



**Application No:** P/2017/1023

**Grid Ref:** 282410.03 304458.28

**Community Council:** Glantwymyn

**Valid Date:** 14/09/2017  
**Officer:** Dunya Fourie

**Applicant:** Powys County Council

**Location:** Ysgol Glantwymyn C.P., Glantwymyn, Cemmaes Road, Machynlleth, Powys, SY20 8LX.

**Proposal:** Full: Erection of extensions to existing school, new vehicular access and parking, and new multi-surface MUGA pitch

**Application Type:** Application for Full Planning Permission

### **The reason for Committee determination**

The applicant is Powys County Council and is therefore required to be determined before Members of the Planning Committee.

### **Site Location and Description**

The site concerns Glantwymyn School, the site is accessed off the A470 trunk road, via a classified highway which currently serves the school and adjacent houses. The immediate site concerns the front (west) elevation of the school and school amenity areas to the front (west) and rear (east) of the building.

This application seeks full planning consent for alterations to the school building and grounds. The external alterations to the school building include extension to provide a staff room, head teacher's office, reception, foyer area, cloakroom and extension to nursery classroom, the area of the extension extends to approximately 142m<sup>2</sup>.

The works in the front of the school comprise the construction of a parking and turning area of 12 vehicles and creation of a new access off the existing access road.

Works to the rear of the school include the construction of a multi surface MUGA (multi-use games area) pitch, the area of the pitch would extend to approximately 756m<sup>2</sup>.

### **Consultee Response**

Glantwymyn Community Council

*Letter of the 18<sup>th</sup> October 2017*

The members of Glantwymyn Community Council discussed this application at a recent meeting of the Council and unanimously agreed to support this planning application for improvements to the school buildings and facilities at Ysgol Glantwymyn.

Members were particularly delighted to note the inclusion of the multi-surface MUGA pitch within the proposals and feel that the proposed development and improvements to Ysgol Glantwymyn will provide a significant benefit to the younger schoolchildren of the Glantwymyn area and also the residents of the wider community for many years to come.

Powys Highways*Letter of 10<sup>th</sup> October 2017*

Whilst the Highway authority is not opposed to the development, we will need further details to be submitted prior to any works being commenced to ensure that the finished development is suitable for all pedestrians and vehicles that may wish to cross or enter the car park entrance.

Prior to any works being commenced on site the applicant shall submit and have approved in writing by the Local Planning Authority full engineering details for the proposed car park entrance to include width and gradient of entrance along with details of tactile pedestrian crossing areas. In addition the details must include information regarding surface water drainage.

Prior to the occupation of the school building extension the parking area, its entrance and footway shall be fully completed to the written satisfaction of the Local Planning Authority.

Within 5 days from the commencement of the development, provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area and material storage compound. This parking and turning area shall be constructed to a depth of 0.4 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.

No storm water drainage from the site shall be allowed to discharge onto the county highway.

Powys Building Control-

Building regulations would be required prior to the commencement of development.

Severn Trent*E mail of the 26<sup>th</sup> September 2017*

As the above site is out of Severn Trent's waste water area we have no comment to make.

Powys Ecologist

*Email of 21<sup>st</sup> September 2017*

Thank you for consulting me with regards to planning application P/2017/1023 which concerns an application for the erection of extensions to existing school, new vehicular access and parking, and new multi-surface MUGA pitch at Ysgol Glantwymyn C.P., Glantwymyn, Cemmaes Road, Machynlleth, Powys.

I have reviewed the proposed plans submitted with the application as well as aerial photographs of the site and surrounding habitats, local records of protected and priority species and designated sites within 500m of the proposed development. In addition I am familiar with the site of the proposed development and the building affected by the proposed extensions.

The data search identified 15 records of protected and priority species within 500m of the proposed development, no records were for the site itself.

No statutory or non-statutory designated sites are present within 500m of the proposed development.

Having reviewed the submitted plans and taking into account my knowledge of the building and the areas affected by the proposed works it is considered that the proposed development would be unlikely to impact bats. The building and roof in the areas of the proposed works appear to be in good condition, the soffits, eaves and roof covering are well sealed offering negligible potential for bats to gain access to the property for roosting purposes. It is therefore considered that the proposed development would be unlikely to impact roosting bats. In light of this assessment I consider that no further information is considered necessary to determine the potential impact of the proposed extension on bats.

Whilst the proposed development is not considered likely to impact roosting bats it is not that bats are present in the local area and have potential to be foraging or commuting around the site. Careful consideration will need to be given to any proposed external lighting design associated with the proposed development to minimise impacts to nocturnal wildlife commuting and foraging in the local area. It is recommended that a planning condition securing a wildlife sensitive lighting scheme is secured through an appropriately worded condition.

The proposed car park area will result in the loss of a small number of semi mature trees, these trees have negligible potential to support roosting bats due to lack of suitable roosting features. It noted from the proposed plans that a number of new trees will be provided through the landscaping of the car parking area. The provision of landscaping is welcomed, it is recommended that species used in landscaping are native (in accordance with UDP policy GP1) this would serve to compensate for the loss of trees required to accommodate the proposed development and provide biodiversity enhancements in accordance with the requirements of Section 6 of the Environment (Wales) Act 2016. It is recommended that a detailed landscaping scheme is secured through an appropriately worded condition.

