

Application Number: DM/2022/00212

Proposal: Redevelopment of the existing King Henry VIII Secondary School Site, including construction of Abergavenny 3-19 School (Class D1) incorporating flying-start, nursery, lower school, upper school and 6th form educational provision; provision of open space including hard and soft informal social and play areas, multi-use games area, forest school areas, and sports pitch provision including grass / all-weather pitches; provision of plant building, highways, access, car parking, landscaping, green infrastructure, and drainage works; demolition of existing school buildings/structures; and all associated works.

Address: King Henry VIII Comprehensive School, Old Hereford Road, Abergavenny, NP7 6EP

Applicant: Monmouthshire County Council

Plans: Other 210331-KHV111S-TCP-NB - , All Drawings/Plans 26Z007-CAM-XX-ZZ-DR-C-0103 - P2, All Drawings/Plans 26Z007-CAM-XX-ZZ-DR-C-0104 - P1, All Drawings/Plans 26Z007-CAM-XX-ZZ-DR-C-0105 - P2, All Drawings/Plans 26Z007-CAM-XX-ZZ-DR-C-0106 - P2, All Drawings/Plans 26Z007-CAM-XX-ZZ-DR-C-0107 - P2, Drainage 26Z007-CAM-XX-ZZ-DR-C-0115 - P03, All Drawings/Plans 26Z007-CAM-XX-ZZ-DR-C-0116 - P03, Site Plan 26Z007-FIR-00-ZZ-DR-L-XX-0002 - P04, Landscaping Plan 26Z007-FIR-00-ZZ-DR-L-XX-0003 - P05, Other 26Z007-FIR-00-ZZ-DR-L-XX-0005 - P07, Other 26Z007-FIR-00-ZZ-DR-L-XX-0006 - P05, Planting Plan 26Z007-FIR-00-ZZ-DR-L-XX-0007 - P05, Other 26Z007-MCP-00-XX-DR-E-9001 - P02, Lighting Plan / Information 26Z007-MCP-00-XX-DR-E-9002 - P02, Planting Plan 26Z007-MCP-00-XX-DR-N-9000 - P02, Site Plan 26Z007-RIO-00-XX-DR-A-90-0301 - P03, Other 26Z007-RIO-00-XX-DR-A-90-0304 - P03, Site Sections 26Z007-RIO-00-XX-DR-A-90-6000 - P03, Elevations - Proposed 26Z007-RIO-00-ZZ-DR-A-02-0050 - P03, Elevations - Proposed 26Z007-RIO-01-ZZ-DR-A-02-0101 - P04, Site Sections 26Z007-RIO-01-ZZ-DR-A-03-1301 - P03, Elevations - Proposed 26Z007-RIO-02-ZZ-DR-A-02-0201 - P04, Elevations - Proposed 26Z007-RIO-02-ZZ-DR-A-02-0202 - P04, Elevations - Proposed 26Z007-RIO-02-ZZ-DR-A-02-0203 - P04, Elevations - Proposed 26Z007-RIO-02-ZZ-DR-A-02-0204 - P04, Elevations - Proposed 26Z007-RIO-02-ZZ-DR-A-02-0205 - P04, Elevations - Proposed 26Z007-RIO-02-ZZ-DR-A-02-0206 - P04, Floor Plans - Proposed 26Z007-RIO-ZZ-00-DR-A-01-0100 - P07, Floor Plans - Proposed 26Z007-RIO-ZZ-01-DR-A-01-0101 - P07, Floor Plans - Proposed 26Z007-RIO-ZZ-02-DR-A-01-0102 - P07, Floor Plans - Proposed 26Z007-RIO-ZZ-B1-DR-A-01-0099 - P08, Proposed Roof Plan 26Z007-RIO-ZZ-RF-DR-A-01-0103 - P07, Elevations - Proposed 26Z007-RIO-ZZ-ZZ-DR-A-02-0001 - P03, Other CB2252 XX ZZ DR C 0101 - P2, Other CB2252 XX ZZ DR C 0102 - P6, Other CB2252-CAM-XX-ZZ-DE-C-0121 - P1, Other CB2252-CAM-XX-ZZ-DR-C 0155 - P1, Other CB2252-CAM-XX-ZZ-DR-C 0156 - P2, Drainage CB2252-CAM-XX-ZZ-DR-C-1111 - P1, Drainage CB2252-CAM-XX-ZZ-DR-C-1112 - P1, Drainage CB2252-CAM-XX-ZZ-DR-C-1113 - P3, Drainage CB2252-CAM-XX-ZZ-GA-C-0110 - P09, All Drawings/Plans EDP7210_D001A & EDP7210_D002A - , All Drawings/Plans EDP7210_D003A - , Landscaping Plan 26Z007-FIR-00-ZZ-DR-L-XX-0001 - P04, Location Plan 26Z007-RIO-00-XX-DR-A-90-0300 - P03, Other CONSTRUCTION TRAFFIC AND PHASE PLANS - , Other DEMOLITION RAMS - , Other WASTE MANAGEMENT PLAN - , Other Tree Constraints Plan - , Other BREEAM TRAVEL PLAN - , Drainage DRAINAGE STRATEGY - , Other ENERGY STRATEGY STATEMENT - , Other LANDSCAPE AND VISUAL APPRAISAL - , Other BASELINE NOISE SURVEY REPORT - , Other Environmental Colour Appraisal - , Other Environmental Colour Appraisal - , Other PHOSHATE ASSESSMENT - , Other ECOLOGICAL

APPRAISAL REPORT PT1 - , Other ECOLOGICAL APPRAISAL REPORT PT2 - , Other ECOLOGICAL APPRAISAL REPORT PT3 - , Archaeological Report ARCHAEOLOGY AND HERITAGE ASSESSMENTedp7210_r002-A-Written Scheme of Investigation - , Transport Assessment PART 1 - , Transport Assessment PART 2 - , Transport Assessment PART 3 - , Transport Assessment Addendum - , Lighting Plan / Information 26Z007-MCP-00-XX-DR-E-9000-AOH - , Lighting Plan / Information 26Z007-MCP-V1-00-DR-E-9002-AOH - , Tree Survey Oak Tree Report - , Other CB2252-CAM-XX-ZZ-DE-C-1131 - P01, Other CB2252-CAM-XX-ZZ-DR-C-0160 - P01, Other CB2252-CAM-XX-ZZ-DR-C-0161 - P01, Other CB2252-CAM-XX-ZZ-DR-C-0161 - P02, Planting Plan 26Z007-FIR-00-ZZ-SH-L-0001 - Rev P02, Planting Plan 26Z007-FIR-00-ZZ-SH-L-0002 - Rev P03, Planting Plan 26Z007-FIR-00-ZZ-SH-L-0003 - Rev P02, Planting Plan 26Z007-FIR-00-ZZ-SH-L-0004 - , Landscape Planting Plan 26Z007-FIR-00-ZZ-SH-L-0Q30 - , Landscape Planting Plan 26Z007-FIR-00-ZZ-SP-L-0Q31 - , Landscape Planting Plan 26Z007-FIR-00-ZZ-SP-L-0Q35 - , Other 26Z007-FIR-00-ZZ-SP-L-9000 - Rev B, Planting Plan 26Z007-FIR-00-ZZ-DR-L-XX-5001 - Rev P04, Planting Plan 26Z007-FIR-00-ZZ-DR-L-XX-5002 - Rev P04, Planting Plan 26Z007-FIR-00-ZZ-DR-L-XX-5003 - Rev P03, Planting Plan 26Z007-FIR-00-ZZ-DR-L-XX-5004 - Rev P03, Planting Plan 26Z007-FIR-00-ZZ-DR-L-XX-5005 - Rev P04, Planting Plan 26Z007-FIR-00-ZZ-DR-L-XX-5006 - Rev P04, Other Fira LVIA Response - Rev C, Other Artificial Wildlife Feature Plan - , Location Plan Location of Wildlife Features Plan - , GI Assett & Opportunity Green Infrastructure Management Figure 1: Baseline GI Assett Plan - , GI Assett & Opportunity Green Infrastructure Management Figure 2: Post Development GI Assett Plan - , GI Assett & Opportunity Green Infrastructure Management Figure 3: Ecological Constraints- _ Opportunities Plan - , Other Construction Traffic Management Plan - , Other 26Z007-MCP-V1-00-DR-E-9005-A1 - , Other 26Z007-MVP-00-XX-DR-N-9001 A0(1) - , Other CB2252-CAM-XX-ZZ-DR-C-0164 - P01, Site Sections 26Z007-RIO-00-XX-DR-A-90-6000 - P03,

RECOMMENDATION: Approve

Case Officer: Ms Kate Bingham
Date Valid: 14.02.2022

This application is presented to Planning Committee due to Monmouthshire County Council being the applicant

1.0 APPLICATION DETAILS

1.1 Site Description

This application relates to a 10.8 hectare site approximately 500m to the north of Abergavenny town centre, between Old Hereford Road to the east and Pen Y Pound Road to the west. The site is currently occupied by the existing King Henry VIII Comprehensive School; Abergavenny Leisure Centre; and playing fields/formal public open space associated with both uses. A bungalow, formerly the caretaker's bungalow associated with the school, is located to the east of the site and is now used by social services as a children's contact centre. The existing Leisure Centre does not form part of the proposed works and will need to be accommodated within the designs of the new masterplan for the site.

The existing school buildings are positioned within the north-eastern portion of the site, with playing fields occupying the western and southern parts of the site.

The site currently benefits from two vehicular access points. The site can be accessed to the east from Old Hereford Road or from the west by Pen Y Pound Road. At present, the site operates by means of a one-way system for general traffic (entering the site from Old Hereford Road and exiting through the site via Pen-Y-Pound), and a two-way system for school buses.

The existing school will need to remain open and functional during the construction of the new school. This will therefore influence the location and design of the new school. The existing Energy Centre is to be retained on-site but will be relocated in a new plant room.

The site slopes from north to south with a fall of approximately 15m. There are a number of existing tree groups within the site which will be retained and protected as part of the new development together with a single mature oak. There is also an existing stream, partly culverted, which runs north to south through the site. This culverted part of the stream will need to be redirected as part of the new proposals.

The site does not contain any Public Rights of Way and is outside of the Abergavenny Conservation Area. It is also not included in any flood plain. It is however, within the Phosphorous Sensitive Catchment Area of the River Usk Special Area of Conservation (SAC).

