

ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 27 APRIL, 2022

Page	Application	Location	Item No.	Description
P.135	2022/00066/RG3	St. Nicholas Church In Wales Primary School, St. Nicholas	1.	Representations from St. Nicholas and Bonvilston Community Council
and P.172	and 2022/00067/CAC	St. Nicholas Church In Wales Primary School, St. Nicholas	2.	Representations from Mr. Timothy Knowles
			3.	Representations from Mr. Ian Perry
P.39	2021/00006/TREE	To confirm Tree Preservation Order No. 6, 2021 for trees at Marie Curie Hospice, Bridgeman Road, Penarth	4.	Email from Penarth Civic Society expressing support for the Tree Preservation Order

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 27 April 2022

Application No.: 2022/00066/RG3	Case Officer: Mr. Robert Lankshear
Location: St. Nicholas Church In Wales Primary School, St. Nicholas	
Proposal: Proposed replacement primary school for 126 pupils plus additional capacity for 24 part-time nursery places, including associated works	

From: St Nicholas and Bonvilston Community Council received 25 April 2022

Summary of Comments:

- Location of the MUGA near to a residential boundary and associated noise and disturbance for occupiers
- Impact upon Conservation Area including blank façade fronting toward School Lane; height of the proposed building; loss of vegetation
- 3m high water storage tanks are located in a prominent location
- Loss of public open space including inadequate outdoor sport provision
- Traffic including blocking of local highway and improved facilities would be cancelled out by increased capacity
- Impact on Special Landscape Area and lack of Landscape and Visual Impact Assessment to support the application
- Parking during construction

Officer Response:

It is considered that the majority of these issues are covered in detail within the officer report prepared for Members' consideration, including the location of the MUGA; impact upon open space; impact upon the Conservation Area and issues relating to traffic associated with the new school building. Nevertheless the following additional comments are provided.

The issues with regard to the location of the MUGA and its proximity in relation to neighbouring properties is considered in detail within the Committee Report. Although a degree of community use of the MUGA and associated facilities may occur, it is considered that out of hours use is not likely to be so significant or intensive and would be similar in terms of location and proximity of the use of the existing playing fields. To this end it is considered unlikely to be significantly different from the existing use of the wider facility. It is considered that as with other school sites within the Vale of Glamorgan, that any potential neighbouring impacts, including from noise and disturbance and 'errant balls'

could be suitably monitored and controlled through ongoing management and monitoring by the school itself.

With reference to the water storage tanks, it is acknowledged that they would be circa 2.75 metres high at their highest point and set back in excess of 38 metres from the site frontage. Whilst these features may be visible from the public domain, it is considered that they would not be overly prominent or conspicuous to a degree to cause an unacceptable visual impact. A condition requiring full approval of all enclosures associated with the proposal has been recommended (condition 15 refers).

In terms of the design of the building, the report provides an assessment with regard to its design and associated impact upon the Conservation Area. The existing building is utilitarian in its appearance and the proposals are considered to represent an interesting composition of elevations set further back within the site. Although the South 'front' elevation, is narrow, owing to its form, variation in materials and fenestration, coupled with its significant setback from School Lane, Officers maintain that it would adequately preserve the character and historic interest of the Conservation Area.

The location of the proposals in part within the Ely Valley and Ridge Slopes SLA is detailed within the officer report. Paragraph 6.2.10 of the supporting text of Policy MG17 'Special Landscape Areas', indicates that an LVIA will be required for development that is 'likely to have a significant upon landscape character, or have a significant visual effect within the wider landscape'. The proposal is located on the fringe of the existing village adjacent to development of two storey height and is considered to not have a significant impact upon the intrinsic landscape qualities for which the SLA is designated. As such officers concluded an LVIA was not required in support of this application.

It is considered that the parking and movement of construction traffic associated with the proposals, could be adequately controlled by way of conditions attached to any planning consent including a Construction Environment Management Plan and Construction Traffic Management Plan (conditions 8 & 9 refer).

Action required:

No further action required

St Nicholas Primary School – 2022/00066/RG3

A new school building at St Nicholas has been in the pipeline since 2009. This was confirmed in the 2011 LDP and subsequent planning applications in 2015 that provided funding for the school. During this period, minimal maintenance has been carried out at the school, resulting in school buildings that are in very poor condition, with leaks, and unrepaired floors. The Community Council has received representations from parents unhappy with state of the school. In failing to carry out maintenance, and failing to provide a new building over many years, the Education Authority has created a crisis.

The Planning Committee refused permission for a new school building in 2021 that would enlarge the school to 210 places. The Education and Planning Authorities had failed to engage with, and listen to, the neighbours of the school, and failed to consider the constraints associated with the site in the heart of the old village of St Nicholas. Residents living around the school have contacted the Community Council to object to the 2022 proposal.

The main constraints of providing a new building on the existing site of St Nicholas CIW School are:

- The site is awkwardly narrow.
- The front of the site is within the Conservation Area, and the rest is within a Special Landscape Area.
- The surrounding village has narrow streets, restricting access and offering very limited parking.

Parents with children at the school are demanding a new building is provided with urgency. Residents living close to the school want a new school that resolves the existing issues associated with the school, and fits with the constraints of the site, particularly the Conservation Area.

The proposed school is of the same design as all other 21st Century Schools in the Vale of Glamorgan. 21st Century Schools claim that this is because they have demonstrated that the building functions well as a school.

Residents argue that the design is not sympathetic to the Conservation Area. The narrowness of the site means that the school has had to be turned by 90 degrees, resulting in a near blank façade towards the Conservation Area, and 3m tall water towers are another prominent feature of the frontage, albeit hidden behind fencing.

Due to the narrowness of the site, there are the following problems:

- The MUGA is just 7m from a residential boundary (guidance states that there should be a “30m minimum separation between a MUGA and the boundary of the nearest property containing a dwelling.”
- and the MUGA is potentially just 11.7m from the walls of a dwelling.
- To fit the generic building onto the site, it has been turned by 90 degrees, resulting on a blank façade towards the Conservation Area
- 3m high water storage towers are located in a prominent position at the front of the building – behind fencing.

Loss of Public Open Space

Residents have raised the loss of public open space – should planning approval be granted for the proposed school, there would be a reduction in outdoor space of 25%. The proposal is to reduce the number of sports pitches from two to one.

The existing grassed pitches provide a total of 4,397sq.m (0.44 ha) of sports space. The overall outdoor area of the existing school is 1.01 ha as identified in the Open Space Background Paper. The overall outdoor area of the proposed school is 0.77ha, a reduction of 0.24ha in current provision.

The Vale of Glamorgan Public Services Board, Draft Well-being Assessment has revealed a shortage of public open space in the rural Vale. Within the St Nicholas and Llancarfan Ward, public open space consists of the following:

- 18% is graveyards
- 34% is Common Land – for grazing animals
- 43% is Dyffryn Gardens – with an entrance fee

When graveyards, the natural burial ground, common grazing land and Dyffryn Gardens are removed from the claimed provision within the St Nicholas and Llancarfan Ward, only 42% of the required public open space provision for the ward is provided.

The Open Space Background Paper states 16sq.m of outdoor sports facilities should be provided per person which equates to 3.79ha. There is an under provision in the St Nicholas and Llancarfan Ward of outdoor sports space. The proposed development, as it stands today, would make this worse.



Multi-Use Games Area (MUGA)

Guidance states that MUGA's should be at least 30m from a residential boundary. The proposed MUGA is just 7m from a residential boundary, and potentially, just 11.7m from the walls of a house. A neighbouring property owner believes that the Vale Council is being **unneighbourly**.

- The MUGA is just 7m from a residential boundary (guidance states that there should be a "30m minimum separation between a MUGA and the boundary of the nearest property containing a dwelling."
- and the MUGA is potentially, just 11.7m from the walls of a dwelling.