With regards to other protected and priority species identified as present in the local area by the data search it is not considered likely that the proposed development would result in negative impacts to these species and no surveys are considered necessary.

The areas of habitat affected by the proposed car park and MUGA pitch are areas of amenity grassland currently used as playing fields, the ecological value of these habitats is considered to be low and the impact of the proposed development to biodiversity as a result of the loss of these areas of habitats is not considered to be significant.

Therefore should you be minded to approve the application I recommend inclusion of the following conditions:

Prior to the commencement of development a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted landscaping scheme shall include a scaled drawing and a written specification clearly describing the species, sizes, densities and planting numbers proposed as well as aftercare measures. Drawings must include accurate details of any existing trees and hedgerows to be retained with their location, species, size and condition.

Reason: To comply with Powys County Council's UDP Policies SP3 and ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

No external lighting shall be installed unless a detailed external lighting design scheme has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall identify measures to avoid impacts on nocturnal wildlife. The development shall be carried out in accordance with the approved details.

Reason: To comply with Powys County Council's UDP Policies SP3, ENV3, ENV4, ENV5 and ENV7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

In addition I recommend inclusion of the following informative:

Birds - Wildlife and Countryside Act 1981 (as amended)

The site of the proposed tree works is considered to have potential to support nesting birds during the breeding season. All nesting birds, their nests, eggs and young are protected under the Wildlife and Countryside Act 1981 (as amended).

It is therefore an offence to:

- intentionally kill, injure or take any wild bird
- intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- intentionally take or destroy the egg of any wild bird
- intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist.

### Welsh Government Transport

*Letter of the 4<sup>th</sup> October 2017*

I refer to your consultation of 20/09/2017 regarding the above planning application and advise that the Welsh Government as highway authority for the A470 trunk road does not issue a direction in respect of this application.

### Environmental Health Authority

*E mail of 21<sup>st</sup> September 2017*

Thank you for your consultation in respect of this application. Having given due consideration to the plans submitted, I have no objection to this application

### **Representations**

A site notice was erected on the telegraph post adjacent to the school fence and adjacent the site of the proposed new access. No decision was made for a continuous period of 21 days from the date of the site notice.

One third party response has been received, within this response concern is raised that the proposed access is directly opposite residential dwellings and will exacerbate congestion and cause disturbance. The existing access and parking problems with access to the school at the start and end of the school day were highlighted and they consider the proposed new on- site parking would not sufficiently address the existing traffic problems.

### **Planning History**

P/2010/0263-Installation of 10 sq metres of solar panels to existing roof. Consent granted 14<sup>th</sup> April 2014

### **Principal Planning Policies**

#### National Planning Policy

Planning Policy Wales (9<sup>th</sup> Edition, November 2016)  
Technical Advice Note 5-Nature Conservation and Planning (2009)  
Technical Advice Note 12-Design (2016)

Technical Advice Note 16-Sport Recreation and Open Space (2009)

Technical Advice Note 18-Transport (2007)

Technical Advice Note 20- Planning and the Welsh Language (2017)

Technical Advice Note 23- Economic Development (2014)

### Local Planning Policy-Unitary Development Plan for Powys (March 2010)

SP6-Development and Transport

SP9-Local Community Services and Facilities

GP1-Development Control

GP3-Design and Energy Conservation

GP4-Highway and Parking Requirements

ENV3-Safeguarding Biodiversity and Habitats

ENV7- Protected Species

CS5-Educational Developments

DC1-Access by Disabled People

DC3- External Lighting

DC10- Mains Sewage Treatment

DC13- Surface Water Drainage

T2-Traffic Management

TR2 – Tourists Attractions and Development Areas

RDG=Powys Residential Design Guide NAW=National Assembly for Wales TAN= Technical Advice Note  
UDP=Powys Unitary Development Plan, MIPPS=Ministerial Interim Planning Policy Statement

## **Officer Appraisal**

### Section 38 (6) of the Planning and Compulsory Purchase Act 2004

Members are advised to consider this application in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, which requires that, if regard is to be had to the development plan for the purpose 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.

### Principle of Development

Policy CS5 confirms that extension or improvement of existing schools and the provision of new facilities will be supported where located in accordance with the sustainable strategic settlement hierarchy.

The proposed parking facilities in association with the school and school itself are located within Glantwymym settlement boundary whilst the proposed MUGA is located outside. Taking into considered that the proposed MUGA pitch is located on the existing recreational fields used in association with both the school and nearing community centre it is considered that the proposed is located within a sustainable location based on its good range of service provision and transport links and the location of the pitch is justified in terms of its connectivity with the school and community centre.

It is therefore considered that the proposed development fundamentally complies with relevant planning policy.

### Design and External Appearance

Policy GP3 seeks to ensure development would not have an unacceptable adverse impact on the character or appearance of the area.