1.2 Value Added

As requested in comments by the Council's Landscape Officer, further details of planting and management of landscaping within the site was submitted:

- Green Infrastructure Management Plan Rev 1 – Abergavenny 3-19 Campus LP2245 by Fira Landscape Limited, dated April 2022.
- Artificial Wildlife Feature Plan added – Abergavenny 3-19 School, by BSG Ecology, dated April 2022.
- Additional information in relation to the retention and protection of the veteran Oak Tree provided – May 2022.

Further to the Highway Authority's comments the following additional information was submitted:

- Amended access details for Old Hereford Road (Parent Drop Off/Pick Up, Visitors and Leisure) reflecting the highway authorities' recommendations to improve the means of access.
- Amended access details for Pen Y Pound (Staff Parking & School Bus Services) to address the highway authority's requirements to improve the change of use of the means of access onto Pen-Y-Pound.
- Transport Assessment addendum to address the highway authority request for additional analysis and review of the Pen-Y-Pound/Old Hereford Road/Avenue Road & A40/Pen-Y-Pound junctions.
- Construction Traffic Management Plan.

1.3 Proposal Description

It is proposed to demolish the existing structures and build a new 1900 pupil school for ages 3-19 including internal and external curriculum, sports and recreational facilities. The proposed new school comprises of two separate buildings, the three-storey Lower School for pupils up to year 4, and the three-storey Upper School for pupils from years 5-13. Both schools will sit within a single secure perimeter and will share common entrances into the secure site as well as sports facilities, but will benefit from their own distinct external recreational spaces. It is intended to be built whilst the existing school is operational. The proposed new school buildings and facilities are located on the site such to avoid conflict with the existing school.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
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DM/2021/01924	On behalf of the Applicant, Monmouthshire County Council (Education) and the Welsh Government, Asbri Planning write to formally request a Screening Opinion, as to whether Environmental Impact Assessment (EIA) is required for the proposed redevelopment of the existing King Henry VIII Secondary School site.	Not EIA dev't	23.12.2021
DC/2005/00152	Installation Of A New Disabled Platform Lift	Approved	21.04.2005
DC/1976/00714	Alterations To School Bldgs	Permitted Development	20.07.1976
DC/2010/00284	Provision of 4 No. access/fire escape lifts, ramps and double mobile classroom, to assist disabled users from September 2010	Approved	18.05.2010
DC/2003/00581	New Floodlit Multi-use Games Area Within School Grounds.	Approved	10.09.2003

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S5 LDP Community and Recreation Facilities
S12 LDP Efficient Resource Use and Flood Risk
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design

Development Management Policies

CRF1 LDP Retention of Existing Community Facilities
CRF3 LDP Safeguarding Existing Recreational Facilities and Public Open Space
SD2 LDP Sustainable Construction and Energy Efficiency
SD3 LDP Flood Risk
SD4 LDP Sustainable Drainage
LC5 LDP Protection and Enhancement of Landscape Character
GI1 LDP Green Infrastructure
NE1 LDP Nature Conservation and Development
EP1 LDP Amenity and Environmental Protection
EP3 LDP Lighting
EP5 LDP Foul Sewage Disposal
MV1 LDP Proposed Developments and Highway Considerations
MV2 LDP Sustainable Transport Access
DES1 LDP General Design Considerations
DES2 LDP Areas of Amenity Importance

Supplementary Planning Guidance

Green Infrastructure Supplementary Planning Guidance- April 2015

<http://www.monmouthshire.gov.uk/app/uploads/2015/07/GI-April-2015.pdf>

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining -and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 11

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

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

Technical Advice Notes

TAN 5: Nature Conservation and Planning (September 2009)

TAN 11: Noise (October 1997)

TAN 12: Design (March 2016)

TAN 15: Development and Flood Risk (July 2004)

TAN 16: Sport, Recreation and Open Space (January 2009)

TAN 18: Transport (March 2007)

TAN 24: The Historic Environment (May 2017)

Welsh Government Circulars

Welsh Government Circular 008/2018 - Planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants

<https://gov.wales/sites/default/files/publications/2019-05/planning-requirements-for-privatesewerage-in-new-development-wgc-0082018.pdf>

5.0 REPRESENTATIONS

5.1 Consultation Replies

Abergavenny Town Council - Abergavenny Town Council do not fundamentally object to this planning proposal, we offer no opinion on the educational advantages of creating a single 3-19 school.

- No time to fully consider PAC and inadequate responses in PAC report.

- Councillors were unimpressed with the overall design of the school, describing it as unimaginative and uninspiring as a centre of learning for the 21st Century.
- The three principles laid out in the DAS; that the building is to be welcoming and inviting, the building design should consider the well-being of both staff and pupils and maximise the use of natural daylighting have not been met
- The Design Council for Wales should have been approached for advice on the merits of the proposed design.
- Design of entrances being inadequate and unwelcoming.
- Councillors commented on the 21st Century school principle of community inclusion and felt that this had not been addressed fully in the proposed design.
- We welcome the Green Infrastructure proposals but are concerned at the loss of sports fields. We note the loss of a 400m running track, reduced to a 100m sprint track and long jump pit, and see this as a loss to the well being of children and adults in the community as there are no athletics facilities in Abergavenny.
- We are puzzled at the retention of cricket nets in the plans with no provision of a cricket pitch.
- Councillors have strong reservations concerning the plans for traffic management.
- We have questioned whether the traffic generation of the western car park might have been underestimated.
- Councillors would have welcomed a full assessment of the active travel routes and the provision of cycle routes.
- Councillors challenged the proposed Net Zero aspirations for this development as being under ambitious for such an important development and would welcome detailed proposals for decarbonisation strategies.

Natural Resources Wales (NRW) – No objections. Thank you for consulting us on the Habitats Regulations Assessment Record in relation to the above planning application. We note the approach to cap/match pupil numbers to achieve phosphorus neutrality.

We consider that if a development can be shown to serve a local population that has already been accounted for in terms of wastewater discharge within a SAC catchment, then it is reasonable to conclude there is unlikely to be additional nutrient discharges from the development site. This is sometimes referred to as additionality, which seeks to avoid 'double counting' of nutrient discharges.

It is for the competent authority to apply this approach if considered appropriate. You must be satisfied, based on the application details, that any impacts from the proposal would not undermine the ability for the SAC to meet its conservation objectives.

In view of the above, having reviewed the Appropriate Assessment (AA) and its conclusions, we are satisfied you can conclude no adverse effect on site integrity of the River Usk SAC subject to the recommended conditions set out at section 5.2.4 being secured to the planning permission.

WG Highways - The Welsh Government does not object and highlights that on-going discussions are taking place with Monmouthshire regarding upgrade of the controlled crossing of the A40 adjacent to Pen Y Pound Lane in line with bus stop proposals.

Glamorgan Gwent Archaeological Trust (GGAT) - We previously commented on this application in our letter dated 9th March 2022, when we recommended a condition requiring the submission and implementation of a programme of archaeological work detailed in an agreed Written Scheme of Investigation. Whilst we note the application is yet to be determined, a Written Scheme of Investigation for Archaeological Works (EDP Report edp7210_r002a, dated May 22) has been submitted. We can confirm the scheme is appropriate. However we note the requirement for the specialist Archaeological Contractor to agree and submit a Method Statement. Following the agreement of the Method Statement, the requisite watching brief can be conducted during the construction phase, followed by suitable reporting and archiving.

Previous comments: Archaeological mitigation will be required. We envisage that this programme of work would take the form of a targeted watching brief during the groundworks required for the development, focussing on works outside of the existing structures, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded. It should also include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results. To ensure adherence to the recommendations we recommend that the condition should be worded in a manner similar to model condition 24 given in Welsh Government Circular 016/2014.

MCC Planning Policy - No objections. The proposal is to improve education facilities within the community of Abergavenny as part of the 21st Century School projects - a long-term investment programme supported by the Welsh Government with the aim to create educational facilities fit for the 21st Century. The principle of the proposal by enhancing/improving an existing school facility is fully supported under National Planning Policy in PPW 11 and Strategic Policy S5 of the adopted Local Development Plan (LDP) which supports developments that enhance community facilities and contribute to the resilience of communities and health, well-being and amenity of local populations.

Despite the presumption in favour for the principle of the redevelopment, the proposal however will need to meet all other material planning considerations and the proposal should not harm the natural and built environment nor the design and surrounding character qualities of its location. In light of the climate change emergency the desire to future proof buildings as 'zero carbon ready' is also pertinent.

MCC Highways - No objection. Generally, the existing school operates reasonably well from a transport and access perspective utilising a shared means of access with the Leisure Centre. Access to the site is via a one-way access directly off Old Hereford egressing the site on Pen Y Pound. The site currently accommodates circa 159 parking spaces of which 70 are set aside for the use of the Leisure Centre and 89 for staff and visitors to the school. The site currently has no defined parent-pupil vehicular drop off provision. The site currently accommodates parking for around 11 home to school transport providers, 3 coaches and 8 or so minibuses. The site has reasonable walking and cycling provision with access to the North and East of the site via a signal-controlled crossing facility on Old Hereford Road and access to the South via Pen Y Pound that is accessed via a signal-controlled crossing facility at the junction of Pen Y Pound / Old Hereford Road / Avenue Road. Footway provision on Old Hereford Road is good providing access to residential area to the north, west and the town centre to the south, the existing footway on Pen Y Pound is not considered the most robust and generally below current active travel design standards although providing access to the residential network of footways to the South and East of the school. The site is located within walking and cycling distance for many of the residential areas of the town and town centre.

Following consultation comments provided on the 21/03/2022 the highway authority notes that additional details and supporting information have been submitted and has been uploaded to the planning website on the 05/05/2022. The highway authority welcomes the additional information and offers the following.

The highway authority welcomes the additional information and offers the following. Old Hereford Road – Parent Drop Off/Pick Up, Visitors and Leisure. The highway authority has reviewed the details submitted Drawing No. CB2252 XX ZZ DR C, S278 LAYOUT OLD HEREFORD RD JUNCTION and the amendments indicated reflect the highway authority recommendations to improve the means of access.

The provision of two Toucan controlled crossings and internal / external pedestrian and cycling links providing walking and cycling linkages in both a northerly and southerly direction on Hereford Road reflecting the highway authority's recommendation to encourage and promote walking and cycling to the school and other facilities.