MUGA's provide an enclosed, hard surfaced area for ball games. Ball games will result in balls bouncing on a hard surface and hitting side netting, resulting in considerably more noise than children playing on grass. Additionally, the MUGA is intended for public use, and will attract much greater use outside of school hours than the area of grass and flower beds that are where the MUGA will be built.

Traffic

Planning Policy Wales 11 states:

"Design and Access Statements should demonstrate how the design and layout of the development will reduce the level and speed of traffic to appropriate levels, and responds to the guidance in Manual for Streets and the Active Travel Design Guidance."

Neighbours of the school continue to object to the proposed development at the school site, due to ongoing problems with school traffic, including unlawful obstruction of the highway each afternoon. Whilst some vehicles would be accommodated within the site of a redeveloped school, there is an increase in the capacity of the school which residents living close to the school believe will cancel out this facility, resulting in continued obstruction of the highway each afternoon.

Conservation Area

Planning policy states that **"Any decisions made through the planning system must fully consider the impact on the historic environment."**



Residents have expressed concerns that:

- The siting, scale and design of the proposed school building would adversely alter the character of the area.
- The appearance of the building is not fitting in the context of the Conservation Area.
- The development would fail to preserve or enhance the character of the St Nicholas Conservation Area.

Of particular concern are:

- The height of the building (9.5m)
- The “blank” façade – lack of windows facing the Conservation Area
- The loss of hedging and mature trees to the front of the school
- An inappropriate footway being constructed
- The choice of materials – including colour
- The 3m high water storage tanks, and associated fencing to the front of the site
- A prominent car park within the Conservation Area

Special Landscape Area

- The proposed school building is located within the Special Landscape Area
- The building would be a large structure, reaching 9.5m in height.
- No Visual Impact Assessment has been conducted. An assessment is a normal requirement to protect Special Landscape Areas from detrimental/intrusive development

Parking during construction

Residents are concerned that cars normally parked at the school during the day, will be displaced into the surrounding streets whilst construction is undertaken, should planning approval be granted. Additionally, there are concerns that construction workers may also park on neighbouring streets. There have been no assurances that this will not occur.

Cllr Ian Perry

For and on behalf of St Nicholas with Bonvilston Community Council



MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 27 April 2022

Application No.: 2022/00066/RG3	Case Officer: Mr. Robert Lankshear
Location: St. Nicholas Church In Wales Primary School, St. Nicholas	
Proposal: Proposed replacement primary school for 126 pupils plus additional capacity for 24 part-time nursery places, including associated works	

From: Mr Knowles

Summary of Comments:

Compliance of the Pre-Application Consultation Report with the provisions of the relevant legislation and lack of adequate response within the Committee Report. The submitted representation contends that a number of points raised within representations in response to the PAC process were not addressed within the PAC Report provided in support of the planning application.

Particular matters raised within Mr Knowles' original representation to the PAC process dated 2nd January 2022, that are indicated as not being addressed within the PAC report includes those with regard to localised traffic and parking issues within the village; lack of consideration of alternative sites in preparation of redevelopment of existing site; absence of a travel plan; shortcomings within the submitted Transport Assessment and the parking of construction vehicles. Further concerns are raised with regard to where pupils reside attending the school and the loss of open space.

Further representation was also received from Mr Knowles raising concern with regard to the adequacy of the parking surveys undertaken as part of the Transport Assessment and raising complaint with regard to Council email systems not accepting correspondence.

Officer Response:

As noted within the Officer Report, the submitted PAC report provides a number of robust responses with regard to the matters raised within the representations received within the PAC process. The LPA consider within the PAC report, the applicant has provided a detailed consideration of the access, traffic and highways issues within the vicinity of the site and how these have been considered in support of the application. Further responses are provided with regard to the provision of faith school provision, provision of service for pupils outside of the Vale of Glamorgan and matters relating to open space provision.

The PAC report indicates that a Travel Plan would be required by way of condition and that the application has been supported by a Construction Environment Management Plan to control construction traffic (and a further condition has been recommended to be attached to any permission granted).

Noting the above, Planning Officers consider that the PAC report fulfils the statutory requirements in relation to 2F (2) e) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) that requires that the PAC report includes 'a summary of all issues raised by any person notified of the proposed application...'.

The Transport Assessment is a standalone document that has been considered by Planning Officers and the Council's Highway Development Section, that is considered to provide a robust assessment of the likely highways issues associated with the redevelopment of the school site, including matters relating to parking surveys and assessment in association with the proposals. The Council's Highway Development section have considered the proposals and have not raised objection, including to the adequacy of the associated survey work. It must also be acknowledged that whilst the current proposals result in a modest increase in pupil numbers relating to nursery provision (as detailed in the report), this must be considered in the context of enhanced onsite facilities and potential travel plan measures, that would assist in mitigating issues relating to school traffic. Overall, it is considered that this and associated matters are fully considered within the officer report and it remains officers' view that this does not represent a reason to refuse planning permission.

With regard to the non-receipt of emails and the associated complaint, this was due to a temporary outage in the Council's email system that has now been remedied and the associated complaint will be dealt with under the Council's Complaints procedure. This does not represent a reason to delay determination of the planning application.

Action required:

None further

Edgerton, Elaine

From: Timothy Knowles [REDACTED]
Sent: 21 April 2022 19:11
To: Lankshear, Robert
Cc: Slater, Nathan P; Paul Williams; Bryan Davies; [REDACTED]
Subject: Fw: Planning Application 2022/00066/RG3 - St Nicholas Church-in-Wales Primary School - PAC Report
Attachments: 220414 - L to VoGC - PAC Report.pdf; 220102 - L to VoGC - representations.pdf

Dear Mr Lankshear

I refer to my letter dated 14 April 2022 (further copy attached).

I have not received any response to my letter which challenged the compliance of the Pre-Application Consultation Report ("the PAC Report") with the provisions of Article 2F(2)(e) of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 and consequently questioned the validity of the Planning Application.

I have made an initial review of the Planning Report issued for consideration at the meeting of the Planning Committee on 27 April 2022. So far as I can see, this serious legal issue has been dismissed in two short references in the Planning Report

- On page 145, the final bullet point of issues raised in representations states "Inadequacy of pre-application consultation.". I did not question the adequacy of the consultation. I challenged, with detailed arguments, the compliance of the PAC Report with the legal requirements under Article 2(F)(2)(e).
- On page 161, it is asserted that the PAC Report "...is considered to satisfy the relevant mandatory planning application requirements in terms of development of this form.". I submit that an assertion of this nature without any explanation or supporting argument is wholly inadequate.

Please let me have a full explanation in response to my letter to justify the assertion reproduced in the second bullet point above. In the absence of a satisfactory explanation, it may be appropriate to question the validity of any decision by the Planning Committee.

Regards

Tim Knowles

----- Forwarded Message -----

From: "Timothy Knowles" [REDACTED]
 To: developmentcontrol@valeofglamorgan.gov.uk
 Cc: planning@valeofglamorgan.gov.uk; "Paul Williams" [REDACTED]; "Bryan Davies" [REDACTED]; [REDACTED]
 Sent: 15/04/2022 15:58:35

Subject: Planning Application 2022/00066/RG3 - St Nicholas Church-in-Wales Primary School - PAC Report

Dear Sirs

Please see the attached letter dated 14 April 2022 setting out additional representations relating to the above planning application.

Regards

Tim Knowles

BY EMAIL - [REDACTED]

Your ref.: 2021/00005/PAC

2 January 2022

Mr Nathan P Slater
21st Century Schools
The Vale of Glamorgan Council
Civic Offices
Holton Road
Barry
CF63 4RU

Dear Mr Slater

**Pre-Planning Consultation by Vale of Glamorgan Council (“the Council”) –
Replacement of St Nicholas Church-in-Wales Primary School (“the School”)**

I refer to the circular letter issued by you on behalf of 21st Century Schools (“21CS”) on 6 December 2021. I wish to make representations, as set out below, for your consideration and comments.

I object to the replacement of the School on the existing site in the centre of the old village on the following fundamental grounds:

- A. The road infrastructure in the old village makes the location of the School wholly unsuitable in 2022 and for the next sixty plus years.
- B. The documents (comprising hundreds of pages) published by 21CS in support of the proposal totally ignore the ‘elephant in the room’, namely the main reason for the refusal of planning application number 2020/00874/RG3 (“the 2020 Application”) – the **existing** and future major problems of traffic and parking **inside** the old village.
- C. Apart from the unsupported assertion in para. 4.6.1 of the Planning Statement that “The proposed development ... within the village ... is considered to appropriately reflect the ... current needs of the village”, the documents provide no explanation or justification for the decision by the Council (made before any consultation with residents) to proceed with the reconstruction of the School on the existing site in preference to an alternative site. Many representations by residents proposing alternative sites during the processing of the 2020 Application have been ignored. This great opportunity to build a new school on a site suitable for the circumstances of the 21st Century (not the 19th Century) has been brushed aside without explanation.

- D. The documents are largely a regurgitation of those issued in support of the 2020 Application and provide no updated information concerning the residential locations of the current pupils. Since the documents were prepared in 2019 for the purpose of the 2020 Application, most of the houses on the new developments in St Nicholas and Bonvilston have been completed and occupied. How many current pupils reside in each of St Nicholas, Bonvilston, other Vale communities and Cardiff? Without current statistics, how can 21CS make meaningful forecasts of the needs for school places of pupils residing in each of those distinct areas? The only relevant statistics provided in the documents are those in section 5 of the Transport Statement based on the residential locations of pupils in 2019. These indicate that about 90% of the pupils resided in Cardiff. The Council should focus on providing best school facilities for pupils residing in St Nicholas, Bonvilston and other surrounding Vale communities and not on providing places for pupils residing in Cardiff. This should be the responsibility of Cardiff City Council. The Council is unnecessarily perpetuating numerous short car trips between Cardiff and St Nicholas **contrary to Objective 3 of the Local Development Plan.**
- E. The second paragraph of the email to you from David Moore on 16 December 2021 painted a clear picture of the unacceptable blockage of the Western end of School Lane and the consequent implications in the morning drop-off and afternoon pick-up periods every normal school day. These twice-daily blockages, which extend to the Eastern end of School Lane where cars queue to exit onto the A48, could cause death or serious health issues if emergency vehicles were unable to gain prompt access to the School or any of the residential properties in the village.
- F. The proposed development is expected to increase traffic movements from 264 to 310 in the morning drop-off period and from 206 to 249 in the afternoon pick-up period (Planning Statement – para. 4.3.2). These represent increases of 17.4% & 20.9%, respectively. The existing traffic and parking problems inside the village are already unacceptable. Contrary to the assertion in para. 4.3.2, these are not minor increases. They would exacerbate the existing unacceptable situation **contrary to Policy MD 2 Criterion 6 of the Local Development Plan.**

I have the following additional comments and representations for your consideration:

1. You have confirmed in the FAQ's issued by you on 23 December 2021 that the proposal includes the provision of 24 part-time nursery places being 12 each in the morning and afternoon. However, there are several references in the documents to 48 nursery places, including the draft Application (section 5) and the Planning Statement (paras. 2.1.1, 3.5.3 & 4.4.2). Section 19 of the draft Application envisages an increase of 78.2% in the gross internal floorspace. Is this based on 12 FTE or 24 FTE nursery places? How can any reliance be placed on the contents of a Planning Statement which seeks to "... demonstrate [that] the proposal complies with national and local planning policies" (paragraph 1.1) when the document appears to have been prepared on the basis of a significantly incorrect quantification of the number of nursery places to be provided?

2. It is proposed that the new building will be constructed on an open space which is supposedly open to the public. Thus, the construction of this building would be **contrary to Policy MD 5 Criterion 5 of the Local Development Plan**. The increase in traffic (item F above) would result in an unacceptable impact on the amenity of the locality by way of traffic congestion and parking **contrary to Policy MD 5 Criterion 6 of the Local Development Plan**.
3. Paragraph 3.5.3 of the Planning Statement claims that “...the proposed development would represent an improvement on the existing traffic situation ...”. Vehicle movements will increase by 17.4% in the morning and 20.9% in the afternoon (item F above). The onsite parking measures and pick-up and drop-off areas will enable vehicles to stop within the school grounds instead of outside the school in School Lane. Paragraph 3.3.1 of the Transport Statement asserts that all [drop-ff and pick-up] vehicles will be required to transit through the onsite one-way system. This implies that those vehicles will not be allowed to drop-off or pick-up children on School Lane outside the School. Even if School Lane continues to be used as a pick-up point, how will children know whether to look for the pick-up vehicle inside or outside the school grounds when the time of arrival of the parent at the pick-up point is uncertain? Please explain how the onsite parking measures, with increased traffic movements, will reduce the congestion at the Western end of School Lane and “...represent an improvement on the existing traffic situation ...”?
4. Paragraph 4.3.2 of the Planning Statement refers to “...a Transport Assessment which assesses the proposal using traffic, parking and pedestrian surveys to understand if there is spare capacity in the highway network ...”. There is no Transport Assessment. There is a Transport Statement which does not appear to provide any information relating to a survey of offsite parking inside the village. Please provide a copy of the results of the parking survey.
5. The Transport Statement is an incredibly useless document which appears to have been produced as part of a box-ticking exercise to comply with legal and / or regulatory requirements in order to support the decision, already made by 20CS, to proceed with the school reconstruction on the existing site . It is a re-hash of the equally useless Transport Assessment produced for the purpose of the 2020 Application. The knowledge and observation of the real traffic and parking problems inside the village appear to have been gained from a single visit to St Nicholas of 1.25 hours on 26 September 2019 (para. 1.1.5). No visit has been made to observe the main problems which occur in the afternoon pick-up period. The Transport Statement focusses on onsite traffic flow and parking and on the effects of the proposed development on the traffic flow on the A48. While this is important, it is not particularly significant except where the tail-back from the Western end of School Lane encroaches onto the A48. **The real problems of offsite traffic and parking inside the village, which resulted in the refusal of the 2020 Application, have again been totally ignored in the Transport Statement.**

6. Para. 5.2.10 of the Transport Statement describes the proposed informal one-way system to be incorporated into the Travel Plan, which will not be prepared until after determination of the Planning Application (para. 4.4.2). On a normal school afternoon for the existing school, the Western end of School Lane becomes blocked by vehicles queueing to pick-up children (item E above) and the central part of the village becomes clogged with the parked vehicles of parents arriving before school closure. Vehicles are frequently parked in front of the church causing an illegal obstruction. There are no spare parking places in the period prior to school closure time. It is estimated that the number of pupil-generated vehicles picking-up children in the afternoon will increase by 20.8% from 48 to 58 (Tables 5-2 & 5-5). Please identify where these additional vehicles will park or will they cause a longer tail-back from the Western end of School Lane onto the A48? In the absence of a clear, detailed and workable Travel Plan, there is no evidence to support the assertions in paras. 6.6.1 & 6.6.2 that there will be “... a significant improvement compared to the current situation...” and that staggering the class start / end times will limit the number of vehicles accessing the village in the afternoon pick-up period. If 20CS believes that the proposed Travel Plan will satisfactorily resolve the identified problems, it should be produced now and published in support of the Planning Application. The devil is in the detail. It will be too late after determination of the Planning Application for 20CS to discover that the problems cannot be satisfactorily resolved.
7. The conclusion in para 7.2.1 of the Transport Statement that “...there are no transport reasons why the proposed development should not be granted planning permission” is unsubstantiated and irresponsible. How can this conclusion be reached when there has been no attempt to address and resolve the real existing problems of traffic and parking inside the village and the exacerbation of those problems by the increased number of pupil-generated vehicles resulting from the development?
8. It is proposed that the new building will be constructed on the site while the old building remains in operation. Please confirm that all vehicles used by construction staff will be parked onsite and that no parking of those vehicles will be permitted on the roads within the village.

Yours sincerely



Tim Knowles

CAE FFYNNON, 12 GER-y-LLAN, St NICHOLAS, CARDIFF, CF5 6SY

Telephone [REDACTED]

E-mail: [REDACTED]

BY EMAIL – developmentcontrol@valeofglamorgan.gov.uk

Your ref.: 2022/00066/RG3

14 April 2022

Head of Planning and Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
Vale of Glamorgan
CF63 4RT

Dear Sir

Planning Application by Vale of Glamorgan Council (“the Council”) – Rebuilding of St Nicholas Church-in-Wales Primary School (“the School”) – Pre-Application Consultation Report (“the PAC Report”)

I refer to my letter dated 22 March 2022 setting out my objections to the planning application dated 12 January 2022 submitted by 21st Century Schools, a sub-department of the Council (“the Applicant”), under your reference 2022/00066/RG3 (“the Application”) concerning the proposed rebuilding of the School (“the Proposed Development”).

This letter sets out my additional objections to the Application following the publication of the PAC Report on the Council’s website on 28 March 2022.

The Pre-Application Consultation (“the Consultation”) is intended to be a genuine consultation with interested parties to take due account of the concerns of all consultees in preparing a planning application in respect of a development of general public interest. It is intended, *inter alia*, to “Give people a voice and build their confidence to influence decisions affecting their local area” (Planning Aid Wales – Part 1). Instead of building the confidence of local people, the Consultation has been treated as a box-ticking exercise by the Applicant. The PAC Report has been prepared with the sole objective of seeking to justify the decision already made by the Applicant to rebuild the School on the existing site without giving any consideration to the deep concerns expressed by the residents of St Nicholas regarding the serious problems of traffic congestion and off-site parking.

Various detailed issues were raised by residents in their representations during the Consultation. However, the over-riding objection expressed by residents was the impact of the existing School and its proposed increase in size on traffic congestion and off-site parking in the central area of the village due to the inappropriate location of the School in the environment of the 21st Century.

Paragraphs 6.1 and 5.2 of the PAC Report demonstrate the total failure of the Applicant to address those deep concerns expressed by residents. The PAC Report states “...the concerns of consultees have either been addressed through revisions to the design or are considered to be unjustified in planning terms.” (Paragraph 6.1) (my underlining). Paragraph 5.2 lists four on-site changes “...to address local concerns raised by neighbouring residents to improve upon the initial design.” **No change has been made to address the over-riding objection relating to traffic congestion and off-site parking.** While the design changes may be welcome, it is akin to ‘reorganising the deckchairs on the Titanic’.

The PAC Report is required to provide “a summary of all issues raised by any person ... including confirmation of whether the issues raised have been addressed and, if so, how...” (The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 Article 2F(2)(e)). Section 4.5 and Table 6 of the PAC Report purport to provide a summary of the issues raised by the public in the Consultation together with the responses of the Applicant. These responses attempt to justify how the Proposed Development conforms with planning legislation and regulations.

However, where members of the public have drawn attention in their Consultation representations to apparent non-conformity with the Local Development Plan, these issues have been totally ignored in the PAC Report contrary to the obligations of the Applicant under the said Article 2F(2)(e) to provide “a summary of all issues...” (my underlining). In support of my contention, I draw attention to items D, F & 2 of my Consultation response dated 2 January 2022 (copy attached).

The PAC Report also fails, in the summary in Table 6, to cover or to cover sufficiently to meet its obligations other specific issues raised at items B, C, 4, 5, 6, 7 & 8 of my Consultation representation dated 2 January 2022 and to confirm whether “...the issues raised have been addressed and, if so, how...”.

In summary, **the PAC Report does not comply with the obligations of the Applicant under the said Article 2F(2)(e).** I submit that it follows that, as the Applicant has failed to provide a compliant PAC Report, **the Application is invalid.**

I am also very concerned to read in Paragraph 4.2.13 and Table 2 of the PAC Report the apparent failure of the Council, in its capacity as Local Highway Authority, to give proper consideration to and comment on the fundamental problems (which already occur with the existing School before the proposed 20.8% increase in pupil-generated vehicles) in the afternoon pick-up period of the blockage of the Western section of School Lane, when residents cannot access their properties, and the excessive and illegal off-site parking in the central area of the village. It appears incredible that the Council, in its capacity as Applicant, intends to perpetuate and exacerbate these problems and, in its capacity as Local Highway Authority, does not even deem it necessary to make any representation or comment when responding to the Consultation as a specialist consultee.

Yours faithfully



Tim Knowles

[REDACTED]

From: Timothy Knowles [REDACTED]
Sent: 23 April 2022 12:09
To: Slater, Nathan P; Lankshear, Robert
Cc: Planning; Planning; Contact OneVale; Bird, Jonathan (Cllr); Ian Perry
Subject: Complaint - Delivery delayed: Fw: Re[2]: St Nicholas Church-in-Wales Primary School - Parking and Pedestrian Survey

Dear Mr Slater & Mr Lankshear

At 1.05 pm yesterday 22 April, I sent an email addressed to Mr Slater and copied to Mr Lankshear in response to Mr Slater's email on 21 April concerning the parking survey in St Nicholas.

I received an automated email from Postmaster@valeofglamorgan.gov.uk timed at 5.14 pm on 22 April informing me that the email had not yet been delivered to either addressee.

At 5.29 pm on 22 April, I forwarded a copy of the earlier email to Contactonevale@valeofglamorgan.gov.uk and planning@valeofglamorgan.gov.uk with copies to both of you.

At 9.34 pm on 22 April, I received the automated message reproduced below stating that none of the four copies of my second email had been delivered.

Mr Slater may recollect that this is not the first occasion on which the Council's mail system has refused to deliver my legitimate representations. I draw Mr Slater's attention to my email dated 5 January 2022 relating to the failure to deliver my letter dated 2 January 2022 setting out my representations in the Pre-Application Consultation.

I request that each of you retrieve both of my emails timed at 1.05 pm and 5.29 pm on 22 April and ensure that the issues raised in the earlier email are properly and fully dealt with in adequate time before the meeting of the Planning Committee on 27 April.

Please also let me have an explanation of the failure to deliver to all addressees both of my emails sent on 22 April.

The Council's mail system is grossly unsatisfactory when it refuses to accept legitimate representations in connection with a major planning application in which the Council is the Applicant, the Local Highway Authority and the Planning Authority. If this does not represent a conflict of interest, I do not know what does. The refusal to deliver legitimate representations on more than one occasion appears to constitute an abuse of the planning system.

Please treat this email as a formal complaint regarding the refusal to accept my emails.

Regards

Tim Knowles

Edgerton, Elaine

From: Timothy Knowles [REDACTED]
Sent: 25 April 2022 10:18
To: Lankshear, Robert
Cc: Slater, Nathan P; Planning; Cllr Ian Perry; Bryan Davies; Paul Williams
Subject: Fw: Re[2]: St Nicholas Church-in-Wales Primary School - Parking and Pedestrian Survey

Dear Mr Lankshear

Thank you for your email this morning regarding my complaint in respect of the non-delivery of emails. I look forward to receiving a full response to my complaint in due course.

As requested, I am resending my original email to Mr Nathan Slater, as below, timed at 1.05 pm on Friday 22 April. I trust that the substantive representations concerning the Parking and Pedestrian Survey set out in my email will be drawn to the attention of the Planning Committee.

I am pleased to note that my separate representations concerning the validity of the PAC Report are being assessed and will be reported to the Planning Committee.

