



# St Nicholas Church in Wales Primary School Objection Report

## On the proposal to:

- **Change the age range of St Nicholas CIW Primary School from 4-11 years to 3-11 years and to establish a nursery class containing 48 part time places from September 2021**
- **Increase the capacity of St Nicholas CIW Primary School from 126 places to 210 places from September 2021.**

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## Background

The governing body of St Nicholas CIW Primary School undertook a consultation exercise on the proposal from 18 March 2019 to 3 May 2019. The aim of the consultation was to inform prescribed consultees about the school re-organisation proposal being put forward under section 2.3 of the School Organisation Code and referred to as a regulated alteration as follows:

- To change the age range of St Nicholas CIW Primary School from 4 to 3 to include 48 part time nursery places
- To increase the capacity of St Nicholas CIW Primary School from 126 places to 210 places from September 2021.

The consultation process followed Welsh Government guidelines as outlined in the School Organisation Code 2018. It provided an opportunity for prescribed consultees as well as members of the local community to learn about the proposal and for the governing body to hear the views of all those with an interest so that they can be taken into account before decisions are made.

During the consultation exercise, 27 individual responses were received by the consultation closing date of 3 May 2019. Of the total 27 individual responses received, 22 were in favour of the proposal and 5 were opposed. The responses were published in the consultation report.

## Consultation Report

A consultation report was published following the consultation exercise. The consultation report was considered by the governing body on 23 May 2019.

## Statutory Notice

Following consideration of the consultation report on 23 May 2019, the governing body decided to progress the proposal and approve the publication of a statutory notice.

The statutory notice on the proposal was published on 26 June 2019 for a period of 28 days to allow for objections. The statutory notice period expired on 24 July 2019.

The notice was published on the school and Vale of Glamorgan Council's website (<http://www.stnicholascwprimary.co.uk/consultation/> and <https://www.valeofglamorgan.gov.uk/en/living/schools/Consultations/Expanding-St-Nicholas-CIW-Primary.aspx>) and posted at the main entrances of the school. Copies of the notice were distributed to parents, carers and guardians, governors and staff members, as well as respondents who wished to be notified. All other organisations and consultees required under the School Organisation Code 2018 were provided with a copy of the letter and notice as an attachment to the email as well as a link to the notice on the website.

Where objections are received to the statutory notice, an objection report must be published summarising the statutory objections and the proposer's response to those objections.

## Objections to the Proposal

The governing body received 47 individual objections by the end of the objection period. 29 of these objections included the same letter submitted by multiple residents. The objections received are summarised below, along with the governing body's response. A graphical summary of the number of responses to each objection theme is available in Annex 1.

All objections received during the objection period have been made available to the members of the governing body for consideration alongside this report.

### **Objection theme 1: Traffic, access and parking**

Respondents expressed concerns that expanding the capacity of the school would result in increased congestion in the area, and that this would pose a serious safety concern for residents and pupils, in part due to the lack of pavements in sections of the village. Related to this issue are concerns around noise and air pollution from the potential increase in traffic around the school site during the build process and future usage. Residents are particularly concerned about increasing parking conflicts with parents and other road users, an issue which already causes inconvenience at peak times (between 8am to 8.30am and 3pm to 3.40pm). The greatest access concern is for emergency vehicles to particularly narrow streets if parked cars cause obstruction. A few responses note that widening the roads would be difficult due to residential buildings and the conservation status of the village.

- **44** objections noted inconvenience to residents related traffic concerns

- **42** objections noted safety related traffic concerns
- **5** objections noted difficulties of widening roads due to village conservation status
- **3** objections noted potential noise pollution increases due to traffic and more pupils
- **3** objections noted potential air pollution increases due to traffic

### **Governing body's response to the objection raised**

The governing body understands the concerns of residents regarding the impact this proposal would have on traffic. It is important to note that the consultation in questions is being run in accordance with the School Standards and Organisation (Wales) Act 2013, focusing on the educational merits of a proposal. However, should this proposal be approved, a separate statutory process would follow to examine planning concerns including traffic, access and parking in order for planning permission to be approved.