Pen Y Pound – Staff Parking & School Bus Services The highway authority has reviewed the details submitted Drawing No. CB2252 XX ZZ DR C 01 S278 LAYOUT PEN-Y-POUND JUNCTION the details indicated address the highway authority's requirements to improve the change of use of the means of access onto Pen-Y-Pound and welcome the re-location of the pedestrian access via the west to east segregated active travel route reducing the likely conflict between vehicles and pedestrians /cyclists through the junction.

Traffic Distribution / Traffic Impact The highway authority welcomes the transport assessment addendum to address the highway authority's request for additional analysis and review of the Pen-Y-Pound/Old Hereford Road/Avenue Road & A40/Pen-Y-Pound junctions.

The highway authority has reviewed the assessment and acknowledges that the impact on of the development at the specific junctions is marginal and is not considered to be detrimental to the overall capacity and safety of the junctions and immediate network. Construction Traffic Management Plan The highway authority has reviewed the Construction Traffic Management Plan dated 28/04/2022 in conjunction with the Construction Traffic and Phase Plans. The management plan to control the access and egress and the interface with the construction traffic and day to day users of the adjacent highway network is welcomed. The highway authority also acknowledges the appointment of a Traffic Management Co-Ordinator and the constant review and updating during the construction of the school. The highway authority offers no objection to the proposal, the proposal is not considered to be detrimental to the safety and capacity of the immediate local network and does not conflict with local and national transport standards and the means of access, particularly the Old Hereford junction provides substantial improvements that promote and encourage walking and cycling.

Previous comments:

The highway authority has reviewed the application and the supporting information, reports and drawings submitted in support of the application in particular the Transport Assessment 26Z007AST-XX-XX-RP-Z-00-001 January 2022, the highway generally concurs with the proposals and the conclusion of the transport assessment but would offer the following observations and recommendations.

Site Accessibility:

The highway authority generally agrees with the review of sustainable transport provision as detailed in section 4 of the Transport Assessment 26Z007-AST-XX-XX-RP-Z-00-001 January 2022. The school is well located in Abergavenny and within reasonable walking and cycling distance to the residential areas of the town. The school is also well-located providing good public transport with bus stops being well-located providing access to the local area and further afield to areas such as Cardiff & Hereford. The provision of and west to east segregated active travel route as detailed on the submitted drawings is welcomed and will greatly improve the cycling and pedestrian links following the alteration to the means of access's and removal of the vehicular through route. The Council are actively promoting an extension of this link to the west at Pen Y Pound where it is hoped that a segregated active travel link can be provided from the school in a southerly direction to Old Hereford Road and the signal-controlled pedestrian crossing at the junction of Old Hereford Road/ Avenue Road/Pen Y Pound. It is also recommended that the signal-controlled crossing provision at the Old Hereford Road access is improved to provide signal-controlled crossings to both the north and south sides of the entrance with defined links from the school providing direct routes to the north and south on Old Hereford Road.

Means of Access:

The school operates with a one-way vehicular access system for general traffic, westbound in from Old Hereford Road and westbound out to Pen Y Pound. The school Bus service use the Pen Y Pound access in a two-way manner. The highway authority acknowledges that the current access route through the site is not practical and agree that the creation of two dedicated access points promotes dedicated safe access and traffic distribution.

Old Hereford Road - Parent Drop Off/Pick Up, Visitors and Leisure:

The application proposes the widening of the existing access to create two traffic providing access to the early start nursery, lower (primary) school, parent drop off/pickup, visitors, and leisure

centre. The highway authority recommend that the applicant considers the following to both enhance road safety by way of improving junction visibility, forward visibility on Old Hereford Road and pedestrian safety and connectivity as detailed earlier, the improvements recommended are:

- o The proposed junction shall be re-positioned by the narrowing of Old Herford Road thereby improving visibility and reducing the width of the road and the pedestrian crossings
- o The upgrading of the northern crossing by the introduction of a signal-controlled Toucan crossing.
- o The introduction of a signal-controlled Toucan crossing to the south of the junction.
- o The introduction of internal active travel links providing direct access to the crossing facilities.

Pen Y Pound - Staff Parking & School Bus Services:

The highway authority agree with the re-location of all staff car parking and school bus provision to the west of the site, the access and egress from this area of the school is proposed to be managed by the school by way of the introduction of a controlled barrier system that will be used to manage and control traffic movements to and from the site at peak times, thereby reducing the impact on the immediate local highway network, Pen Y Pound, Avenue Road and Old Hereford Road.

Traffic Distribution / Traffic Impact:

The traffic distribution and capacity assessment as detailed at section 8 of the Transport assessment is considered appropriate and the highway agree with the conclusions and mitigation subject to a response from the Welsh Government regarding the impact of the proposal on the A40, a trunk road that falls under their remit and control. The highway authority notes that three junctions have been identified that experience a degree of congestion and would offer the following comments and recommendations:

Old Hereford Road Access:

The highway authority agree that the junction can operate as an all-movement junction subject to the highway authorities recommended improvements as previously detailed (Means of Access) Pen Y Pound/Old Hereford Road/Avenue Road.

The existence of on street parking on Pen Y Pound is acknowledged as having a detrimental impact on the operational capacity of the junction particularly in the pm peak. The highway authority acknowledge that the proposed school traffic flows are significantly different than existing as the site no longer operates as a through route for all traffic, the proposed traffic volumes and the management thereof can be better managed. The highway authority has considered the suggested mitigation and control measures as detailed in sections 8.17.3 - 8.17.9 and would recommend:

The introduction of a single yellow time limited waiting traffic order on Pen Y Pound as opposed to a double yellow no waiting traffic order is considered a more appropriate mitigation.

The potential introduction of additional detector loops in Pen Y Pound to provide more capacity for traffic on Pen Y Pound to exit onto Old Hereford Road. The highway authority recommends further analysis to determine whether viable and not detrimental to the Pen Y Pound A40 junction capacity.

The development and introduction of a school traffic management plan that encompasses sections 8.17.7 - 8.17.9 and the introduction of controlled barrier system as detailed in section 5.2.5 to control and manage the departure of vehicles from the site.

A40/Pen Y Pound:

The highway authority acknowledges that the transport assessment has determined that the proposed school would have a marginal impact on the capacity of the junction and appreciate that the Welsh Government will be providing their own response regarding the impact the proposed school would have on this junction. Additionally, however, the highway authority would request that the applicant also considers the impact of the highway authorities' plans to provide an east bound bus stop on the A40 and relocate the signal-controlled pedestrian crossing. The highway authority and Welsh Government will arrange to make the plans available to the applicant

Internal Layout:

The highway authority offers no objection to the proposed internal layout and emphasises that the management of the site rests with the school and as mentioned throughout the submission and

the highway authority's response the school should develop a robust management plan to manage the access and egress arrangements for all modes of transport within the grounds of the school.

Car Parking and Home to School Transport Parking:

The application proposes the following car parking spaces.

Western Section - School Staff 187 & Home to School Bus Drop Off & Pick Up

Eastern Section - School Drop Off/Pick Up & Visitor 56

Leisure Centre 126

Total 182

Sub-Totals

School 243

Leisure Centre 126

Total: 369

The highway authority is comfortable that the level of parking accommodates the operational requirements for both the school and leisure centre. The highway authority acknowledge that currently 40% of pupils travel on foot and a further 40% travel by bus with only 20% of pupils travelling by car and that Deri View that will be transferring to the site is only approximately 500 metres away; it is expected that most pupils attending the school will arrive on foot with only a slight increase in the use of the car which can be readily accommodated at the Drop off/Pick Up area to the east of the site.

The segregation of an independent means of access for the school staff parking and school bus drop off/pick up is welcome, minimising the vehicular impact on Pen Y Pound and reduces the internal conflict of school bus transport and staff vehicles with those vehicles associated with parental pick up and drop off, visitors and the leisure centre.

Construction Traffic Management:

It is considered essential that a construction traffic management plan is submitted in support of the application that can be reviewed and approved prior to any planning approval. The redevelopment of the school is a major construction project that will have a significant impact on the immediate local network and the applicant will have to develop a plan that addresses the concerns of the highway authority in maintaining the safety of highway users as well as minimising disruption and congestion on the immediate highway network. The applicant should also consider the creation of traffic management group to manage and oversee the impact of the proposed development.

Off Site Improvements / Mitigation:

Generally, the highway authority would require that the developer / landowner enters into formal agreements under the Highways Act with the highway authority to carry out identified mitigation and highway improvements on the public highway. In this instance the applicant/landowner is Monmouthshire County Council, and such agreements cannot be entered into with oneself, it will therefore be necessary for the required improvements to be formally submitted and approved for consideration during the planning process and thereafter delivered in accordance with the highway authority requirements.

Highway Authority's Recommendations/Requirements:

Generally, the highway authority offers no objection to the proposal, the highway authority considers that subject to the recommendations and additional requirement as detailed in the response that the proposal is not considered to be detrimental to the safety and capacity of the immediate local network and does not conflict with local and national transport standards.

To recap the highway authority recommends and requires the following to be submitted for further consideration. The highway authority has informed the applicant's project team and held discussions with them and highlighted the highway authority's requirements as detailed in our formal response:

- Old Hereford Road - Parent Drop Off/Pick Up, Visitors and Leisure - The applicant shall submit a full suite of detailed design drawings including a stage 1/ safety audit for the amendment of the access to include the following

- The proposed junction shall be re-positioned by the narrowing of Old Herford Road thereby improving visibility and reducing the width of the road and the pedestrian crossings.
- The upgrading of the northern crossing by the introduction of a signal-controlled Toucan crossing.
- The introduction of a signal-controlled Toucan crossing to the south of the junction.
- The introduction of internal active travel links providing direct access to the crossing facilities.
- Pen Y Pound - Staff Parking & School Bus Services - The applicant shall submit a full suite of detailed design drawings including a stage 1/ safety audit for the amendment of the access onto Pen Y Pound
- Pen Y Pound/Old Hereford Road/Avenue Road - potential introduction of additional detector loops in Pen Y Pound to provide more capacity for traffic on Pen Y Pound to exit onto Old Hereford Road. The highway authority recommends further analysis to determine whether viable and not detrimental to the Pen Y Pound A40 junction capacity
- A40/Pen Y Pound - The highway authority would request that the applicant also considers the impact of the highway authorities' plans to provide an eastbound bus stop on the A40 and re-locate the signal-controlled pedestrian crossing. The applicant shall provide an addendum to the TA.
- School Traffic Management Plan
- The development and introduction of a school traffic management plan that demonstrates how the school will manage and control the day-to-day use of the internal parking provision ensuring that access and egress is controlled and minimises disruption.
- A Construction Traffic Management Plan (CTMP).

