

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **12<sup>th</sup> JANUARY 2022**

**REPORT BY:** **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

**SUBJECT:** **FULL APPLICATION- DEMOLITION OF THE EXISTING ARGOED HIGH SCHOOL BUILDINGS AND PROVISION OF A NEW SCHOOL CAMPUS INCLUDING NURSERY, PRIMARY AND SECONDARY SCHOOL PROVISION AND ASSOCIATED SCHOOL SPORTS FACILITIES AND ASSOCIATED INFRASTRUCTURE.**

**APPLICATION NUMBER:** **063496**

**APPLICANT:** **WEPCO LIMITED AND FLINTSHIRE COUNTY COUNCIL**

**SITE:** **ARGOED HIGH SCHOOL, BRYN ROAD, BRYN Y BAAL**

**APPLICATION VALID DATE:** **7<sup>th</sup> SEPTEMBER 2021**

**LOCAL MEMBERS:** **COUNCILLOR H MCGUILL**  
**COUNCILLOR M EASTWOOD**

**TOWN/COMMUNITY COUNCIL:** **ARGOED COMMUNITY COUNCIL**

**REASON FOR COMMITTEE:** **THE PROPOSAL IS OUTSIDE THE SCOPE OF THE SCHEME OF DELEGATION**

**SITE VISIT:** **NO**

**1.00 SUMMARY**

1.01 This is a full planning application for demolition of the existing Argoed High School buildings and provision of a new Net Zero Carbon in operation school campus including nursery, primary and secondary school provision and associated school sports facilities, vehicular, pedestrian and cycle accesses, car and cycle parking, landscaping, Sustainable Urban Drainage system and associated infrastructure at Argoed High School, Bryn Road, Bryn y Baal.

**2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-**

- 2.01
1. Time Limit
  2. In accordance with approved plans
  3. External materials
  4. Noise cancelling fence details
  5. Landscaping and planting details
  6. Landscaping implementation
  7. Hours of use sports facilities (as per application forms)
  8. Site access layout details and formation
  9. Parking and turning facilities
  10. Bicycle storage facilities
  11. Positive means to prevent the run-off of surface water from any part of the site onto the highway
  12. Construction Traffic Management Plan
  13. A Full Travel Plan and Transport Implementation Strategy (TIS)
  14. Memorandum of Understanding on the Mynydd Isa Campus in consultation with Welsh Government
  15. Biosecurity Risk Assessment
  16. Details of a scheme to either protect the structural condition or divert the strategic water mains crossing the site
  17. Public sewerage system connection
  18. Coal Mining legacy investigations
  19. Ground stability report

**3.00 CONSULTATIONS**

- 3.01 Local Members:  
Councillor Mrs H McGuill  
No response at time of writing

Councillor Mrs M Eastwood

I wish to express my full support, given the level of investment this represents for our community and the consideration that has been given to consultation feedback from the residents.

Argoed Community Council

Argoed Community Council is in full support of this proposal, subject to a concern about the drains and sewers. The concern relates to the increased number of children and staff on this site, the waste from which will be fed into a 6 inch pipe running along Llewellyn Drive, which is already struggling with the demands that are being made on it. Please pay particular attention to the provisions Flintshire CC and Welsh Water are making for proper and effective drainage

### Community & Business Protection

No adverse comments to make regarding this proposal.

### Highways Development Control

From a highway perspective, and despite the increased school capacity, the operation of the secondary school will be largely unchanged by the proposed re-development. The increased drop off/pick up facility will help reduce current disruption at the beginning and end of the school day.

It is considered that the Transport Assessment, produced and submitted by TTP Consulting, makes a reasonable assessment of predicted traffic flows. The analyses indicate that there are no likely junction capacity concerns resulting from development proposals. The proposed change in primary school location will result in longer travel journeys for a number of pupils; the management of these journeys and satisfactory operation of the drop off/pick up area will be reliant upon the successful implementation of the proposed travel plan.

A move toward Active Travel and away from reliance on parental car drop off/pick up will be required. Colleagues in the Transport Strategy Section of Streetscene are currently assessing Safe Routes to Schools and it is suggested that these be included in developing and implementation of the Travel Plan.

### Highways – Public Rights of Way

There are no public footpaths in the close vicinity, therefore no adverse comment to make.

### Sustrans

Consider that the new developments car parking should be further away from the main entrance (except for disabled parking) to ensure that the pedestrian route is as short as possible. Also having the car parking being prominent acts as an advert for its availability. Suggests that the car parking is located behind building. Also questions need for drop off area, not providing such parking would encourage more people to consider walking, cycling or using public transport.

### Ecology:

The site consists of school buildings and large playing fields with amenity grassland of low species diversity. Pockets of other habitats include mixed scattered trees, hedgerow and a narrow culverted brook. Hedges include native species such as Hawthorn, Blackthorn, Field Maple, Elder, and Sycamore plus there are a varied mix of native and non native trees including Oaks, Sycamore, Whitebeam, Lombardy Poplar, Red Western Cedar and Larch sp.

A bat emergence survey was undertaken in August and September 2020 and no bats emerged from the school. Common pipistrelle were detected foraging along the perimeter hedgerow.

No evidence of badgers was found on site and the habitats present are not suitable for amphibians or reptiles. Although limited evidence of nesting birds was recorded, the tree and shrub habitats are of value.

The habitats to be lost to development are of low ecological value. The boundary hedges and trees provide the key features on site and are to be retained.

Species avoidance measures are proposed predominantly in relation to vegetation clearance to avoid nesting birds and the provision of safety measures for mammals during ground works.

The landscape plan references a number of new habitats such as meadow grassland within the attenuation basins and swales plus tree and shrub planting as referenced on the planting plan. Landscape details which incorporates biodiversity enhancement can be conditioned.

#### Natural Resources Wales

Notes that the proposed development site drains to Mold Wastewater Treatment Works (WwTW) via Mynydd Isa Sewerage Pumping Station (SPS). Notes that although the application site is not within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC), the Mold WwTW is.

The Ecological Implications Assessment confirms the absence of reptiles and amphibians.

The EIA also concludes the following in respect of bats: *During the evening survey no bats emerged from the school building, but two Common Pipistrelle Bats Pipistrellus pipistrellus were detected foraging along the perimeter hedgerow.*

*No bats were recorded during the dawn return survey. The surveys confirmed the absence of a bat roost, and the site itself had low value to foraging bats.*

We therefore have no further comment in respect of this aspect of the case.

The assessment concludes that contamination is not known or strongly suspected, and the site is not sensitive with respect to groundwaters. The site is underlain by till which is classed as a Secondary Undifferentiated Aquifer which is not considered sensitive. This overlies a Secondary A Aquifer. As such, we have no further comment in respect of this aspect of the case but would ask to be reconsulted should more information come to light.

The application site is within 560m of the Deeside and Buckley Newt Sites SAC. From the information provided, we consider that the proposal is not likely to have a significant effect on the SAC.

The application site is also within 560m of the Buckley Claypits and Commons SSSI. Based on the information submitted, we consider that the proposed development is not likely to damage the features for which the Buckley Claypits and Commons SSSI is of special interest.

Dwr Cymru/Welsh Water:

Recommend that a scheme be submitted as part of the application or controlled by means of a condition to ensure that further investigations are required and measures put in place to ensure the assets are suitably protected and that our access is maintained.

Turing to the drainage matters, the site is crossed by a 450mm public surface water sewer, Dwr Cymru Welsh Water has rights of access to its apparatus at all times, and as such would require a protection zone of 3m either side of the centreline of this sewer. Should the proposed development be located within the protection zone of the sewer crossing, there would be a requirement to divert the public sewer, which can be applied for under Section 185 of the Water Industry Act 1991.