Regards

Tim Knowles

----- Forwarded Message -----

From: "Timothy Knowles" [REDACTED]
To: "Slater, Nathan P" [REDACTED]
Cc: [REDACTED] <[REDACTED]>; "Bryan Davies" [REDACTED]
 <[REDACTED]>
Sent: 22/04/2022 13:05:20
Subject: Re[2]: St Nicholas Church-in-Wales Primary School - Parking and Pedestrian Survey

Dear Mr Slater

Thank you for your email and for supplying a copy of the Parking Survey ("the Survey").

I note that the Survey consists of four photographs taken between 8.00 am and 9.15 am on 26 September 2019 which was the only time the consultants responsible for the Traffic Assessment ("the TA") made a site visit (Paragraph 1.1.5 of the TA). As you are aware, the main traffic and parking problems occur in the afternoon pick-up period not in the morning. Thus, I contend that the Survey on which the consultants appear to have relied in producing the TA is very misleading in demonstrating the extent of the traffic and parking problems in the afternoon pick-up period.

I note your explanation of the calculation of the figures for pedestrians in Section 5 of the TA. The basis of these calculations has been clear from the TA. However, these desktop estimates can

hardly be described as a "pedestrian survey" as claimed in Paragraph 4.3.2 of the Planning Statement.

I note your comments regarding the review of the TA by the Council in its role as Local Highway Authority ("the LHA"). Have the detailed representations of residents on the traffic and parking issues been drawn to the attention of and fully considered by the LHA in carrying out its review? It might be more reassuring if the Applicant, the LHA and the Planning Department were not all part of the same management structure of the Council.

Regards

Tim Knowles

----- Original Message -----

From: "Slater, Nathan P" [redacted] >
To: "Tim Knowles" [redacted] >
Cc: "Bryan Davies" [redacted] >; "Paul Williams" [redacted]
[redacted] >; "Ian Perry" [redacted]

Sent: 21/04/2022 18:45:27

Subject: RE: St Nicholas Church-in-Wales Primary School - Parking and Pedestrian Survey

Dear Mr Knowles,

Please find attached the parking survey which was undertaken in relation to the previous application which has informed the Transport Assessment. The Parking survey is still considered relevant to the amended proposal as it relates to the same school site and the capacity of the existing school has not changed.

In relation to the pedestrian survey, this is covered in the Transport Assessment under section 5. Table 5.1 outlines the current modal share at the existing school. The Transport Assessment refers to the National Travel Survey (NTS), Table NTS0614 (2020) to inform the modal share. The proposed modal share shown under Table 5.3 relates to the nursery provision as this is the main change to the existing school in terms of pupil numbers.

The Transport Assessment provides a summary of the how the data has been used stating "Pupil trip generation has been derived by firstly accounting for the pupils which are likely to use the school mini-bus during the AM and School PM peak hours. This has been based on assumptions of the mini-bus catchment using GIS analysis of pupil home postcodes. The remaining pupil mode share is based on NTS data (Table NTS0614 (2020) which provides the mode used to travel to / from school by the distance from school. This has been applied to the remaining pupil postcodes to derive multi-modal trip generation. Pupil traffic generation has been derived from the car mode on the basis of 1.4 pupils per vehicle (as derived from TRICS), and escorting adult arrivals and departures during the AM and PM peak hour. Trip generation for the proposed nursery has been calculated based on NTS data, with primary school pupil home postcodes used as a proxy for nursey pupils. No nursery pupils are assumed to use the school mini-bus."

The Transport Assessment has been reviewed by the Local Highway Authority who have not raised an issue with its robustness or the methodology used to undertake the assessment.

Kind regards,

Nathan Slater
Project Manager / Rheolwr Prosiect

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Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

From: Tim Knowles [REDACTED] >
Sent: 13 April 2022 13:02
To: Slater, Nathan P [REDACTED]
Cc: Bryan Davies [REDACTED] >; Paul Williams [REDACTED] >; Ian Perry [REDACTED]
Subject: St Nicholas Church-in-Wales Primary School - Parking and Pedestrian Survey

Dear Mr Slater

I refer to item 4 of my letter to you dated 2 January 2022 setting out my representations in the Pre-Application Consultation relating to the rebuilding of St Nicholas Church-in-Wales Primary School (2021/00005/PAC).

I referred to Paragraph 4.3.2 of the Planning Statement which asserted that "the proposed development is supported by a Transport Assessment which assesses the proposal using traffic, parking and pedestrian surveys to understand if there is spare capacity in the highway network or whether mitigation would be required." (my underlining). Neither the Transport Statement produced in support of the Pre-Application Consultation nor the Transport Assessment produced in support of Planning Application number 2022/00066/RG3 appear to make any reference to or provide any statistics resulting from the parking and pedestrian surveys of the highway network (ie. the off-site roads in the central area of the village).

Traffic and off-site parking in the central area of the village are the critical issues in respect of the planning application. The results of the parking and pedestrian survey would represent important information which should be considered as part of the planning process.

In my letter dated 2 January 2022, I asked you to provide a copy of the results of the parking survey. I have not received the requested copy or any response to my request. I have also reviewed Table 6 in Paragraph 4.5.3 of the Pre-Application Consultation Report and can find no response to my specific request or any reference to the parking and pedestrian survey.

As previously requested, I would be grateful if you would kindly supply me with a copy of the parking and pedestrian survey. If you are not prepared to provide the copy, please inform me of the reason why it is being withheld and why the relevant statistics have been omitted from the Transport Statement and Transport Assessment.

Regards

Tim Knowles

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 27 April 2022

Application No.: 2022/00066/RG3	Case Officer: Mr. Robert Lankshear
Location: St. Nicholas Church In Wales Primary School, St. Nicholas	
Proposal: Proposed replacement primary school for 126 pupils plus additional capacity for 24 part-time nursery places, including associated works	

From: Mr Ian Perry

Summary of Comments:

- High profile consultation being undertaken in pre-election period;
- Lack of community engagement;
- Consideration of alternative design/orientation of the school building within the site
- Poor highways infrastructure and associated issues with increase in school size
- Inefficient and poorly designed parking area
- Impacts upon Conservation Area including changes to front boundary; provision of footpath to the front and design of proposal including blank façade/water tanks to front elevation
- Impact upon Special Landscape Area and lack of Landscape and Visual Impact Assessment provided in support of the application
- Location of MUGA (in position of flowerbed) adjacent to the boundary with neighbouring residential properties and associated noise and disturbance and errant balls
- Loss of landscaping/play areas including hedgerow and trees to the frontage of the site
- Use of S106 money for Public Open Space provision at the school

Officer Response:

With regard to the timing of submission and associated consultation, having considered this matter with the Council's Legal and Democratic Services section, alongside the relevant statutory provisions and the All- Wales Pre-election Protocol for Employees and Elected Members, officers are satisfied that as the consultation undertaken relates to statutory consultation in respect of a planning application that the same is permissible during the pre-election period.

In relation to a lack of community engagement with regard to the proposals and lack of consideration given to other proposals, the applicant has fulfilled its obligations with regard to pre-application consultation whilst the application proposals have been considered on their planning merits.

In terms of the design of the building, the report provides an assessment with regard to its design and associated impact upon the Conservation Area. The existing building is utilitarian in its appearance and the proposals are considered to represent an interesting composition of elevations set further back within the site. Although the South 'front' elevation, is narrow, owing to its form, variation in materials and fenestration, coupled with its significant setback from School Lane, Officers maintain that it would adequately preserve the character and historic interest of the Conservation Area.

With reference to the water storage tanks, it is acknowledged that they would be circa 2.75 metres high at their highest point and set back in excess of 38 metres from the site frontage. Whilst these features may be visible from the public domain, it is considered that they would not be overly prominent or conspicuous to a degree to cause an unacceptable visual impact. A condition requiring full approval of all enclosures associated with the proposal has been recommended (condition 15 refers).