MCC Rights of Way - We have reviewed the above referenced planning application and there appear to be no recorded public rights of way within, adjacent to, or abutting the proposed development site. Therefore, there are no objections to the development at this stage.

MCC Lead Local Flood Authority - Aside from the small watercourse which runs through the site and some modelled surface water flooding caused by the existing buildings, the site is not in a location identified by NRW's flood maps as being at particular risk of flooding. Our own database of Land Drainage Investigations does not contain any entries of relevance to the development. As with any development on a hillside comprising soils of low permeability, design of buildings should take into account the possibility of shallow overland flows during periods of heavy rain. Design of buildings and their surrounds should allow such flows to pass around them rather than cause internal flooding.

It is likely that Ordinary Watercourse Consent will be required for works to the existing open watercourse and diversion of the upstream culverted section of watercourse.

MCC SAB - The site will require a sustainable drainage system (SuDS) designed in accordance with the Welsh Government's Standards. The applicant has already obtained pre-application advice from the SAB and we are generally content with the proposed surface water drainage scheme. It is likely that minor amendments will be required to achieve SAB approval. These will come to light as part of the SuDS approval process.

MCC Environmental Health - Should the Planning Authority consider it appropriate to grant planning approval prior to a contaminated land site investigation we would recommend that standard conditions (EH01 and EH03) be attached to ensure that the site is fully investigated and, if necessary, remediated to ensure the protection of public health.

If the development will have more than 1,000 m² of floor space or a site area greater than 1ha and create 10 or more parking spaces and/or a centralised energy facility or other centralised combustion process, an Air Quality Impact Assessment would be required if the development will have a change of LDV flows of more than 500 AADT, or a change of HDV of more 100 AADT. We would recommend that the cumulative impacts (for both air quality and traffic) from this development, along with any other large developments within the area are considered, including their impacts on local roads. Both construction phase and operational phase should be considered in the Air Quality Impact Assessment. Irrespective of whether an air quality

impact assessment is undertaken, and in addition to any specific issues or requirements that such an assessment might require, the development should be encouraged or required to adopt good design principals that reduce emissions and contribute to better air quality management.

MCC GI comments (incorporating comments on trees) – No objections subject to conditions.

The applicant has addressed the following points raised in the previous Landscape and GI response:-

1. The applicant has provided a baseline assessment of GI assets and opportunities and embedded within the GIMP including a comparison of post development overall GI improvements.
2. Within the GIMP the applicant has undertaken a broad pre and post development assessment as part of the GI analysis showing the proposed % increase in GI assets.
3. The applicant has provided a comprehensive GI management plan however the following areas need to be considered but can be conditioned if not provided prior to determination :-
 - a. There is no reference to the protection, management and long term aftercare prescriptions of the veteran oak tree or existing mature trees on site.
 - b. There is a change between the landscape and planting plans provided with the GIMP part site Fira 3001-3006 and those plans provided Fira 5001-5006. The plans 5001-5006 show :-
 - i. Provision of area above car park for PV panels. There is a proposed reduction in native species planting to the principal block of trees above the main car park with new planting concentrated in the western corner of the site. This does not enhance GI connectivity overall and needs to be revisited to ensure connectivity is improved as highlighted as a key GI theme in the GIMP
 - ii. There is no reference in the GIMP for management or mix of proposed grass areas under PV Panels and how this will be undertaken.
4. The applicant has considered succession planting within the proposals and aftercare as well as functional planting within the school setting.
5. The applicant has clarified the concerns related to glint and glare in connection with the LVIA
6. The applicant has provided a series of more detailed planting plans with schedules and aftercare prescriptions which are also included within the GIMP which is welcome plus an improvement with plan consistency.
7. Further clarity has been provided indicating points of access for aftercare of GI on Northern and Western boundaries, hedges and the description of the wildflower areas. It is suggested that trees such as oak, alder, beech and lime proposed on the western boundary are provided with adequate space to avoid impacting on highway and footway in the future.
8. It is noted that an alternative location near the car park has been indicated for new PV which is welcome.
9. The applicant has included fruit trees and pollinators within the planting schedules which are welcome

Trees

The applicant has responded in the Abergavenny 3-19 School:- Tree impact clarification document 27/05/2022 with regard to concerns raised by the councils tree and landscape and GI officers in connection to possible impacts on existing and proposed trees around the site including the veteran tree (T1)

T1 Oak, is a significant veteran tree currently surrounded by parking area. It is very likely that the root spread of this tree extends well beyond the nominal MINIMUM 15m root protection radius and concerns have been raised regarding the proposed layout which shows encroachment on all sides, including excavation works for new service runs and changes in levels. The applicant has updated plans for consistency which is welcome and appears to have clarified and addressed concerns. Opportunities to reduce impacts further during construction would be welcome

Summary

The proposed redevelopment of the existing King Henry VIII Secondary School Site, including construction of Abergavenny 3-19 School (Class D1) incorporating flying-start, nursery, lower school, upper school and 6th form educational provision; provision of open space including hard and soft informal social and play areas, multi-use games area, forest school areas, and sports pitch provision including grass / all-weather pitches; provision of plant building, highways, access, car parking, landscaping, green infrastructure, and drainage works; demolition of existing school buildings/structures; and all associated works may not from a landscape and GI perspective have a significant detrimental impact on the character and appearance of the wider valued landscape, Historic park and its setting and provisions of Planning Policy Wales (Edition 11) February 2021 and Policies S13, NE1 and LC5 of the Monmouthshire County Council Adopted Development Plan 2011-2021.

From a tree, landscape and GI perspective further clarification would be welcome with regard to:-

- GI planting to the north-western boundary plus any additional secure fencing proposed around PV area
- Updated GI management plan to include veteran tree management and areas of grassland beneath PV panels

Should the information not be provided prior to determination the information provision could be subject to a condition.

MCC Biodiversity - No objections subject to conditions.

We welcome the submission of the management plan, which includes precautionary measures to minimise impacts on biodiversity features within the site. The GIMP sets out suitable management schedules and responsibilities for the landscape contractor to undertake with regards to habitats and species that may be present on site. These include measures to maintain and enhance habitats including trees, woodland, hedgerows, shrubs, and grassland. These measures are deemed acceptable for the proposed development. The submitted planting plans and schedules for the development are deemed acceptable for the proposals. Precautionary working practices have been proposed with regard to protected and priority species including badger, nesting birds, bats, reptiles and amphibians, and hedgehog. The management plan includes maintenance measures to enhance habitats for these species to include removal of invasive species, monitoring of enhancement features and ecological surveys. The measures submitted are deemed suitable for the proposed development. Management and enhancement of the existing watercourse on site will also be undertaken in a sensitive manner to reduce impacts on wildlife that may be using the riparian corridor.

Bats: Emergence surveys confirmed the presence of soprano pipistrelle bats roosting in building B6 and a pipistrelle bat roosting within the veteran tree. The development will need to be subject to a licence from Natural Resources Wales before work can commence at the site. Mitigation for loss of bat roosting opportunities will include the integration of bat boxes to the fabric of the new buildings, and provision of tree mounted boxes on existing trees where suitable.

The development will need to be subject to a licence from Natural Resources Wales before work can commence at the site. NRW have been consulted on this application and responded on 13 January 2022, stating the below:

"We do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. We note and welcome the recommendation at paragraph 5.3 of the survey report, which states: Further survey is recommended to fully assess all affected trees for their suitability to support roosting bats. This should involve an initial ground-level inspection survey undertaken during the winter (before trees come into leaf). If any trees that proposed to be felled (or that may be indirectly affected because of felling) contain features suitable to support roosting bats, then these will require further survey during the active season for bats and following current best practice guidance to determine use."

Biodiversity Net Gain: Ecological enhancement measures shall include new native planting of trees and shrubs throughout the site, as well as creation of wildflower grassland areas, as detailed in the GIMP. Additionally, the ecology report states that provision of artificial ecological enhancements will include:

- 6 integrated bat boxes within the fabric of the new building;
- 6 tree-mounted woodstone bat boxes;
- 4 integrated Manthorpe type swift boxes for swift and house sparrow.
- 2 reptile hibernacula to be created within the site
- A cluster of 3 wet scrapes to be created in the south-western part of the site.

These enhancement measures are considered to be acceptable and proportionate for the development, installation methodology and locations of the features are provided in Figures 1 and 2 of the 'Artificial Wildlife Feature Plan – Abergavenny 3-19 School, by BSG Ecology, dated April 2022' document.

SEWBRc Search Results - No significant ecological record identified.

5.2 Neighbour Notification

Four representations received raising the following concerns:

Traffic

- * Pen y Pound is too narrow to allow large transport vehicles to pass each other in Pen y Pound near the junction with Avenue Road.
- * The footpaths, particularly on the west side of Pen Y Pound, are inadequate.
- * The junction at Pen y Pound/Avenue Road/old Hereford Road is "swamped" with traffic at the start and end of the school day.
- * Very strong possibility that Pen y Pound will be used by car owners carrying pupils to use Pen y Pound for transporting and dropping off children to and from school and using Pen y Pound Court to turn around. How will this be prevented?
- * The plans for the school will lead to a marked increase in traffic at school time. The Old Hereford Rd and Pen Y Pound already jammed at this time will become impassable leading to the creation of 'rat runs'.

Layout

- * The Lower school is surrounded by social areas of the upper school. No amount of screening will screen inappropriate language and conversations from the upper school, which young children shouldn't be exposed to.
- * The year 5 and 6 students are segregated from the rest of the school in 4 separate classes in the middle of the upper school. Concerns about the effect on wellbeing of this set up on the children who were separated, which would lead to the children feeling isolated, scared and cast adrift.

Residential Amenity

- * The position of the proposed school building is directly south
- * of 15 Wedgewood Gardens. The property is at a higher elevation than the school building and will be greatly affected as the rear garden and rear windows will be directly facing the proposed building.
- * Whilst we understand additional planting of trees has been proposed within the development we are concerned whether this alone is enough going forward.
- * Currently the new building will be somewhat screened by the trees and shrubbery in our garden. However, a significant proportion of this screening comprises of Ash trees. We are concerned whether the amount of additional trees within the development being planned will adequately replace the current mature trees if they need felling.

Environment.

- * The Council is aiming for carbon neutral but again should be aiming for carbon negative, the best possible environmental standard. This is a flagship building for the council therefore should be the most environmentally friendly building possible
- * The disruption caused during the construction period (and subsequently following completion of the building) will force current wildlife away from the existing open field site and action should be taken in accordance with the 'green infrastructure' philosophy to make the environment around our property suitable for any displaced wildlife.

Other

* Are adequate spaces being provided to cater for 10-15 years' time? The feeder schools are all very close to capacity at present and with so any new houses planned to be built has the building been future proofed?

5.3 Other Representations

Abergavenny & District Civic Society have provided the following observations:

- We agree that the benefits probably outweigh the environmental costs, especially if the educational advantages of the 3-19 vision in virtually a single building are accepted (on which we offer no opinion). The proposal takes the clearance of the existing school buildings for granted, where some might argue that upgrading and extensions would have been more sustainable, but we recognise that continuing to run a school during its extensive modernisation would be very difficult to manage.
- The present school is well-sited in the urban landscape, leaving an extensive green space to the west. The new building, artificial grass and fencing will greatly alter the appearance of that space. On the other hand, we recognise that the alternative might have been to provide the school and its sports facilities on a less central new site, leaving the present site vulnerable to housing development.
- The client's tight timetable has clearly not allowed the applicants to consider pre-app comments fully, leaving them for planning officers to consider when determining the application - undermining the purpose of pre-app community consultation.
- The Design Commission for Wales should be asked to review such an important proposal, though this should have been at an earlier stage.
- Virtual views from the approaches would have been useful.
- We are pleased that the Masterplan shows more tree planting and hope that the final landscape detailing plan will confirm that this is meaningful in GI terms.
- We regret that there will be no space for a running circuit, only a 100m track and a long-jump track, but that cricket nets have survived despite the absence of a pitch. Perhaps there is to be an arrangement with the nearby cricket club.
- We also note that the western car park will be within the security fence and that access will be controlled.
- Our overall impression of the new buildings is that they are acceptable in terms of a planning application, apart from some details, but they might be described as functional, with disparate elements and, disappointingly, having no special architectural quality.
- We note and accept the PAC response on traffic levels on the upper section of Pen y Pound. This focuses our attention on the need to get the design of the Old Hereford Road access right and our concern about the junction of Pen y Pound with the A40 remains, though we recognise that accidents appear to be (surprisingly) rare and that mitigation measures may be difficult. We note mention of upgrading the crossing to a toucan crossing but wonder if full traffic light control is necessary to ensure safe movement of both active travel traffic and the increased vehicular traffic accessing and leaving the site, as well as helping to enforce the 20 mph limit.
- We cannot accept that 'the high level of walking movement to/from the existing school provides for a reasonable level of provision.' This is not evidence that the provision is adequate or safe, only that it happens, and it refers only to walking - cycling is almost non-existent. Furthermore, younger children may be deterred from walking by conditions that are accepted by older pupils.
- Request that the name King Henry VIII is retained regardless of change in pupil ages.
- Abergavenny Transition Town (ATT) have provided the following observations:
 - Very poor PAC procedure.
 - Poor internal layout with no day light or views to the landscape from corridors. We would ask in the strongest terms possible that the active travel inadequacies so clearly being avoided myopically by only focussing within the site perimeter, should not be allowed to proceed unheeded, unplanned for and un-budgeted for.
 - On environmental building performance in the light of the Climate Emergency this project is not anywhere near the leading edge.

Abergavenny Cycle Group have provided the following observations:

1. While there is a shared use footway on one side of the Old Hereford Road, elsewhere there is a lack of dedicated space for cycling on routes leading to the school site.
2. Speeds on the roads around the school are high. The Transport Assessment notes that the 20mph zones on the roads adjacent to the school are widely ignored - 85% speeds are in excess of 30mph. Old Hereford Road in particular is wide and designed for speed. It takes a conscious decision for drivers to slow down to observe the 20mph speed limit. The evidence shows that too many drivers fail to slow down. The new 20mph limit for the whole town may improve this, but without any changes to the road itself, such as narrowing, or other calming measures, the fundamental design of the road will still encourage speeding.
3. The existing crossing point at the entrance to the school on Old Hereford Road is chaotic, crowded and has to be marshalled at the beginning and end of the school day to reduce the chance of collisions. The new school must do better here. It would be helpful if the likely directions of flow of walking and cycling pupils entering/leaving the 3-19 school could be mapped to assist prioritisation of on- and off-site improvements. Users of the active travel route should have priority over cars accessing the drop off facility where these two routes cross. This priority should be enforced through road markings as a minimum and preferably through a hard feature such as a table.
4. The footway on Pen y Pound - which will become one of the two main routes to the school is narrow (1m in places as acknowledged in para 2.3.5 of the Travel Plan). Motor traffic to and from the school will be higher on this road than at present, as the road will be the principal route to the school's main car park and bus drop-off point. We believe the volume of traffic will be too great for safe cycling. A path inside the school boundary, continuing via the football stadium car park and the MCC playing field to the traffic lights would remove this problem. We would like to see a new route made a condition for the granting of planning permission.
5. We welcome the new through route on the southern boundary of the site, subject to concerns about the crossing point on Old Hereford Road already referred to. The route must be funded as part of the school's capital budget as the present through route has become a de facto public route (the new route should be dedicated as a public right of way for cycling and walking).
6. Dangers are likely to arise from any conflict between construction traffic and learners walking and cycling to school; the improvements described above in points 4, and 5 above should be in place before construction starts.

Please note all representations can be read in full on the Council's website:

<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.0 EVALUATION

6.1 Principle of Development

6.1.1 The proposal is to improve education facilities within the community of Abergavenny as part of the 21st Century School projects - a long-term investment programme supported by the Welsh Government with the aim to create educational facilities fit for the 21st Century. Therefore, the principle of the proposal that would enhance / improve an existing school facility is fully supported under National Planning Policy in PPW 11 and Policy S5 of the adopted Local Development Plan (LDP) which supports developments that enhance community facilities and contribute to the resilience of communities and health, well-being and amenity of local populations.

6.1.2 Part of the site is located within an Area of Amenity Importance as defined under Policy DES2 of the LDP. Development proposals on areas of amenity importance will only be permitted if there is no unacceptable adverse effect on any of the following:

- a) the visual and environmental amenity of the area, including important strategic gaps, vistas, frontages and open spaces;
- b) the relationship of the area of amenity importance to adjacent or linked areas of green infrastructure in terms of its contribution to the character of the locality and / or its ability to relieve the monotony of the built form;

- c) the role of the area as a venue for formal and informal sport, general recreation and as community space, expressed in terms of actual usage and facilities available, as well as its relationship to general open space requirements as set out in policy CRF2;
- d) the cultural amenity of the area, including places and features of archaeological, historic, geological and landscape importance; and
- e) the nature conservation interest of the area, through damage to, or the loss of, important habitats or natural features (policy NE1 applies).

6.1.3 Visually the area will remain largely open with the proposed sports pitches retaining this character. Whilst the school building moves more centrally within the site, it does not occupy the core of the amenity area. The proposed buildings, which are of a similar height to the existing, also generally sit lower down the slope than the existing buildings. Landscaping in the north-west corner of the site will be retained (and enhanced where appropriate). The proposal is not considered to have a detrimental impact towards the relationship of the area of amenity importance to adjacent or linked areas of green infrastructure. This is because principally the area is retained as sport pitches and the relationship with the adjoining amenity area to the south is relatively unchanged. The proposal will provide enhanced sport facilities, particularly in terms of quality and variety of uses with the introduction of more all-weather surfaces, particularly across the wider site. It is the case that some existing trees within the site boundary will need to be removed as part of the proposed redevelopment, however, appropriate mitigation will be provided to compensate for this loss (including the planting of 263 native trees and 220 linear metres of native hedgerows).

6.1.4 Overall therefore, it is considered that the proposed development will not result in an unacceptable adverse effect on the amenity area and therefore complies with Policy DES2. Policy CRF1 of the LDP protects existing community facilities from change of or conversion to other uses. Given the nature of the proposal which provides a redevelopment of the existing school incorporating a primary element there is no loss of facility and overall the proposal will benefit the surrounding community with a modern school. The proposal does not result in the loss of the existing leisure centre and as such there is no loss of this facility. The proposal is therefore compliant with Policy CRF1.

6.1.5 Policy CRF3 of the LDP protects the loss of land and facilities with open space, recreational and allotment garden uses. The policy supports the redevelopment of such facilities where alternative provision of at least equivalent community benefit is made available in the locality by the developer on a site acceptable to the local planning authority. The existing school provides 69,385m² of open space (43,033 formal and 26,352 informal). The proposed scheme will provide 61,557m² of open space (43,770 formal and 17,787 informal). Whilst there is an overall loss in informal space for pupils to use there is an increase in formal sport pitch provision through the development of the 3G pitches, grass pitches and multi-use games area (MUGA). The proposal will provide a higher quality facility than the existing arrangement which provides mainly grass pitches. The 3G pitches are more versatile than grass pitches being less liable to waterlogging that would otherwise lead to events/ matches being postponed or the pitches' more general use being compromised. The minor loss in informal open space is therefore considered to be justified by providing better quality facilities than the existing.

6.2 Sustainability

6.2.1 Good Design

The existing site is currently run down in appearance and includes some poor quality structures which have a broadly negative influence on the surrounding landscape. The demolition of these buildings is therefore accepted.

The proposed new Lower School would sit lower in the site and be cut into an existing embankment; the Upper School would sit at a slightly higher level further to the north. This approach creates a cascading effect as the building forms step down the site from north to south. The stepping has created opportunities for roof terraces in the Lower School for secure external learn and play spaces.

The new main school entrance is located towards the east of the buildings, being designed to create a welcoming environment with views between the two buildings and through the site and the main school environment. The canopy provides shelter as well as a sense of arrival, and lighting in the soffit of this will illuminate the area outside of daylight hours.

A central 'Street' will link the main entrance to the east of the site with the entrance to the west, and will form the separation between the Upper and Lower Schools. This street will be the primary pedestrian thoroughfare through the site as well as provide spaces for external learn and play associated with the Lower School and recreation and external dining associated with the Upper School.

A limited palette of finishing materials for external walls is proposed as part of this application. The materials are intended to be employed on both the Upper and Lower School buildings to ensure a cohesive design, including buff brick, soft red brick, dark grey brick, dark grey aluminium cladding and mid or dark grey window frames.

The design of the proposed new building, although necessarily functional in appearance, will be a vast improvement on the existing school which has grown sporadically over time and does not have an obvious main entrance or legible layout, a characteristic that has now been addressed in the new school. The use of a single palette of materials across the site and cutting the building into the natural ground level will result in a form of development that will sit well within the wider landscape and would not adversely impact the character and appearance of the wider area. As such, the proposed development is considered to meet the requirements of LDP Policy DES1 which relates to good design.

Whilst it is appreciated that the development has not been appraised by the Design Commission for Wales (DCfW) as requested by the Town Council the architect who has designed the scheme does sit on the DCfW board. The proposed development is underpinned by specific design principles and the resultant scheme represents an educational facility that is of a high standard of design and harmonise with the surrounding context enhancing the visual appearance of the area.

6.2.2 Place Making

Placemaking considers the context, function and relationships between a development site and its wider surroundings. As stated above, visually the area will remain largely open with the proposed sports pitches retaining this character. Whilst the school building moves more centrally within the site, it does not occupy the core of the designated DES2 amenity area. The proposed buildings, which are of a similar height to the existing, also generally sit lower down the slope than the existing buildings. Landscaping in the north-west corner of the site will be retained (and enhanced where appropriate). As such, the proposal is not considered to have a detrimental impact upon the relationship of the site to adjacent or linked areas of green infrastructure and the wider area beyond. The overall scheme will present a considerable visual improvement to the wider character of the area, be a more cohesive design with better functioning spaces than the present arrangement and will provide a good sense of place to users of the site. This will also be the case in respect of the wider appreciation of the site and its surroundings from key views and vantage points in and close to the town. In accordance with the requirements of Planning Policy Wales ed11 the proposed development considers the context and functionality of the development within its surrounding and the school building and the site has been designed to ensure that it harmonises and enhances the area.

6.2.3 Green Infrastructure (GI)

The proposals include the creation of areas of open space across the site including hard and soft informal social and play areas, multi-use games area, forest school areas for both lower and upper phases, and sports pitch provision (including all weather pitches). In addition, the proposals include a comprehensive landscaping scheme, including retention of Green Infrastructure and additional tree planting and biodiversity enhancement; and the implementation of a SuDS compliant drainage strategy. The applicant has provided a baseline assessment of GI assets and opportunities and

embedded within the Green Infrastructure Management Plan (GIMP) including a comparison of post development overall GI improvements. Within the GIMP the applicant has undertaken a broad pre and post development assessment as part of the GI analysis showing the proposed percentage increase in GI assets.

Where trees are affected, appropriate mitigation measures will be incorporated and will be included in the landscape / ecology / GI management plan. It is noted that the submission has also included a Tree Retention/Removal Plan, Plan of retained trees and their root protection areas (RPAs) and an Arboricultural Impact Assessment which is welcomed.

Of note is a veteran Oak Tree (labelled as T1 in the Tree Survey submitted with the application). This tree is of high biodiversity and amenity value and it was therefore considered to be important that this tree was retained as part of the scheme. The oak tree is currently located within a tarmac car park area and within a circular raised mound with surrounding kerb stones at 3 metres radius around the tree. Located within this mound is compacted soil with areas of exposed roots, some of which have a damaged surface from foot fall. A tree protection plan (TPP) has been provided to illustrate the proposed development design around the tree and methods required to ensure the protection of the tree during construction work. As it is a veteran tree, any changes in surrounding ground condition need to be managed to ensure this is minimal. The 15m Root Protection Area (RPA) as shown on the TPP is currently surrounded by mostly non-porous tarmac (88% of total RPA). Therefore, this gives an opportunity within the construction of the design to improve this rooting area. The proposed design offers an area of 720m² where existing tarmac can be removed, and underlying ground conditions be improved (amelioration of soil) for the benefit of the future health of the tree. The construction of the proposed courtyard area will then be created using a no dig cellular confinement system with a permeable surface finish. This approach will provide a betterment to the rooting environment around this tree and likely ensure that it can be successfully and safely incorporated into the design. It is also worth noting that radar surveys in the vicinity of the tree have verified the likelihood of reduced roots to the east, where the greatest proposed encroachment into the RPA occurs. This most likely occurred during the installation of an existing drain which is to be abandoned as part of this project. A proposed retaining wall is placed where it is, to maintain fire tender access to meet Building Regulations. However to reduce any impact on the tree proposed services would be situated outside the 15m RPA.

The Council's Landscape Officer stated in their response that opportunities to reduce impacts further during construction would be welcomed and it is therefore suggested that an Arboricultural Method Statement detailing construction works around the oak tree should be submitted and approved prior to any works within a 15m radius of the tree in accordance with the British Standard 5837:2012 . The proposed design retains the veteran tree in the overall scheme and the construction method statement would seek to ensure that the development process does not have an adverse impact on this veteran tree. Overall the proposed development seeks to enhance green infrastructure assets within the site by protecting and preserving as many of the trees as possible and the planting of 263 native trees, the planting of 220 linear metres of native hedgerows, the provision of sustainable drainage, with appropriately seeded swales to allow establishment of a diverse flora and the seeding of 6,039 sq. metres wildflower grass mixtures and implementation of a low intensity cutting regime where disturbance footfall will be lowest.

From a GI perspective, subject to compliance with the aforementioned plans and reports, the proposed redevelopment of the existing King Henry VIII Secondary School site and all associated works will not have a significant detrimental impact on the character and appearance of the wider valued landscape, Historic park and its setting or the provisions of Planning Policy Wales (Edition 11) and policies S13,G11, NE1 and LC5 of the LDP.

6.2.4 Energy

Welsh Government PPW11 recognises an energy hierarchy. The Welsh Government expects all new development to mitigate the causes of climate change in accordance with the energy

hierarchy for planning. Reducing energy demand and increasing energy efficiency, through the location and design of new development, will assist in meeting energy demand with renewable and low carbon sources.

Policy SD3 of the LDP provides that Proposals for low carbon design solutions in new buildings will be permitted in accordance with the energy hierarchy of reducing energy demand through passive design, promoting energy efficiency through use of appropriate building fabric and inclusion of renewable or low carbon energy generation technologies. All new development proposals will be required to incorporate efficient resource use during construction, operation and maintenance.

The proposed Abergavenny 3-19 School has been designed as a Net Zero Carbon (NZC) Operational Energy School i.e. all energy used during the operation of the building will be offset by on-site renewable energy technology, such as PV arrays and Air Source Heat Pumps. To achieve this in practice there is a focus on reducing energy demand associated with space heating through enhanced building fabric performance, and optimisation of glazing design and orientation which has been incorporated into the design of the proposed new school. Although higher energy efficiency such as 'Passivhaus' standards as suggested by third parties would be welcome the proposals would result in the development meeting the Welsh Government strategy for public sector buildings being carbon neutral by 2030. The Net Zero Carbon development will be a significant enhancement on the sustainability of the existing structures and meets the requirements of both national and local policy.

6.3 Landscape

6.3.1 In considering the impact of the development on the character and appearance of the surrounding area it is important review the existing context. A Landscape and Visual Appraisal has been prepared by the applicant's consultants and includes an Environmental Colour Assessment as an appendix.

6.3.2 The existing site character is formed by the existing secondary school comprising a collection of buildings and sports pitches, along with car parking areas and a leisure centre. The buildings are generally considered of little architectural merit and do not form a particular function within this townscape. There are some attractive mature trees on the site itself, and some tree groups which make a positive contribution to the surrounding townscape character, although none of these are covered by a Tree Preservation Order (TPO). The ground which forms the site is sloping as it lies on the northern hillsides of the town, however, it has been terraced in the past to allow the construction of buildings and sports pitches so that little of its original landform is perceptible.

6.3.3 Whilst it is conceded that during construction and demolition there would be some disruption to the views of visual receptors and landscape character, the construction period would be temporary and short term in nature. After which time, given the existing views towards the Site, character and components of the existing Site, and its location within the town, effects are considered relatively modest, with no effects greater than minor anticipated. In some cases, effects have been considered beneficial in nature, as a result of the removal of the existing unattractive school buildings and the introduction of the colour strategy and new green infrastructure.

6.3.4 The proposal is therefore considered to be compliant with national planning policy including Future Wales and PPW11 alongside local planning policies DES1 (General Design Considerations), LC5 (Protection and Enhancement of Landscape Character), S13 (Landscape, Green Infrastructure and the Natural Environment) and S17 (Place Making and Design).

6.4 Historic Environment

6.4.1 The western part of the site is identified as being within a significant view of The Hill Historic Park and Garden (RPG). In the Archaeological and Heritage Assessment submitted by the

applicant as part of the application, the site as it currently exists is assessed as making a 'small' contribution to the significance of The Hill Grade II RPG; despite the west end falling within its essential setting; and a 'negligible' contribution to the significance of the overlapping Abergavenny Conservation Area, which covers an extensive area that extends to the south. The proposed development is assessed as giving rise to a 'loss' of significance from both The Hill RPG and the Abergavenny Conservation Area. This equates to a negative effect and a degree of harm. The 'harm to the RPG would be 'small' and (in the case of the conservation area) it would be de minimis because the existing complex of buildings makes a negligible contribution to its significance, as it represents a large, extensive and diverse asset. These limited impacts on designated historic assets are considered to be acceptable given the positive contribution the new school will have from an educational point of view. The proposal will provide a redevelopment of the school and associated grounds and overall is considered to be a substantial improvement to the site and area with a more contemporary development that better fits the site and area.

6.4.2 Information in the Historic Environment Record indicates that there are no known archaeological sites within the proposed development area. However, there is substantial evidence of archaeological activity in the vicinity including the Roman fort and medieval town to the south. The Roman road from Brecon to Caerleon (RR62a) is located to the south-west. Two Cemetery Chapels (Non-conformist and Church of England) are located to the south-east and while they are adjacent, historic Ordnance Survey mapping suggests they do not extend into the development area. Overall, whilst it is unlikely that nationally significant remains are present, particularly due to the adverse effect of previous construction activities, there remains the possibility of encountering archaeological material of lesser importance during the proposed works. Nevertheless, the applicant has prepared a written scheme of archaeological investigation. The programme of work takes the form of a targeted watching brief during the groundworks required for the development, focussing on works outside of the existing structures, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded. The applicant has submitted a detailed method statement to ensure that the construction is conducted sensitively and compliance with this method statement is a proposed condition.

6.5 Biodiversity

6.5.1 A number of trees within the site will be removed as part of the proposals, although the veteran oak referred to above, will be retained. The loss of these trees will result in an adverse effect on the biodiversity of the site. The losses will be compensated through new tree planting throughout the site. A total of 293 native trees will be planted to compensate for the removal of 56 semi-mature trees.

Method statements will be produced in order to minimise impacts on priority species including nesting birds, reptiles and common species of amphibians, hedgehog and polecat. Additionally, a Construction Environmental Management Plan (CEMP) has been submitted which includes controls to prevent pollution.

6.5.2 Mitigation for loss of bat roosting opportunities will include the integration of bat boxes to the fabric of the new buildings, and provision of tree mounted boxes on existing trees where suitable. A sensitive lighting plan has also been designed in order to minimise impacts on foraging and commuting bats and reduce light spill onto boundary habitats such as scrub and woodland.

6.5.3 In consideration of this application, as a European Protected Species (bats) will be affected by the development, it has been established that a derogation licence from Natural Resources Wales will be required to implement the consent. Monmouthshire County Council as Local Planning Authority is required to have regard to the Conservation of Species & Habitat Regulations 2010 (as amended) and to the fact that derogations are only allowed where the three tests set out in Article 16 of the Habitats Directive are met. The three tests have been considered in consultation with NRW / Council Biodiversity and Ecology Officers as follows:

- (i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

The replacement of the existing poor quality school building will significantly improve the learning experience for pupils.

- (ii) There is no satisfactory alternative

The application is necessarily site specific. The retention and improvement of the existing buildings would not result in a school that meets the requirements of the Council's 21st Century Schools programme.

- (iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

NRW have confirmed that they do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

6.5.4 Planning Policy Wales (PPW) 11 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 11 respond to the Section 6 Duty of the Environment (Wales) Act 2016. The PEA report includes details of proposed enhancement measures to include planting of 293 native trees, 465m of linear native hedgerows, provision of sustainable drainage, seeding of 7674 sq metres of wildflower grass areas with a low intensity cutting regime. Details of the proposed planting is illustrated on drawing no. 26Z007-FIR-00-ZZ-DR-L-XX-0007 rev.5 by Fira, dated 02/02/2021.

6.5.5 An external inspection of buildings to assess their suitability to support roosting bats or nesting birds was undertaken by Just Mammals Consultancy on 15 February 2021. Single dusk emergence surveys were undertaken for buildings and trees assessed as having low potential for roosting bats. Two dusk emergence surveys were undertaken on one building (B6) and the veteran tree identified as having moderate potential for roosting bats. Ecological enhancement measures will include new native planting of trees and shrubs throughout the site, as well as creation of wildflower grassland areas, as detailed in the GI Management Plan. Additionally, the ecology report states that provision of artificial ecological enhancements will include:

- 6 integrated bat boxes within the fabric of the new building;
- 6 tree-mounted woodstone bat boxes;
- 4 integrated Manthorpe type swift boxes for swift and house sparrow.
- 2 reptile hibernacula to be created within the site
- A cluster of 3 wet scrapes to be created in the south-western part of the site.

These enhancement measures are considered to be acceptable and proportionate for the development. Installation methodology and locations of the features are provided in Figures 1 and 2 of the 'Artificial Wildlife Feature Plan – Abergavenny 3-19 School, by BSG Ecology, dated April 2022'. The installation and continued retention of these measures should be conditioned provided Members are minded to approve the application. On this basis the requirements of LDP Policy NE1 are considered to have been met.

6.6 Impact on Amenity

6.6.1 The nearest residential properties to the existing site are located to the northern boundary and comprises the rear curtilage of dwellings that front Underhill Crescent. Residential properties to the east are separated by Old Hereford Road, to the north-west by Hillside and to the west by Pen Y Pound. There is only a short section of the eastern site boundary that would be visible from Old Hereford Road, mainly the existing site access. Dwellings at Old Hereford Road typically do not have a significant outlook onto the site. The residential amenity of these dwellings will therefore be subject to negligible impact from the proposal. This is similar for the dwellings to the north-west and west at Hillside, Wedgewood Gardens and Pen Y Pound which currently benefit

from a better outlook onto the site over the existing sports pitches and school grounds generally. The visual relationship will be similar to the existing as the proposal comprises sports pitches and whilst the school building will move more westerly this will not be of detriment to properties due to there being a distance of over 50m between these properties and the boundary of the site. Planting of many new extra heavy standard trees is also proposed along the northern boundary to enhance the existing tree screen.

6.6.2 For the properties that are most easterly and that benefit from screening by existing trees and shrubs, their view will largely remain unchanged as although some tree loss is proposed in this area it is proposed to retain and enhance much of the planting along the northern boundary. Visually the proposal is considered to be of benefit to other properties which currently look upon the school building that is not particularly aesthetically pleasing. The view will be opened up for properties with a longer outlook which is considered to be a positive change.

6.6.3 The movement of sports and games pitches closer to this boundary will alter the relationship for the existing properties as there is a level of noise generation associated with their use.

6.6.4 The lighting plan submitted as part of the application shows that the proposed hockey pitch includes flood lighting. The area to the north of the pitch is most heavily wooded at present, providing a strong level of screening northwards. The flood lighting will therefore not be highly visible to properties at Underhill Crescent.

6.6.5 To the south-western area of the site the change between the existing and proposed relationship will be negligible. The existing site comprises sports pitches with the same use proposed. The proposed all weather pitches comprise flood lighting. As the flood lighting is a significant distance away from nearby receptors along with being temporary in use, the impact is considered to be acceptable.

6.6.6 A Noise Survey has been submitted in support of the Planning Application. The Noise Survey summarises the results of a baseline noise survey at the site and an assessment of potential noise impacts arising from the proposed development. The survey has identified that the existing soundscape at the site is generally very quiet. There are no significantly noisy roads in proximity to the site, no significant plant noise sources on nearby buildings and no other dominant noise sources affected the measurements.

6.6.10 The existing site is located in a predominantly residential area and is not affected by any significant noise sources. The ambient noise level measurements results were 42 to 43 dBLAeq across the site. The ambient noise levels are fairly low and would be supportive of a natural ventilation strategy for all types of classroom and in all locations across the site. No additional glazing, façade or roof acoustic upgrades are required in order to control environmental noise break-in to the proposed school.

6.6.11 The proposal will not therefore harm local residential amenity and is considered to be compliant with national policy and LDP Policy EP1.

6.7 Highways

6.7.1 Sustainable Transport Hierarchy

The site is located within the town of Abergavenny which benefits from good public transport links including buses and a main line railway station. It is also within walking and/or cycling distance for a large population. On this basis it is considered to be sustainable in terms of transport.

6.7.2 Access / Highway Safety

Generally, the existing school operates reasonably well from a transport and access perspective utilising a shared means of access with the Leisure Centre. Access to the site is via a one-way access directly off Old Hereford egressing the site on Pen Y Pound via a one-way system. The site currently accommodates circa 159 parking spaces of which 70 are set aside for the use of the

Leisure Centre and 89 for staff and visitors to the school. The site currently has no defined parent pupil vehicular drop off provision. The site currently accommodates parking for around 11 home to school transport providers, 3 coaches and 8 or so minibuses.

The site has reasonable walking and cycling provision with access to the North and East of the site via a signal-controlled crossing facility on Old Hereford Road and access to the South via Pen Y Pound that is accessed via a signal-controlled crossing facility at the junction of Pen Y Pound / Old Hereford Road / Avenue Road. Footway provision on Old Hereford Road is good providing access to residential area to the north, west and the town centre to the south, the existing footway provision on Pen Y Pound is not considered the most robust and is generally below current active travel design standards although providing access to the residential network of footway to the south and east of the school. The site is located within walking and cycling distance for many of the residential areas of the town and town centre.

The proposed new site will benefit from dual entrances. To the east from Old Hereford Road and to the west from Pen Y Pound Road. Both site entrances will accommodate vehicular and pedestrian access and egress. The Old Hereford Road entrance will also provide vehicular and pedestrian access and egress for the retained Leisure Centre. The new site arrangement will no longer provide a route through the school linking Old Hereford and Pen Y Pound Road.

A new cycle and pedestrian route has been created along the southern boundary of the site, outside of the secure fence line of the school, which will link Old Hereford Road and Pen Y Pound Road.

There are five entrances through the secure perimeter and into the school premises. Two pedestrian and cycle entrances to the east of the site and two pedestrian and cycle entrances to the west. The fifth entrance to the east is a service entrance only. Whilst general vehicular access is not permitted beyond the secure perimeter of the school, access for emergency vehicles has been allowed for up to the primary entrances into the school buildings and to the sports pitches. Once within the secure perimeter of the school, pupils and staff can access all buildings and the external curriculum sports areas, without needing to compromise the secure perimeter.

In terms of Active Travel, the proposal incorporates an east-west active travel shared-use footpath along the southern boundary of the site. This provides essential connectivity. This route needs to be provided prior to the existing route through the site being closed to facilitate the development and needs to remain open for use throughout the development to ensure students can access the operational school buildings at each stage of the construction programme. The route provides a valuable east-west link for the wider community and is referenced as a priority route in the Active Travel Network Maps. A consultant is working on different options for improved school access for pedestrians and cyclists using Pen-y-Pound: this will be delivered alongside the school redevelopment but falls outside the scope of the planning application. Members, however, can be reassured that improvements are proposed.

A stage 1 / 2 road safety audit as requested by Highways has not yet been submitted, however this is not a pre-requisite for the planning process, being a highway requirement so it would be a matter to be addressed following determination of the application.

It is noted that the Council's Highway Authority agrees with the conclusions of the traffic assessments provided and following improvements to both entrances there is no reason to refuse the application on highway safety grounds.

6.7.3 Parking

Vehicular parking is provided adjacent to both of the site entrances and kept at the periphery of the site. These areas are outside of the secure fence line of the school and include for bus drop-off and domestic vehicle drop-off. Cycle parking is accessed from the entrances but is located within the secure perimeter of the site.

6.8 Flooding

6.8.1 A small section of the south-western corner is located within flood zone C2. The area as existing comprises a less vulnerable use. The proposed use in this location is grassed amenity space and a very short section of sports pitches. These are also classed as less vulnerable uses under TAN15. As such there is no change in circumstance with regard to flood risk.

6.9 Drainage

6.9 1 Foul Drainage

Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site previously (designated pursuant to EU retained law) the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new phosphate standards for the river Special Areas of Conservation (SACs) in Wales. Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.

The principal source of phosphate generation in this context is from flow rate at connection to the foul drainage network and subsequent discharge of treated effluent to the Usk. The Llanfoist Wastewater Treatment Works does not currently have any facility for phosphate removal. The installation of such technology is intended; however timescales are not yet fixed.