A full transport assessment would be undertaken as part of the design process for the new school building. This would assess the impact on the local infrastructure and include a swept path analysis to ensure compliance with current legislation on accessibility for all emergency services. The transport assessment would be used as part of the design process to mitigate against any negative impacts identified. The governing body would work closely with the Council's 21<sup>st</sup> Century Schools Team throughout the design process.

The final design would be subject to planning permission. The planning process includes a statutory consultation with local residents. Firstly, the Pre Application Consultation (PAC) allows residents to provide feedback on the proposed design, as well as the transport assessment, to the contractor. Final designs would then be subject to the formal planning process. Local residents would be notified of the planning application and would be able to submit feedback that would be considered by the Council's Planning Committee.

The governing body would work closely with the Council's 21<sup>st</sup> Century Schools Team and the contractor to limit disruption during the construction of the new school building on the existing site. Delivery times would be restricted during peak times to limit the impact. The Council has advised that site logistics are assessed as part of the tender process. Construction logistics plans would also be considered as part of the planning process.

The governing body would also work closely with the Council to implement measures to minimise congestion and manage safe access to the site during use. Previously, a number of measures have been introduced, including:

- Minibus service provided by the school
- Introduction of breakfast club
- Staff presence at the gate before and after school

A key priority when developing the proposal was to eliminate the need for a split site at St Nicholas CIW Primary School. Currently the youngest pupils are taught within a separate building. The proposal aims to address residents' safety concerns of young children walking on a road without pavements. All pupils being taught within one building would resolve the current problems of transporting pupils between sites, which in turn reduces the number of occasions where pupils are exposed to roads without pavements.

## **Objection theme 2: The school should move to a new site**

Related to the objection raised above, the majority of objections from local residents involved concerns over the suitability of the current site in terms of access and suggested an alternative site to be considered.

- **40** objections noted a new school site should be considered

### **Governing body's response to the objection raised**

The governing body would continue to work with the Council to explore alternative site options for the new school building. The governing body understand that a potential opportunity for a new site has emerged and the feasibility of this is currently being determined and discussions are ongoing.

However, it is worth noting that this consultation is on the proposal to increase the capacity of the school from 126 to 210 places and to increase the age range from 4–11 to 3–11. A proposal to change the site would form part of a further consultation providing the proposed site is over 1 mile (1.60934km) from the existing site. If the proposed site is within 1 mile of the existing entrance, an additional consultation would not be required.

St Nicholas CIW Primary School is situated on approx. 12,034m<sup>2</sup> site. Building Bulletin 99: building framework for primary school projects (BB99) requires a gross site area of between 10,024m<sup>2</sup> and 11,224m<sup>2</sup> for a 210 place primary school with nursery. The existing site would exceed BB99 requirements. Therefore, purchasing an alternative site was not explored in the initial proposal due to the associated capital costs. Considering the current site area is above BB99 requirements, an alternative site may not provide as large an outdoor space for recreation, outdoor learning, and community use.

It is worth noting that the reason for the proposal is to meet the increased demand for school places as a result of recent and future housing developments planned for St Nicholas and Bonvilston. Land was not allocated for a school as part of the Section 106 agreements, however the Council did receive financial contributions for education.

### **Objection theme 3: Communications**

Multiple residents objected to the fact that they had not been directly contacted during the consultation process. Residents' objections also noted that being able to access the information from the school and Council's websites was insufficient as residents would not have reason to check those platforms. Residents have noted that the drop-in sessions held at the school during the consultation period were attended by community councillors but this information was not relayed back to residents.

- **36** objections noted residents should have been contacted directly
- **35** objections noted the communication methods used by the governing body (school), Council, and community council were insufficient

### **Governing body's response to the objection raised**

As outlined above, the consultation on the proposed regulated alterations was undertaken in accordance with the School Standards and Organisation (Wales) Act 2013 and is not the planning consultation. The consultation has been undertaken with prescribed consultees, as outlined in the School Organisation Code 2018. Local residents are not identified by the School Organisation Code 2018 as prescribed consultees. However, the community council is included within the list of prescribed consultees and they were sent the relevant documents. The full list of prescribed consultees set out by the School Organisation Code 2018 can be viewed here: <https://gov.wales/sites/default/files/publications/2018-10/school-organisation-code-second-edition.pdf>

The consultation document and statutory notice were published on the school and Vale of Glamorgan Council's website, distributed to prescribed consultees, and displayed in the school notice board.

Consultation meetings were arranged to provide the opportunity for members of the community to ask any questions regarding the proposal. The sessions were detailed within the consultation document and widely publicised through the Council's social media platforms. The following consultation sessions were arranged:

<b>Nature of consultation</b>	<b>Date/Time</b>	<b>Venue</b>
Parents and Community drop in session	Thursday 4 April 8.45am – 9.45am 3pm – 4pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Governors' meeting	Thursday 4 April 6pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Staff meeting	Monday 8 April 3.30pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Parents and Community drop in session	Monday 8 April 4pm – 6.30pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG

Pupil engagement session	Friday 12 April	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
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These drop-in sessions were attended by parents, residents and members of the St Nicholas with Bonvilston Community Council. Open communication channels were maintained throughout the consultation period. Prior to the closing date of the consultation the Council and governing body responded to several queries from local residents.

As referenced within the consultation response report, 9 responses (33%) were from residents within St Nicholas. Of those 9 responses from local residents, 44% were in favour of the proposal. Following feedback from consultation responses, the Community Impact Assessment was updated to reflect local concerns (full details of the changes are outlined in the [consultation response report](#)).

The governing body is satisfied that it has followed the statutory requirements laid out in the School Organisation Code for consultation on the proposal that included consultation with pupils. The consultation process has provided sufficient reason and information to enable intelligent consideration and response.

Should the proposal progress to the next stage a formal planning application would be submitted for the new school building. Local residents would be notified of this application directly and would be able to respond with any concerns.

The governing body value the views of local residents, staff, parents and other stakeholders and as such provide opportunities for involvement at each stage of the process. For instance, during the design stage, the 21st Century Schools team would frequently meet with school stakeholders for comments and hold drop in sessions open to the community before submitting to planning. During construction the appointed contractors would hold stakeholder engagement sessions in the form of site visits and workshops with pupils. There would also be opportunities for local community groups to apply for in-kind donations, digital skills training, and governance advice from the community benefits aspect of the development.

The contractor would also work closely with local residents to limit disruption during the construction of the new school, which would include limiting delivery hours.

#### **Objection theme 4: Radon**

8 objections had concerns over the exposure to radon gas and the expense of mitigating this risk.

#### **Governing body's response to the objection raised**



The levels of radon gas are similar across the whole of the St Nicholas area and can be addressed in a number of ways. Typically new buildings are installed with a radon gas proof membrane within the floor in order to achieve compliance with the Building Regulations. This requirement would apply to any development within the area.

### **Objection theme 5: Open space and public footpath access**

3 objections had concerns over the size of open space available to the public following the completion of the new school building and access to the footpath adjacent to the school site.

#### **Governing body's response to the objection raised**

The governing body are not proposing any changes to the existing arrangement in place for the community use of the school field. The public footpath is outside of the school boundary and therefore would not be impacted upon by this proposal.

There would be limited external space during the construction of the new building as the existing school would remain operational throughout. The new school may have a larger footprint than the current school building to accommodate the additional capacity which could result in an overall reduction in outside space. However, this impact would be minor and the space would still be compliant to BB99 standards. The external facilities would be enhanced as part of the development, resulting in higher quality external space including sport and habitat areas. The existing school building would be demolished following the opening of the new school building. High value natural features of the site would be maintained and enhanced where appropriate; for example hedgerows and existing nature areas. In addition, internal facilities would be available for sporting activities and meetings upon arrangement with the school and the governing body.

### **Objection theme 6: Sensitivity towards conservation status of village and proximity to neighbours**

2 objections suggested noise, visual impact, and parking measures of the design should be considerate to village conservation status and close proximity of neighbouring dwellings. Examples given include designing a single storey building set further back on the site than the current footprint and installing screening to reduce potential noise and visual impacts.