The location of the proposals in part within the Ely Valley and Ridge Slopes SLA is detailed within the officer report. Paragraph 6.2.10 of the supporting text of Policy MG17 'Special Landscape Areas', indicates that an LVIA will be required for development that is 'likely to have a significant upon landscape character, or have a significant visual effect within the wider landscape'. The proposal is located on the fringe of the existing village adjacent to development of two storey height and is considered to not have a significant impact upon the intrinsic landscape qualities for which the SLA is designated. As such officers concluded an LVIA was not required in support of this application.

Highways matters have been addressed in depth within the officer's report in consultation with the Council's Highway Development section, including consideration of the internal arrangements and the revised car parking layout. Whilst comments and alternatives are noted, it is considered that the proposed layout is acceptable and their consideration within the officer report remains valid.

Concerns relating to the loss of the hedgerow and trees along the site frontage have also been considered, including proposed mitigation/replacement planting, have been addressed within the report prepared. Officers have nothing further to add in this regards.

The location of the MUGA and consideration of its location against Field in Trust guidance has been considered in the Officer Report. It is noted however that Section 106 monies received from the development at Land at Mink Hollow, St. Nicholas (Planning reference 2015/00662/FUL), to provide or enhance public open space, has been allocated towards St. Nicholas C/W Primary School, towards the outdoor sports and recreational areas, equalling £9,500. The open space will be managed by the school and governing body, which is the current situation at the existing school. It will be up to the school governing body as to how the new school and facilities are accessed by the local community and whether facilities require booking, or they remain open to the general public outside of school hours. Although a degree of community use of the MUGA and associated facilities may occur, it is considered that out of hours use is not likely to be significant or intensive and would be similar in terms of location and proximity of the use of the existing playing fields. To this end it is considered to be unlikely to be significantly different from the existing use of the wider facility. It is considered that as with other school sites within the Vale of Glamorgan, that any potential neighbouring impacts, including from noise and disturbance and 'errant balls' could be suitably monitored and controlled by the school.

Action required: None

From: Marles, Debbie
Sent: 20 April 2022 08:44

To: Cllr Ian Perry [REDACTED]

Cc: [REDACTED]; Thomas, Rob [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]

Subject: RE: Pre-Election Period

Dear Cllr Perry,

The contents of the Welsh Government website is a matter for Welsh Government and is a matter outside of my control.

Your comments regarding the planning application for the St Nicholas School and Council Housing will be shared with the relevant Council Officers.

Regards,

Debbie Marles
Monitoring Officer/ Head of Legal and Democratic Services

From: Cllr Ian Perry [REDACTED]

Sent: 20 April 2022 01:36

To: Marles, Debbie [REDACTED]

Cc: [REDACTED]; Marles, Debbie <[REDACTED]>; Thomas, Rob [REDACTED]; [REDACTED]; [REDACTED]

Subject: Re: Pre-Election Period

If it is the case that the planning application regarding St Nicholas School may proceed as it's simply "statutory", please would you ensure that the Welsh Government website is corrected/clarified by the end of the day (Wednesday). The Welsh Government website states:

"High-profile or sensitive consultations relating to local authorities should not coincide with the pre-election period at all."

Given the debacle regarding the school in 2021 (the Planning Committee refused permission for a new school building), and continued public opposition to proposals for a new school building, it's incredibly difficult to argue that the consultation on the school isn't sensitive or high profile within the St Nicholas Community Ward.

I am informed that the Final Report has been written so that the planning application may be rushed through the Planning Committee on April 27. The application site is within a Special Landscape Area, and applicants that are not the Vale of Glamorgan Council are required to produce a Visual Impact Assessment. In fact, the Vale of Glamorgan Council, as applicant, is required to produce a Visual Impact Assessment... Therefore, as no Visual Impact Assessment has been published, the application cannot go to the Planning Committee on April 27.

This mess is the result of a total lack of community engagement. The school site is incredibly difficult to develop due to poor access, and lack of parking on the narrow streets that surround it. The site is very narrow, and that what's not within the Conservation Area, is within a Special Landscape Area! A bespoke school is required to fit the various restraints, but the Vale Council is insisting in building a new school building that is just like all other school buildings it's constructing under the 21st Century Schools Program. Should the Planning Committee follow Officer Recommendations to grant permission for the current proposal, they would be bringing the Vale Council into disrepute.

Wouldn't the announcement on April 27 of a new school building at St Nicholas influence the mood of some residents in the Vale as they head to the ballot box?

It's disappointing to learn that a further planning application is being prepared for the Village Green at Bonvilston - despite the Well-being appraisal determining that there is a shortage of public open space in the rural Vale, even when graveyards and Duffryn Gardens are included. Perhaps you might be able to inform me when the ten dwellings that are owned by the Vale Council and have stood empty for 2-6 years due to lack of maintenance and care, might be repaired/made habitable? I am aware that Vale Council tenants continue to live in homes with mould growing on the walls.

Bonvilston's Village Green springs to mind, as should the new school building at St Nicholas go to determination, and be approved, as with the Village Green, there may be legal challenge.

Ian

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From: Marles, Debbie [REDACTED]
Sent: Tuesday, April 19, 2022 1:12:12 PM
To: 'Cllr.IanPerry@outlook.com' [REDACTED] >
Cc: [REDACTED] Marles, Debbie [REDACTED]
Thomas, Rob [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] Pre-Election Period

Dear Cllr Perry

Further to your below email and having reviewed the matter alongside the relevant statutory provisions and the All-Wales Pre-election Protocol for Employees and Elected Members, I am satisfied that as the consultation undertaken relates to statutory consultation in respect of a planning application that the same is permissible during the pre-election period.

I'd request that the relevant Reporter is sign-posted for a comment to the Vale of Glamorgan Council's Communications Manager who may be contacted at [REDACTED]

Regards,

Debbie Marles
Monitoring Officer/Head of Legal and Democratic Services / Pennaeth Gwasanaethau Cyfreithiol
Director's Office - Resources / Swyddfa'r Cyfarwyddwr - Adnoddau
Vale of Glamorgan Council / Cyngor Bro Morgannwg
[REDACTED]

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Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

From: Cllr Ian Perry [REDACTED]
Sent: 18 April 2022 23:55
To: [REDACTED] Marles, Debbie <[REDACTED]>
[REDACTED] Hutt, Jane (Aelod Cynulliad Assembly Member)
[REDACTED]
Subject: Pre-Election Period

During the Pre-Election Period, local authorities should not be entering into large/contentious procurement contracts or significant long-term commitments. They should not be running consultations.

A new school building as being proposed at St Nicholas (Vale of Glamorgan) is a significant, long-term commitment!

On March 29, during the Pre-Election Period, the Vale Council opened the latest "consultation" on a very controversial school proposal for St Nicholas. Determination is set for April 27 - this date was set back in November...

I am in a near impossible situation. Half my community want a new school completing tomorrow because the present school is literally falling apart, and the other half are strongly opposed to the present proposal. This is evidenced by a strongly worded letter recently received by the Community Council from a resident arguing for a new school, and large numbers of residents lobbying the Community Council to oppose the proposal.

As a resident, and Community Councillor of St Nicholas, I am stuck in the middle of this, and there is a risk of this disadvantaging me in the forthcoming election as I am the only candidate stuck in this situation. I should not be on a tightrope trying to appease both sides of the argument on the school during the pre-election period!

21st Century Schools launched in 2009. The 2011 LDP made provision for a new school in St Nicholas. A planning application came forward in 2015 that would provide S106 funding for a new school building. The Vale Council slept... The existing building fell into disrepair, children saw parts of their school taped off for safety reasons. The Vale Council Planning Committee refused planning permission for an incredibly poorly considered proposal in 2021. In 2022, another proposal has been put forward for a new school building on a site that's one-third within a Conservation Area, and two-thirds within a Special Landscape Area (SLA). The proposal is for a new building that's exactly like all the other new school buildings - albeit clad in black. No meaningful consideration has been given to the Conservation Area, or the SLA - or other issues.