The foul discharge rate and therefore phosphate generation will be a function of school population. In the short term, population of the Abergavenny schools will be redistributed from three sites to two all of which are in the same foul drainage network catchment. 3.2 Currently, 66% of pupil population live within 2 miles of the school. This would place them within the catchment of the same foul drainage network. As such this portion of population is already counted and based within the Usk catchment regardless of the school development.

The proposed new school development will include significantly more efficient foul appliances with 4.5 litre WC flushes compared to the existing schools which would be 7.5 litre flushes. Wash hand basin and shower outlets would also be fitted with flow restriction and sensors. A reduction in water usage of 40% is predicted for the same population. Phosphorous loading from surface water runoff for the new development is intended to be mitigated, by the use of a SuDS train comprising permeable paving and open water storage

The application has been screened in accordance with Natural Resources Wales draft interim advice for planning applications (version 3) within the river SAC catchments (issued on 24th April 2022). This version is not yet adopted by NRW at this point, however NRW have outlined within their correspondence of 19th May 2022 outlining the following:

'We consider that if a development can be shown to serve a local population that has already been accounted for in terms of wastewater discharge within a SAC catchment, then it is reasonable to conclude there is unlikely to be additional nutrient discharges from the development site. This is sometimes referred to as additionality, which seeks to avoid 'double counting' of nutrient discharges. It is for the competent authority to apply this approach if considered appropriate. You must be satisfied, based on the application details, that any impacts from the proposal would not undermine the ability for the SAC to meet its conservation objectives.'

The Local Planning Authority consider that this development is unlikely to increase phosphate inputs as it falls within the following criterion in the advice:

- *developments intended to provide services or facilities for a local population already served by residential connections to existing public or private sewers discharging within the catchment of a river SAC, e.g., community buildings, schools etc.*

On this basis no additional waste water will be entering the Phosphorous Sensitive Catchment Area as a result of this redevelopment of the school as the catchment of the existing schools is already resulting in discharge within the Usk Catchment. Any residential growth within the school catchment that would result in additional pupils at the school would be required to be in accordance with NRW's planning guidance and a solution to mitigate phosphate output would need to be secured for this residential growth to occur. In addition the school development will include significantly more efficient foul appliances that will be a betterment on the existing arrangement. The proposed development would not have an unacceptable impact on the level of phosphate within the river SAC and its impact is screened out in accordance with the NRW draft guidance and as outlined within their correspondence of 19th May 2022.

6.9.2 Surface Water Drainage

Surface water drainage design has been carried out in accordance with Welsh Government Statutory Standards for Sustainable Drainage and the Ciria SuDS Manual C753. The surface water drainage arrangement will be subject to a SuDS application to be considered and approved by Monmouthshire County Council as the SuDS Approving Body (SAB).

6.9.3 Contamination and Air Quality

Environmental Health's response on contamination recommends "a Site Investigation/Risk Assessment procedure be undertaken in accordance with CLR11 'Model Procedures for the Management of Land Contamination'". However, this has already been undertaken within Terra Firma's preliminary geo-environmental assessment and geotechnical investigation of the site (March 2020 – as submitted on the Planning Portal in sections due to file size and provided in full/high spec version on USB). The Terra Firma report specifically refers to the 'Model Procedures for the Management of Land Contamination –Contamination Land Report 11'. Part (a) of the recommended condition EH01 has therefore been satisfied, and likely mitigation and remedial measures suitable for the identified contamination are set out at Section 7 of the report (with a Remediation Strategy Report and Validation Report to follow).

The Environmental Health response on air quality suggested that an Air Quality Impact Assessment could be undertaken. However, in light of the baseline position, it is not considered that the redevelopment of the site will bring about any impact in relation to air quality on the site and in the surrounding area. There will be no discernible increase in total traffic movements on the local highway network, and as such, no overall increase in air pollution. Furthermore, the increased focus on active travel within the local area (and drive to increase trips to school by sustainable modes of transport) will result in a decrease in air pollution in the long term. In addition, potential air quality impacts arising as a result of demolition and construction activities will be short term and temporary and can be minimised through the adoption and implementation of good construction practices (as set out in the CEMP).

6.10 Response to the Town Council/ Third Parties

6.10.1 The concerns raised by the Town Council and other third parties in relation to residential amenity, environmental sustainability, wildlife and highways/active travel have been addressed in the previous sections of this report.

6.11 Well-Being of Future Generations (Wales) Act 2015

6.11.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable

development principle through its contribution towards one or more of the Welsh Ministers' wellbeing objectives set out in section 8 of the WBFG Act.

6.12 Conclusion

6.12.1 The proposed demolition of the existing school buildings and provision of a new 3 -19 school at the site is considered to meet the requirements of both National and local planning policy and would substantially improve the design quality of buildings on site and would create a high quality place.

6.12.2 The development will not harm local residential or visual amenity or adversely affect highway safety and the River Usk SAC.

7.0 RECOMMENDATION: APPROVE

Conditions:

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 The development shall be carried out in strict accordance with Section 5 (Potential Impacts and Recommendations) of the approved 'Abergavenny 3-19 School - Ecological Appraisal Report - by BSG Ecology dated 07 February 20221' report.

Reason: To ensure safeguards for species of principle importance for conservation and to ensure compliance with LDP policy NE1.

4 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be installed on the building or in the curtilage until an appropriate lighting plan which includes low level PIR lighting, provides detail of lighting type, positioning and specification, and ensures that roosting and foraging/commuting habitat for bats is protected from light spill, has been agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with any approved lighting design.

Reason: To safeguard foraging/commuting habitat of Species of Conservation Concern in accordance with Section 6 of the Environment Act (Wales) 2016 and LDP policies EP3 and NE1.

5 An updated Green Infrastructure Management Plan shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. The content of the Management Plan shall include the following;

- a) Description and evaluation of Green Infrastructure assets to be identified, protected and managed in the GI management plan.
 - a. Trees, Grassland, Shrubs, understorey and hedgerows inclusive of strategic planting to compensate for loss
 - b. Green corridors
 - c. SUDs, Water bodies
 - d. Veteran trees
- b) Opportunities for enhancement to be incorporated

- a. Management of Grassland for botanical species diversity and / or protected species including reptiles
- b. Management of tree, understorey and hedge buffer strips to increase and maintain diversity, connectivity and screening
- c. Maintain GI and habitat connectivity through and or around the perimeter of the site for species
- c) Trends and constraints on site that might influence management of above features.
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions inclusive of landscaping, landscape planting and SUDS.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a twenty-year period).
- h) Details of the body or organization responsible for implementation of the plan.
- i) Ongoing monitoring and remedial measures.

The Management Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery as appropriate. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Green Infrastructure Management Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning Green Infrastructure objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: To maintain and enhance Green Infrastructure Assets in accordance with LDP policies, DES1, S13, GI1, NE1, EP1 and SD4. (Legislative background – Well Being of Future Generations Act 2015, Planning (Wales) Act 2015 Environment (Wales) Act 2016)

- 6 The 'Artificial Wildlife Feature Plan – Abergavenny 3-19 School, by BSG Ecology, dated April 2022' document which illustrates the design and location of bat and bird box provision as well as hibernacula and wet scarps for amphibians and reptiles shall be implemented in full and shall be retained as such in perpetuity. Evidence of compliance with the plan in the form of georeferenced photographs must be provided to the LPA no more than three months later than the first beneficial use of the development.

REASON: To provide biodiversity net benefit and ensure compliance with PPW 11, the Environment (Wales) Act 2016 and LDP policy NE1.

- 7 No part of the development hereby permitted shall be occupied until:
- a) Following remediation a Completion/Validation Report, confirming any required remediation has been carried out in accordance with the approved details, shall be submitted to, and approved in writing by, the Local Planning Authority.
 - b) Any additional or unforeseen contamination encountered during the development shall be notified to the Local Planning Authority as soon as is practicable. Suitable revision of the remediation strategy shall be submitted to and approved in writing by the Local Planning Authority and the revised strategy shall be fully implemented prior to further works continuing.

REASON: To ensure that any potential risks to human health or the wider environment which may arise as a result of potential land contamination are satisfactorily addressed.

- 8 During demolition and construction:
- a) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.

- No fires shall be lit within 15 metres of the nearest point of the canopy of any retained tree.
 - No equipment, machinery or structure shall be attached to or supported by a retained tree.
 - No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.
 - No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.
- b) The implemented TRPP shall be maintained in its entirety, and the monitoring and reporting programme approved under part d) of the previous condition undertaken, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from site.

REASON: In order to protect and conserve the retained tree stock across the site, and in order that the local authority has an opportunity to ensure that the tree protection has been adequately established in accordance with the tree protection plans.

- 9 All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

REASON: In the interests of visual and landscape amenity; in accordance with Policies DES1, LC1 AND LC5 of the Local Development Plan

- 10 Prior to PV installation north of the main car park, soft landscape details for landscaping to include planting plan, specifications including species, size, density, number and location, cultivation and other operations associated with planting and seeding establishment, inclusive of rain gardens and SuDS green engineering, shall be submitted to and approved by the Local Planning Authority. The landscaping shall be carried out in accordance with condition 10 above.

REASON: In the interests of visual and landscape amenity; in accordance with Policies DES1, LC1 and LC5 of the Local Development Plan

- 11 No demolition or construction shall take place within 15m of the Veteran Oak tree (referred to as T1) until a full and detailed Arboricultural Method Statement is submitted and agreed in writing with the Local Planning Authority. The development shall be constructed strictly in accordance with the approved method statement.

REASON: In order to protect and conserve the Veteran Oak tree, and in order that the local authority has an opportunity to ensure that the tree protection has been adequately established in accordance with the tree protection plans.

- 12 Construction of the development hereby approved shall be in strict accordance with the Construction Traffic Management Plan by Morgan Sindall dated 28/4/22.

REASON: In the interests of highway safety and to ensure compliance with LDP Policy MV1.

13. Construction of the development hereby approved shall be in strict accordance with the Archaeological Watching Brief Method Statement prepared for Morgan Sindall Construction & Infrastructure Ltd by Black Mountain Archaeology Report No 255 dated 24th May 2022.

REASON: In the interests of preserving the historic environment in accordance with Policy HE1 of the LDP.

INFORMATIVES

1 The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

2 Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protectedspecies/?lang=en>

3 All birds are protected by the Wildlife and Countryside Act 1981. The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most birds is between March and September.