The proposed alterations would increase the volume of the school, however the scale of the proposed changes would remain subservient to the main building in terms of both height and footprint, and could be accommodated within the school grounds while retaining sufficient amenity space.

The majority of the alterations are on the west elevation of the building, the works comprise an extension to the front of the building and introduction of two projecting gables. The design of the existing building includes projecting front gables on this elevation and as such the design of the proposed changes are in keeping with the design of the existing building and comply with policy GP3.

The proposed materials replicate those of the existing building and as such the alterations would be in keeping with the character and external appearance of the school building.

The design and external appearance of the school building, as proposed, is in accordance with policy GP3 and as such is considered acceptable.

### Suitability of access arrangements and parking facilities

This application includes a proposal for creation of a new vehicle access into the school grounds and the provision of 13 parking spaces.

The access off the A470 remains unchanged, however a new vehicular access will be provided to the application site off the U4625 County Highway to provide access to a new vehicular parking area for 13 cars.

Information provided within third party representations confirm the road to the north of the school often becomes congested at school pick up/drop off times and when there are events being held at the school and community centre. The provision of additional parking spaces within the school is likely to have a positive effect on any existing congestion within this area. The concerns raised within third party responses regarding restriction of the parking provision to school staff are noted, however the Authority consider any additional off road parking in this area would assist in alleviating any congestion and as such support the proposed parking facility. Indeed, further information was provided by the applicant confirming the car park would be available for parent parking and the proposed 'one way drop off' management of the car park would encourage the free flow of traffic within the site and potentially further reduce any congestion on the access road during drop off and pick up times.

The highway authority therefore raises no objection to the proposal, subject to the inclusion of the recommended conditions, in light of which it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

### Ecological considerations

Policies ENV3 and ENV7 seek to ensure development does not have an unacceptable adverse impact on Ecology and the favourable conservation status of European protected species.

The proposal includes works to the roof space of the school building, loss of a small number of semi mature trees and changes to the surface of a parcel of maintained grassland.

There are limited bat records in the area and the Ecologist notes the school building and recreational land is of low ecological value. The proposed plans include details of tree planting within the car park area and a landscaping plan detailing the species and location of the trees which can be secured via a planning condition. In order to protect the feeding habitat of nocturnal animals, it is advised a condition requiring all external lighting to be approved by the local planning authority should be included on any forthcoming planning consent.

The County Ecologist has considered the proposals and existing Ecology records in the area and raises no objection, provided the recommended conditions form part of forthcoming consent. In light of the above and subject to any recommended conditions it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

### **Other Legislative Considerations**

#### Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

#### Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.



The above duty has been given due consideration in the determination of this application. It is considered that there would be no unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

#### Planning (Wales) Act 2015 (Welsh language)

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application.

Glantwymyn is recognised within the UDP as a settlement where Welsh language as being important to the social, cultural and community fabric and as such is a material consideration when determining new development proposals.

The proposed scheme seeks to improve the existing educational facilities and is supported by the community council. As such it is considered that the proposed development would not reduce the importance of the Welsh language to the social, cultural and community fabric of Glantwymyn.

#### Wellbeing of Future Generations (Wales) Act 2015

Section 3 of the Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that the proposed development is in accordance with the sustainable development principle through its contribution towards the well-being objectives.

### **Recommendation**

In light of the above it is considered that the proposed development fundamentally complies with relevant planning policy. The recommendation is therefore one of Conditional consent.

### **Conditions**

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the plans stamped as approved on XXXX (Ref: proposed site location plan, existing site plan, proposed site plan, proposed elevations, existing elevations, proposed site plan detail from topo, proposed MUGA pitch plan, existing floor plan, proposed floor plan)
3. Prior to commencement of development, full engineering details for the proposed car park entrance to include width and gradient of entrance along with details of tactile pedestrian crossing areas shall be submitted to and approved in writing by the local planning authority. Works shall be carried out in accordance with the approved scheme.
4. Prior to commencement of development, a scheme for the discharge of surface water drainage from the car park hereby approved shall be submitted to and approved in

writing by the local planning authority, works shall be carried out in accordance with the approved scheme.

5. Prior to any other development commencing, provision shall be made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area and material storage compound. This parking and turning area shall be constructed to a depth of 0.4 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.

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

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

8. No external lighting shall be installed unless a detailed external lighting design scheme has been submitted to and approved in writing by the Local Planning Authority.

## Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
3. In the interests of highway safety and to accord with Powys Unitary Development Plan policies GP1 and GP4
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8. To comply with Powys County Council's UDP Policies SP3, ENV3, ENV4, ENV5 and ENV7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

## Informative Notes

Birds - Wildlife and Countryside Act 1981 (as amended)

The site of the proposed tree works is considered to have potential to support nesting birds during the breeding season. All nesting birds, their nests, eggs and young are protected under the Wildlife and Countryside Act 1981 (as amended).

It is therefore an offence to:

- intentionally kill, injure or take any wild bird
- intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- intentionally take or destroy the egg of any wild bird
- intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist.