

- The permitted activities
- The proposed hours of operation
- The person(s) responsible for locking the facility to prevent unauthorised access outside of the permitted hours

- A telephone number and responsible person for local residents to contact in the event of unauthorised access / misuse

The MUGA shall be operated in strict accordance with any approval made under this condition.

Reason: In the interests of the amenities of the area and to accord with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

12. The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme (referred to in the Earth Science Partnership report ref. 5877b.02/2537) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the LPA. Any validation report shall be carried out by a competent person.

Reason: In the interests of the amenities of the area and to accord with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

13. If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the LPA prior to the work recommencing. Any revised contamination investigation and mitigation shall be carried out by a competent person.

Reason: In the interests of the amenities of the area and to accord with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

14. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed by a competent person for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Subject to approval of the scheme of investigation, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken by a competent person in accordance with a scheme and timescale to be agreed in writing by the LPA. Only material approved by the Local Planning Authority shall be imported.

Reason: In the interests of the amenities of the area and to accord with Policy AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

15. Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between

manhole reference number SS99997505 and ST00990402 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

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 (and to comply with Policy AW10 of the Rhondda Cynon Taf Local Development Plan).

16. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

Reason: To protect the integrity of the public sewer and avoid damage there to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment (and to comply with Policy AW10 of the Rhondda Cynon Taf Local Development Plan).

17. The approved use shall not commence until an adequate grease trap has been fitted in accordance with details that have 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 (and to comply with Policy AW10 of the Rhondda Cynon Taf Local Development Plan).

18. No development shall take place until such time as a timescale for the submission of site specific surface water drainage details to serve the built development (in accordance with 'Planning Requirements Relating to Flood Risk Management') is submitted to, and approved in writing by, the local planning authority. The drainage details shall be provided in accordance with the timescales approved and completed prior to the first beneficial occupation of the development.

Reason: In the interests of the amenities of the area and to comply with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

19. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Consequences Assessment (FCA) submitted by Waterman dated February 2017 and drawings produced by Bradley Associates Job no 152307, drawings 02 - 17, and the following mitigation measures detailed within the FCA:

- Provision of the mitigation measures as described on pages 15 &16
- The finished floor levels of the school building must be set to 189.75m AOD.
- The finished floor levels of the school grounds must be set to 189.45 to 189.60m AOD
- The finished level of the access and car park must be set to 188.82 – 189.59m AOD
- The finished level of the playing fields must be set to 188.00m AOD

Reason: To prevent and reduce the risk of flooding.

20. Prior to the first beneficial occupation of the development hereby permitted, a scheme shall be submitted to, and approved in writing by, the local planning authority detailing measure for the long term maintenance (for the lifetime of the development) of the completed flood mitigation measures Maintenance must be carried out in strict accordance with the measures detailed in the approved scheme

Reason: To ensure the maintenance of the mitigation measures.

21. All flood storage areas (as defined by the FCA) shall remain free from built development for the lifetime of the development; this includes the flood storage area to the eastern side of the school as well as the flood flow routes around to the south and west of the school.

Reason: To ensure the effective storage of flood waters.

22. Within six months prior to the first beneficial occupation / use of any part of the development, a scheme shall be submitted to, and approved in writing by, the local planning authority detailing a strategy for the provision of a Flood Management Plan.

The strategy shall set out a timetable for the provision of a phased Flood Management Plan based on key milestones to be completed as part of the development. The strategy shall be implemented in accordance with the approved scheme.

The Flood Management Plan(s) shall be prepared in consultation with Rhondda Cynon Taf County Borough Council's Emergency Planning Team and the Emergency Services. The Plan should, as a minimum, include:

- Details to confirm that occupiers of the development are signed up to

the Environment Agency flood warning service and are aware of the flood consequences.

- Arrangements for vacating those parts of the site shown to be at highest risks of flooding where the risks to people and property could be significant on receipt of a flood warning.
- Arrangements for evacuating the site if necessary.
- Arrangements for post event clear up and recovery which should also include inspection of any infrastructure that may have been damaged during the flood to ensure that it is safe before the site is re-occupied.

The Flood Management Plan shall be implemented in accordance with any approval and prior to the first beneficial occupation of the school.

Reason: In the interests of public safety having regard to the location of the site within a C2 Flood Zone.

LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

2 MARCH 2017

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATIONS RECOMMENDED
FOR APPROVAL**

OFFICER TO CONTACT

**MR J BAILEY
(Tel: 01443 425004)**

See Relevant Application File

This page intentionally blank