The Planning Authority is happy with the proposal and has completed the Final Report, with determination set for the Planning Committee Meeting of April 27. I might have stopped this by pointing out that the LDP requires development within a SLA to have a 'Landscape and Visual Impact Assessment' (LVIA) - of course there is no LVIA... I should be concentrating on the election, not the latest mess up by the Vale Council.

I am requesting that the school planning consultation carried out within the Pre-election Period be called null and void immediately. I have been asked to write on the issue for a local newspaper, and will do so reluctantly later today unless I am given an assurance on Tuesday morning (April 19) that determination of this planning application is not made until after the elections. I shouldn't be being pressured to write for a newspaper on a controversial political subject during the Pre-Election Period.

Best regards,

Ian


From: Cllr Ian Perry <[REDACTED]>
Sent: 24 April 2022 23:37
To: Slater, Nathan P
Cc: Williams, Edward (Cllr); Burnett, Lis (Cllr); 'Tim Knowles'; Bryan Davies; Planning; Hutt, Jane (Aelod Cynulliad Assembly Member); Bird, Jonathan (Cllr); Bowring, Tom; Fields in Trust; Lankshear, Robert
Subject: St Nicholas CIW School

Hi Nathan,

There remains strong opposition to the proposed new school building at St Nicholas from residents living around the school. The residents of St Nicholas have not been allowed to influence the design, and your colleague was adamant that the school at St Nicholas would be built to match all the other boxes around the Vale, despite the Conservation Area and Special Landscape Area, when you both attended a meeting of the Community Council.

We were told that it is not physically possible to turn the school so that it fronts the street. This isn't correct. It's a choice to ignore Welsh Government planning policies regarding design. S106 money from the development at Bonvilston has been taken away from this community and reallocated for a school in Barry, when it is this community that needs additional funding for its school.



Siting the MUGA, as proposed, 7m from a residential boundary and potentially just 11.7m from the walls of a home is not acceptable. It's incredibly **unneighbourly!**

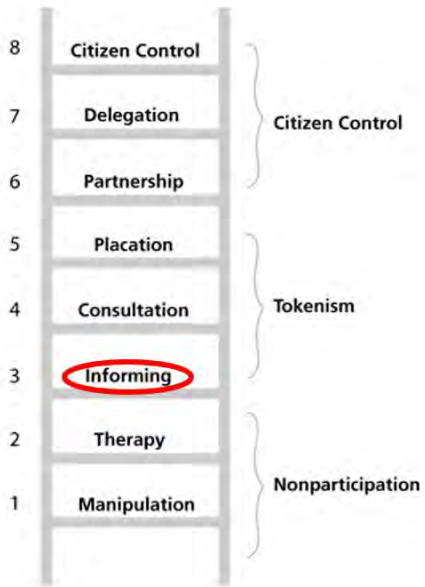
The money that's been reallocated to a school in Barry should be used to purchase additional land for the MUGA, to the west of the existing site, with fields to three sides. This enables the school to turn back to face the street. It also creates additional space to mitigate the traffic problems associated with the school, and preserves the hawthorn hedge and maple trees at the front of the site - which are features of the Conservation Area!

Reduce the height of the proposed building in this layout, and bury the water tanks, and much of the opposition will evaporate - even though there is a loss of public open/sports space.

It's also a shame that the grassed play areas with outdoor play equipment and stage are being lost. Children in the 21st century will have fewer outdoor facilities than the children of the 20th century.



This is how I've generously scored the level of citizen participation in the development of the school.



Arnstein's Ladder (1969)
Degrees of Citizen Participation

As a result, a very poor proposal is heading to the Planning Committee on Wednesday.

Ian



Edgerton, Elaine

From: Cllr Ian Perry [REDACTED]
Sent: 24 April 2022 23:37
To: Slater, Nathan P
Cc: Williams, Edward (Cllr); Burnett, Lis (Cllr); 'Tim Knowles'; Bryan Davies; Planning; Hutt, Jane (Aelod Cynulliad Assembly Member); Bird, Jonathan (Cllr); Bowring, Tom; Fields in Trust; Lankshear, Robert
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3.xi

Siting the MUGA, as proposed, 7m from a residential boundary and potentially just 11.7m from the walls of a home is not acceptable. It's incredibly **unneighbourly!**

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Arnstein's Ladder (1969)
Degrees of Citizen Participation

As a result, a very poor proposal is heading to the Planning Committee on Wednesday.

Ian

This is my personal response to the planning application 2022/00066/RG3.

Whilst I am strongly supportive of a new school at St Nicholas a new school building must be designed sympathetically with the surrounding area, and mitigate the problems associated with the existing school that have been reported by the schools' neighbours.

The S106 funding for the new school comes from a development that was brought forward in 2015.

The failure of the Education Authority to maintain the existing school buildings and to provide a new building in a timely fashion, must not allow the building of any new school to be rubber stamped without proper consideration. The Education Authority has had a decade to provide a new school building at St Nicholas, and it's appalling that we're still in the planning stage, and the proposal is so poor.

The Vale Council must not exempt itself from normal planning rules/policies.

I object to the proposed school redevelopment as proposed at this time.

Reasons for refusal:

- The location of the MUGA is **unneighbourly**. It would have a detrimental impact on Neighbouring Amenity due to noise and errant balls.
- The changes to the front boundary – unnecessary removal of hawthorn hedge and mature trees to build an area for parents to wait outside the school gates each afternoon – would be damaging to the intrinsic character of the site and the Conservation Area.
- The waiting area for parents could be within the boundary of the school, so the proposed “footway” is an unjustified and unacceptable form of development that will neither preserve nor enhance the character and appearance of the Conservation Area.
- The blank façade of the southern elevation, the height of the proposed building, and the elevated water storage tanks would fail to preserve or enhance the character of the Conservation Area.
- The scale (height) and design (materials/colour) of the proposed building are not appropriate to the local context and character of neighbouring buildings in terms of form and scale.



Background information.

The following LDP Policies are relevant

POLICY SP10 - BUILT AND NATURAL ENVIRONMENT

Development proposals must preserve and where appropriate enhance the rich and diverse built and natural environment and heritage of the Vale of Glamorgan including:

1. The architectural and / or historic qualities of buildings or conservation areas, including locally listed buildings;
3. Special landscape areas;

The proposed school was designed for a town, not a Conservation Area in a minor rural settlement. The loss of the rural frontage, with its hawthorn hedge that predates the school, and mature field maple trees, to be replaced by a 2.7m deep waiting area/footway for parents, is an unacceptable degradation of the character of the Conservation Area.



A Visual Impact Assessment has not been produced, so it's unknown what impact the 9.5m high school will have on the Special Landscape Area.

POLICY MD2 - DESIGN OF NEW DEVELOPMENT

In order to create high quality, healthy, sustainable and locally distinct places development proposals should:

1. Be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest;
2. Respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix, and density;
10. Incorporate sensitive landscaping, including the retention and enhancement where appropriate of existing landscape features and biodiversity interests;

The loss of the hawthorn hedge and mature field maple trees would greatly degrade the look, feel and character of the Conservation Area. The proposed 2.7m wide footway that's purpose is for parents to stand outside the school at the end of the school day is unacceptable. It's also odd that parents arriving by car may wait within the school grounds – only parents arriving by foot or cycle have to wait outside the school gates.

The façade facing the conservation area is predominantly blank. This isn't acceptable.



South Elevation
1 : 100

Elevation with blank area highlighted.



South Elevation
1 : 100

To make matters worse, to the right of the proposed building, prominently positioned to the front of the site, are 3m high water towers, albeit behind fencing.