Having reviewed the proposal, we note it is proposed for foul flows from the proposed development to be disposed of via the public sewerage system and discharge surface water runoff into a sustainable drainage system. We advise that the flows should be connected to the 225mm foul sewer at or downstream of manhole SJ26642406 located in the road to the south west of the site as indicated on the attached extract of the Sewerage Network Plan.

We can advise that Mold WwTW has a phosphate permit.

Coal Authority:

Require a condition to undertake appropriate investigations to locate and assess the condition of the recorded shafts, which will enable the formulation and implementation of appropriate remedial treatment works to address the surface stability and public safety risks posed by these features.

Airbus:

Hawarden Aerodrome Safeguarding has assessed against the safeguarding criteria as required by DfT/ODPM Circular 1 / 2003: Safeguarding of Aerodromes and the Commission Regulation (EU) No 139/2014 and has identified that the proposed development does not conflict with safeguarding criteria.

Welsh Government Highways:  
Requests conditions

Sport Wales

Sport Wales confirm that they have no objection to the proposal following receipt of further information regarding sport provision.

#### **4.00 PUBLICITY**

##### 4.01 Press Notice, Site, Notice, Neighbour Notification

10 letters of objection received

- Impact of AWP on neighbours- noise, lighting, anti-social behaviour
- Overdevelopment of site re. pupil and staff numbers
- Parking issues
- Access and Highway safety issues

3 additional Letters have been received which expressed support for the proposal but raised concerns over All Weather Pitch (AWP) for the same reasons as given above.

#### **5.00 SITE HISTORY**

5.01 Site history consists of a large number of small additions and alterations to the existing school buildings and campus site. None of the applications are considered relevant to the proposal other than by providing a consistent picture of the Educational use on the site for the past 50 years,

#### **6.00 PLANNING POLICIES**

##### 6.01 Flintshire Unitary Development Plan

STR1 New Development

GEN1 General Requirements for Development

D1 Design Quality Location and Layout

D2 Design

D3 Landscaping

TWH1 Development Affecting Trees and Woodlands

L1 Landscape Character

AC2 Pedestrian Provision and Public Rights of Way

AC13 Access and Traffic Impact

CF1 Retention of Existing Facilities

CF2 Development of New Facilities

##### National Planning Policies:

Planning Policy Wales – Edition 11 (Feb.2021)

Future Wales: The National Plan 2040 (FWP 2040)

### **National Advice**

Building Bulletin 98: Briefing Framework for Secondary School Projects

Building Bulletin 99: Briefing Framework for Primary School Projects

## **7.00 PLANNING APPRAISAL**

### **Proposal**

The proposed development is for the redevelopment of an existing High School site to provide a new Primary and a new High School in a co-located building. The development would be located on the existing Mynydd Isa Primary school, which is currently located on two sites (Infants and Junior schools) within Mynydd Isa, both located close to the High School campus. The development comprises of the following:

- Demolition of the existing Argoed High School buildings;
- Construction of a new Net Zero Carbon in operation school campus including Nursery, Primary and Secondary provision;
- Hardstanding and pedestrian walkways;
- 124no. space car park for staff and visitors, to include 12no. Blue Badge car parking and 1no. minibus space;
- A parent drop-off area off Bryn Road, comprising 49no. formal spaces with capacity for up to 65 cars;
- 109no. covered cycle spaces, to include 90no. cycle spaces for pupils and 19no. cycle spaces for staff;
- 1no. floodlit All Weather Grass Pitch (AWGP) to include 3no. 5 aside football pitches (55.5 x 37m dimensions);
- 1no. grass football pitch and running track;
- 5no. floodlit MUGAs (18.5 x 37m dimensions);
- Play and amphitheatre spaces;
- Forest school/habitat/science garden;
- Pedestrian footbridge to the grass sports pitches to the southeast of the site;
- Retention of three existing grass sports pitches at the south of the site;
- Landscaping; and
- Sustainable Urban Drainage Systems (SUDS).

The High School and Primary School would remain as separate schools but operate within a single building with some shared facilities. The new Primary School would accommodate 600 places with a 43 place nursery and a 20 place Primary speech and language specially resourced provision facility. The High School would accommodate 700 places with a 10 place Secondary speech and language specially resourced provision facility and a 20 place Asperger's specially resourced provision facility. In total, there would be an uplift of circa 207 pupils across all year groups at the site,

including 87 additional Primary School pupils and 120 additional High School pupils.

Surveys of the site have identified various constraints including a mine shaft (and its zone of influence) and existing water main with associated easement. In addition the existing school building will operate for some time as the new buildings are being constructed. These constraints to the buildable areas on site have identified a clear area upon which the new development will focus. The school buildings themselves would be two storeys in height and comprise a gross internal floor area of approximately 10,480sqm.

The site will be extensively landscaped and external sports facilities, in the form of All Weather pitches and Multi-Use Games areas, are provided on the campus.

### Site

The Argoed campus is located in an area of open countryside adjacent to the Settlement boundary of Mynydd Isa in the Flintshire Unitary Development Plan. The site comprises of roughly 8.8ha approximately, and includes the High School buildings and associated access roads, car parking and sports facilities.

### Main Issues

The main issues to consider are;

- The principle of the application
- The impact of the proposal upon the local highways network and access to the site
- The impact of the loss of playing fields
- Character and Appearance
- The impact of the development upon neighbouring living conditions,
- Issues regarding drainage and phosphates
- Ecology and
- Land stability.

### Principle

The site is an existing school campus and it is considered that the use of this site for educational purposes is established by this long standing use. In policy terms policies CF1 - Retention of Existing facilities, and CF2 - Development of New Facilities, can both be seen to apply. The general thrust of these policies is to ensure that community facilities, including schools, are located in appropriate locations, and give a context for where development outside of settlement boundaries are acceptable.

It is considered that the redevelopment of the existing high school campus for new educational facilities is acceptable and complies with the relevant policies.

## Highways

Despite the increased school capacity represented by this proposal, from a Highways perspective the operation of the secondary school will be largely unchanged by the proposed re-development. It is acknowledged that there is currently disruption at the beginning and end of the school day due to drop off and pick ups, however it is considered that the increased drop off/pick up facility will help reduce this.

The change in location of the primary school element and the potential increase in pupil travel distances does however cause some concern. The majority of pupils live within the Mynydd Isa community, with highest concentrations in the centre or south east of the community area; these are within an appropriate walking distance. There are however likely to be significant generations from the Vale Park area and New Brighton where travel distances are greater. This will of course increase potential traffic generated by the site.

The Highways Authority consider that the Transport Assessment, produced and submitted by TTP Consulting, makes a reasonable assessment of predicted traffic flows. The analyses indicate that there are no likely junction capacity concerns resulting from development proposals. The proposed change in primary school location will result in longer travel journeys for a number of pupils.

Various key considerations that will assist in a move towards active travel, with a consequential reduction in the reliance on car travel, have been suggested. These will form part of the final Travel plan that will become an approved document as part of any permission.

A number of objections received from members of the public cite current issues with congestion issues currently occurring at drop off and pick up times, both on Bryn road and within Mynydd Isa, and a fear that this will continue and indeed get worse given the larger number of pupil numbers on site.

Sustrans, in considering the proposal with regard to the needs of Active Travel, have raised a number of queries regarding the parking layout and provision. I consider that the final Travel plan will address these concerns. Whilst they suggest a different location on site for the parking area, I consider that when issues such as neighbouring amenity and overall visual impact of the site are considered the currently proposed location is preferable as the suggested alternative location would require vehicle movements far closer to neighbouring properties causing likely disruption.

It is considered that the management of journeys to and from school, particularly as a result of the outlier areas, as well as the

satisfactory operation of the drop off/pick up area, and the successful integration of active travel into the scheme will be reliant upon the successful implementation of the proposed travel plan. The implementation of the Travel Plan will ensure that the current problems could indeed be overcome. This will be conditioned to ensure that this is the case.

Welsh Government, as Highways Authority for the A484 trunk road, have requested the imposition of conditions on any permission to safeguard against any detrimental impact to the trunk road particularly through an increase in traffic during the construction phase of the proposal.

With these safeguards in place I consider that the proposal is acceptable in policy terms and will be compliant with policies GEN1, AC2 and AC13 of the Flintshire Unitary Development Plan.

#### Playing fields and Sports provision

The new school building is located on an area currently used as external space for the existing High School. This area, however, does not meet current recommended pitch requirements due to its gradient and poor land drainage.

Sports Wales originally reiterated the objection they raised at Pre-Application Consultation stage, that the overall size of playing area provided falls short of the minimum as established in the playing field regulations, although following consideration of the justification for this, given below, this objection has been withdrawn and the provision is considered to be acceptable.

The School Playing Field Regulations state for new schools that BB103 guidance should be used. The project brief, however, specifically states that previous advice, as set out in Building Bulletin 98/99, were to be used when considering the external areas. This means that the recommended pitch area for pupils, in accordance with this guidance, is:

- Primary School – 12,000m<sup>2</sup>
- High School – 34,500m<sup>2</sup>.

Due to the constraints of the site (building size, levels, watercourses and the proximity of local residents), it is acknowledged by the applicant that space for playing fields is limited and they have sought to maximise the amount of playing field where possible. The proposed playing field area totals approx. 38,000sqm across the site. This therefore represents a shortfall of approximately 8500 m<sup>2</sup> when you apply the above standards cumulatively, although the playing field provision is in excess of the standards for each school taken individually.

It should be noted that the school pupils are split between the primary school (600 pupils), and the high school (700 pupils) and will not share the school sports facilities at the same time, meaning the entire area is available to each school, and each school will have adequate external space for sports when needed. If sports classes will coincide, they can use any combination of the different fields, and two AWGP available to the school (existing and proposed). This gives the schools flexibility and ensures the safety of younger pupils if class times coincide.

I consider that it is material that the overall quality of sports facilities offered by the new school is far in excess of the current provision. Not only that it should be noted that all existing pitches currently in use by the high school are retained, but also that new all-weather facilities are proposed to be introduced which provide facilities which allow far greater and more frequent use. As the pitches will not be used concurrently by both the Primary and Secondary schools then it appears that both schools have access to a level of playing field provision that exceeds the minimum area required, and of a greater quality than the existing available sports facilities. As a result Sports Wales have accepted this position and withdrawn their original objection.

The proposed sports facilities at the new school will be available for use by the community outside of school hours. This is a benefit that is currently not available and increases the access and quality of sports facilities for local people. I consider that this benefit is in accordance with policy SR1 of the Flintshire Unitary Development Plan.

#### Character and Appearance

The existing school is of an unconventional design and dates from the 1970s/80s. It is constructed from grey concrete and with its main elevations facing onto the playing fields and the open countryside beyond. It is largely shielded from publically accessible viewpoints due to its use of the topography of the land. There is also a formed bund to the front of the site that largely blocks views from Bryn Road into the site.

The proposed building is a two storey structure located more centrally on the site.

The proposal will have more open views to the front, with the parking areas arranged in front of the school entrance and the bunds removed, there is extensive landscaping proposed.

A visual impact appraisal has been submitted in support of the proposal in order to identify where the proposal is most likely to affect potential views in the surrounding locality. The appraisal features a comprehensive examination of viewpoints surrounding

the site and these viewpoints demonstrate how in general the school campus is either screened from view by existing foliage or development, or there is currently a view of school buildings and the view as proposed when viewed in this context has a negligible visual impact.

The proposed building has been purposefully designed to be of a low rise design with pitched roofs. Its layout is dictated by the operational requirements of its room adjacency requirements. The building has a finger block arrangement which both suits its functional requirements as well as resulting in a building that allows a great deal of natural light. It crucially allows for an appropriate relationship between the primary and secondary elements, which a super block form would not.

The design has also taken account of the existing topography, which is that of a sloping site, to both allow a more nuanced relationship between the building and surrounding land form, as well as avoid excessive cut and fill and other groundworks.

The building proposed the northern section to house the primary education areas, with the secondary school element to the southern side of the central main entrance. The building façade has been designed with an 'agro-industrial' approach in terms of its materials. This approach creates an interesting building which given the site location on the edge of housing development to the north and west but surrounded on the east and south by farmland, is entirely appropriate for the landscape upon which it sits.

The site contains a large number of trees although these are almost entirely situated on the site boundaries. A tree survey and arboricultural impact assessment have been submitted. This assessment identifies a number of category U, designated as dead, dying or dangerous, trees to be removed. All other trees are retained and tree protection measures suggested. Additional tree planting is proposed, to the sum of 131 no. trees.

The proposed building is of an attractive, and appropriate design which utilises the topography of the land well to integrate itself into the overall context of the site. The landscaping creates a green environment and the use of outside space for both teaching and recreation purposes within this green environment creates an attractive campus and learning environment which represents marked improvement to the site from a visual perspective, when compared with the current building. I consider that the proposal complies with policies GEN1, D1, D2 and D3 of the Flintshire Unitary Development Plan.

### Impact upon living conditions

The current school building is located close to the western boundary of the site, although there is a substantial level change so that the area of building closest to residential properties on this western boundary is single storey, and then is constructed around a central, sunken plaza. The new school building occupies a more central location on the site, which draws it away from neighbouring residential properties.

The main area of contention for objectors appears to be the five a side pitches area (All Weather Pitch) and MUGAs. These are located closer to adjacent residential properties than the school building and through its use both in school hours and in evenings and weekends there is potential impacts upon neighbouring amenity. It is noted that the hours of use of the MUGA are as shown on the application form for the entire site, namely 08.00-22.00 Monday to Friday and 09.00-18.00 at the weekend. Some objections have been received which suggested that the MUGA and pitches could be used till 10pm 7 days a week, although this is not the case.

The five a side pitches are located, at its closest point, approximately 44.7 metres from the boundary to the rear of Snowden avenue. The illumination is provided by floodlights that are positioned in accordance with best practice and will not unacceptably illuminate any neighbouring property.

The noise impacts arising from the sports facilities have been assessed. In the Noise Impact Assessment it is demonstrated that in order to mitigate against possible noise impacts it will be necessary to utilise mitigation in the form of a mesh fence and solid noise barrier, and that with these measures in place noise from the sports pitches can be limited to below the relevant guideline limit in the nearest residential gardens. Public Protection have not raised any objections with regard to issues of noise or light pollution.

### Drainage and Phosphates

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 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.

This application has been screened in accordance with Natural Resources Wales' interim advice for planning applications within the river Special Areas of Conservation (SACs) catchments (issued on 20<sup>th</sup> January 2021). It is considered that this development is unlikely to increase phosphate inputs as it falls within the following criterion in the interim advice:

- Any development connecting to a public wastewater treatment works where the permit has phosphate conditions in place and the sewerage undertaker has confirmed that there is capacity to treat the additional wastewater and the additional phosphate from the proposed development.

Mold Wastewater treatment plan has a valid phosphates license. Dwr Cymru/Welsh Water (DCWW), as statutory drainage consultees have not raised any objections or identified any capacity concerns as a result of the development. Given the above, and in accordance with Natural Resources Wales interim planning advice I consider the drainage solution for this proposal to be acceptable.

A water main crosses the site and a solution has been identified between the applicant and DCWW to safeguard this apparatus. It will be necessary to impose a condition requiring details of these safeguarding measures prior to development commencing.

### Ecology

With regard to habitats the site is dominated by large playing fields sport pitches/courts and amenity grassland lawns. Secondary habitats include a number of mixed scattered trees, sections of intact hedge and hedge with trees and a narrow, culverted brook.