South Elevation
1 : 100



POLICY MD2 - DESIGN OF NEW DEVELOPMENT

In order to create high quality, healthy, sustainable and locally distinct places development proposals should:

6. Have no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree;

There is an increase in the size of the school, with minimal off-street provision for parents to park their vehicles each afternoon. At present, School Lane is unlawfully obstructed each afternoon as parents have to wait for the end of the school day to collect their children.

POLICY MD2 - DESIGN OF NEW DEVELOPMENT

In order to create high quality, healthy, sustainable and locally distinct places development proposals should:

7. Where appropriate, conserve and enhance the quality of, and access to, existing open spaces and community facilities;

8. Safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance;

The proposal is to reduce the number of sports pitches from two to one, and the amount of Public Open Space by 25%. The existing grassed pitches provide a total of 4,397 sq.m

(0.44 ha) of sports space. The overall outdoor area of the existing school is 1.01 ha as identified in the Open Space Background Paper. The overall outdoor area of the proposed school is 0.77 ha, a reduction of 0.24 ha in current provision. The Vale of Glamorgan Public Services Board, Draft Well-being Assessment has revealed a shortage of public open space in the rural Vale.

The Open Space Background Paper states 16 sq.m of outdoor sports facilities should be provided per person which equates to 3.79 ha. There is an under provision in the St Nicholas and Llancafán Ward of outdoor sports space. The proposed development, as it stands today, would make this worse.

The MUGA is just 7m from a residential boundary (guidance states that there should be a “30m minimum separation between a MUGA and the boundary of the nearest property containing a dwelling”), and the MUGA is potentially just 11.7m from the walls of a dwelling!

MUGA's are intended for ball games, with ball bouncing on a hard surface, and off side netting, generating noise disturbance – potentially nuisance.

The location of the MUGA is **unneighbourly**, and the Planning Committee should refuse planning permission.

The MUGA would be sited where there are currently flowerbeds. Noise and balls would enter the adjoining private garden.



The LDP clarifies the above by stating:

7.5 Policy MD2 sets out the key principles that developers should consider in respect of design, amenity and access which together contribute to attractive, safe and accessible environments. Safeguarding the local character of the Vale of Glamorgan's towns and villages is reliant on securing high quality design that is of the appropriate scale and form in the right location. Equally, the layout and design

of new development is essential for improving resident's quality of life, creating a sense of place and ensuring a healthy and safe environment.

7.6 All development proposals will be required to fully consider the context and character within which the development proposal is located so as to ensure that it contributes positively to the local setting including important views and vistas. Issues associated with safeguarding residential amenity should also be addressed during the design process especially where mixed use developments are proposed. Solutions to problems such as overlooking and noise can often be overcome by good design. All new buildings should respond positively to and respect their surroundings and contribute towards healthy and vibrant communities, reducing the fear of crime and creating a sense of place. In this regard developments must be of an appropriate scale, density and design for their location and make a positive contribution to the local environment.

There are many examples of planning applications being refused for the reasons why the planning application for the school building should be refused.

2021/00830/CAC

Planning Notice of refusal states: “The loss of part of the historical stone boundary wall would be damaging to the intrinsic character of the site and the conservation area. The proposal would therefore fail to preserve or enhance the character of the Conservation Area, and would be in conflict with Policies SP10 and MD8...”

2015/01358/CAC

Planning Notice of refusal “...would fail to preserve the character and appearance of this part of the Michaelston le Pit Conservation Area, contrary to Policies ENV17-Protection of Built and Historic Environment; ENV20-Development in Conservation Areas;”

2013/00120/CAC

Planning Notice of refusal for the removal of part of a boundary wall to create an access states: “In the opinion of the Local Planning Authority it is considered that the proposed removal of boundary wall represents an unjustified and unacceptable form of development that will neither preserve nor enhance the character and appearance of this part of the Penarth Conservation Area, contrary to Policies ENV20 - Development in Conservation Areas.”

2021/01174/FUL

The development would fail to preserve or enhance the character of the Drope Conservation Area.

The Vale Council must not exempt itself from the rules it imposes on others.

There has been no meaningful engagement with the residents of St Nicholas. 21st Century School decided what they wanted to build and have refused to have anyone from the community improve on their awfully flawed and unneighbourly plans.

A school that was less conflicting with the Conservation Area and Special Landscape Area, by being built lower than the 9.5m proposed, and hid the water tanks below ground, and properly addressed the issues of traffic, loss of public sports space, the unneighbourly placing of a MUGA next to a residential boundary, retained the rural frontage of hawthorn hedge along a country lane, with mature field maple trees would have far less opposition from neighbours, and possibly even some support!

I've sketched what 21st Century Schools has refused to consider:



S106 from the new development at Bonvilston has been allocated to a school in Barry. This poor decision needs to be reversed. There is the finance to provide a school that does not damage the Conservation Area, Special Landscape Area and tackles the traffic issue.



The loss of the outdoor play equipment and stage are regrettable.



The proposed parking area is very inefficient, bad for the environment and simply poorly considered, poorly designed.

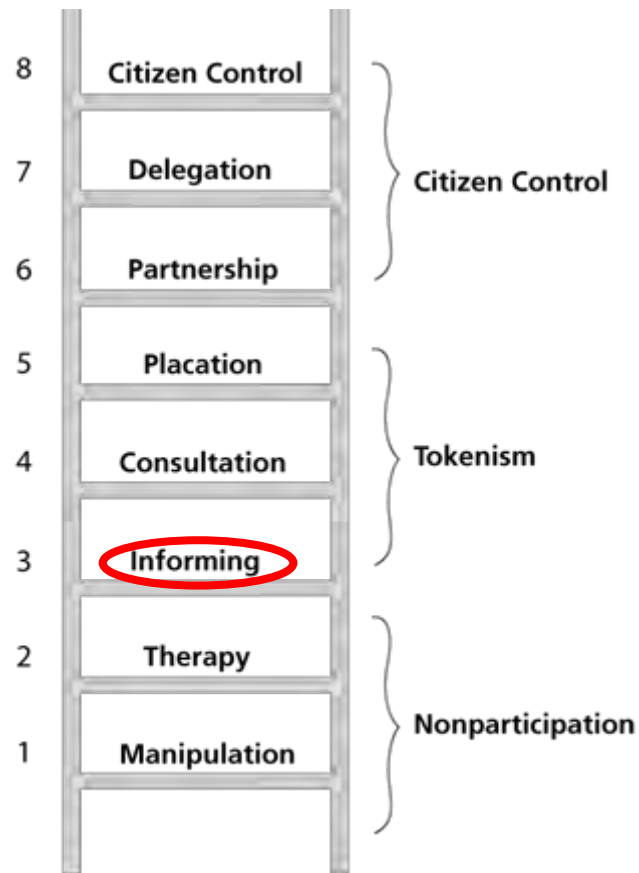
The proposed, grey layout is:



A much more efficient, and green layout would be:



The process of bringing this application to the Planning Committee – again – has been unsatisfactory. Residents have been ignored in what was a “tick box exercise”.



Arnstein's Ladder (1969)
Degrees of Citizen Participation

Edgerton, Elaine

From: Anne Evans [REDACTED]
Sent: 26 April 2022 11:13
To: Planning
Subject: Tree at Marie Curie Hospice, Penarth

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam

Re: TPO No 6 2021 Tree at Marie Curie Hospice, Bridgeman Road, Penarth.

I understand that the proposed TPO on this tree is for discussion at the Planning Committee meeting to be held tomorrow, 27th April 2022.

The Penarth Civic Society and its subgroup the Penarth Tree Forum support the Council's proposal for a TPO on this tree and we would encourage the Planning Committee to agree with this proposal.

Yours faithfully

Anne Evans
Chair, Penarth Civic Society.
4 Caynham Avenue
Penarth CF64 5RR
[REDACTED]
[REDACTED]