The proposed landscaping scheme will provide suitable for nesting and foraging birds, small mammals and pollinating insects. The exact details of species mixes for the new landscaping have yet to be confirmed, but will include the following:

- Meadow areas seeded with wildflowers;
- Rain gardens/swale planting comprising a mix of meadow seeding and plug planting to provide botanical diversity;
- Shrub and herbaceous planting;
- An attenuation basin seeded with meadow species tolerant of wet and dry condition;
- Native species hedge planting;
- Amenity grassland;
- Playing field grassland;
- New tree planting.

This represents a significant enhancement of the existing habitats on site.

The Ecological appraisal concludes that from an ecological perspective, the proposed development is considered to have little impact on wildlife or habitats. Indeed, the change in ecological value of the site pre- and post-works has been calculated and it is considered that the proposed development will minimise the biodiversity loss in terms of overall area, whilst the measures outlined in the previous section will in fact increase the biodiversity value of the site over and above that currently existing.

As the final mix of planting is not confirmed I recommend that conditions requiring this detail, as well as the implementation and management of the landscaping scheme, be included as conditions. Ecology have confirmed that the habitats to be lost to development are of low ecological value, and that the use of conditions to secure appropriate planting and the proposed mitigation measures are acceptable.

#### Land Stability

The application site falls partly within the defined Development High Risk Area and the records of The Coal Authority indicate that three mine shafts (refs. 326364-315, 326364-317 and 326364-288) and their associated potential zones of influence are present within the application site. The Coal Authority hold no records of their past treatment. Given this legacy of mining on site it is important that issues of public safety, particularly over issues of land stability, are properly investigated.

The applicant's Geotechnical Team have provided survey information that demonstrate that the proposed layout of development has been designed to avoid the 20m radius around the suspected shaft locations where practicable. It is acknowledged, however, that the south eastern part of the building (escape stair core) encroaches into the potential zone of influence of shaft 326364-315. As a result they propose that further investigation works are carried out to positively identify the recorded shaft locations and assess for potential unrecorded mine entries within an influencing distance of the proposed development.

The Coal Authority, in their role as Statutory consultee on these matters, acknowledge that none of the shafts are likely to underlie the development. In light of the above, the Coal Authority offer no objection to the proposed layout of development. This is subject to the undertaking of appropriate investigations, as proposed by the applicant, to locate and assess the condition of the recorded shafts, which will enable the formulation and implementation of appropriate remedial treatment works to address the surface stability and public safety risks posed by these features. It is considered that in this

instance and with regard to the fact that no shafts appear to underlie the buildings proposed, this is acceptable as a pre-commencement condition, rather than requiring all intrusive investigations to be carried out prior to determination.

The results of the site investigations will inform any necessary measures to be incorporated into the part of the development located within the potential zone of influence of shaft 326364-315, to mitigate against instability derived from this feature. Such measures will impact the construction methods utilise, such as including strengthened/deepened foundations, and will not affect the external appearance of the building.

I consider that for the purposes of the planning application it has been satisfactorily demonstrated that ground stability issues will be robustly investigated and additional construction methods identified through these intrusive investigations. As such the proposal complies with policy EWP15 of the Flintshire Unitary Development Plan.

#### **8.00 CONCLUSION**

It is considered that the proposal is acceptable in principle and has satisfactorily addressed all technical issues raised on site. The proposal represents a high quality, modern and well considered redevelopment of the site that will greatly improve the educational facilities in the locality.

Existing and potential issues such as traffic generation and noise issues have been considered and mitigation provided as part of the scheme. The sports facilities provided by the scheme represent a substantial improvement from the existing situation both as facilities to be utilised by pupils of the schools and offering wider community benefits. It is not considered that there are any impediments to the scheme as a result of drainage issues, the ecology of the site or with regard to land stability. The proposal is in accordance with the relevant development plan policies and I recommend accordingly.

#### **8.01 Other Considerations**

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

**LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents  
National & Local Planning Policy  
Responses to Consultation  
Responses to Publicity

**Contact Officer:** James Beattie  
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