#### **Governing body's response to the objection raised**

Whilst this is more appropriate for the planning stage, the governing body aim to integrate the building design with local considerations early on through aspects of

the design; such as choice of materials and acoustic dampening methods. The 21st Century Schools team would examine all building design options appropriate for meeting educational needs and a single storey building is one of the options to be considered. Hedgerow and other vegetation would be maintained and enhanced where appropriate as part of noise and visual impact mitigations. The school building would be compliant with Building Bulletin 93, 'Acoustic Design of Schools: Performance Standards'. The contractor would also work closely with local residents to limit disruption during the construction of the new school, which would include limiting delivery hours. On-site parking would be provided using the Vale of Glamorgan Council Parking Standards as guidance.

### **Objection theme 7: Planning process has not been followed**

1 objection comment the consultation process did not followed planning procedure (by not completing a traffic risk assessment).

#### **Governing body's response to the objection raised**

This consultation is on the proposal to increase the capacity of the school from 126 to 210 places and to increase the age range from 4–11 to 3–11. The consultation process followed Welsh Government guidelines as outlined in the School Organisation Code 2018. The outcome of this statutory consultation is dependent upon the educational merits of this proposal.

If this proposal is accepted, multiple site surveys would then be completed as part of the design process for the new school building; including a full transport assessment. The transport assessment would be used as part of the design process to mitigate against negative impacts identified. The transport assessment would be undertaken considering the building's proposed capacity of 210 statutory age pupils and 48 part time nursery places (24 full time equivalent).

The final design would be subject to planning permission. The planning process includes a statutory consultation with local residents. If this proposal progresses to the next stage, the planning pre-application consultation process would run from February 2020 until April 2020.

<b>Stage</b>	<b>Date/s</b>
Objection report submitted to Council's Cabinet for final determination	September 2019
(If proposal approved) contractor tender process	September 2019 – January 2020

Planning pre-application consultation	February 2020 – April 2020
Planning application submitted	April 2020
Planning decision	June 2020
(If planning approved) start construction on site	July 2020
Construction due to finish	July 2021
School moves into new building	September 2021
Site completion	July 2022

These dates are subject to change.

### **Objection theme 8: Security issues**

1 objection noted concerns over the security arrangements at the school in light of opening up the facilities to external users.

#### **Governing body's response to the objection raised**

The school currently provides a number of services for the local community which have the potential to be enhanced through the proposed development. As noted in the Community Impact Assessment, the relevant ward for St Nicholas (Wenvoe 1) is amongst the 10-20% most deprived LSOAs for access to services. This could be improved through increasing community access to the proposed new facilities; such as sporting provision and meeting spaces. However, arrangements would take safeguarding and public security matters into consideration. South Wales Police would be consulted as part of the design process and the 'Designing Out Crime' officer would provide feedback on the proposed design. Security arrangements within the building would be enhanced compared to current provision. The governing body are not proposing any changes to the existing arrangement in place for the community use of the school field.

### **Objection theme 9: Addition of nursery provision**

1 objection noted the addition of nursery provision is an unnecessary step too far due to the increase in the school's capacity being in excess of 100%.

#### **Governing body's response to the objection raised**

The proposal to increase the capacity of the school from 126 to 210 places and to increase the age range from 4–11 to 3–11. The change from 126 statutory school places to 210 statutory school places is an increase of 66.67% (84 places). The additional nursery provision would consist of 48 part time nursery places. As these places are split across morning and afternoon sessions, this equates to 24 full time equivalent places. This results in an overall increase from 126 places to 234 places (85.71%).

Currently the school has no nursery provision, which results in a significant amount of time spent integrating reception pupils into the school and a loss of potential local pupils to other schools further away with nursery provision. The proposed nursery would provide a consistent approach from 3-11 years to promote and underpin continuity and progression for pupils, ensuring breadth and balance across the curriculum. It would also develop the ethos and culture of the school in children from an earlier age, leading to effective interpersonal relationships and higher self-esteem.

It is also worth noting that the increased capacity would be gradual with the school's admission number changing from 18 to 30 from September 2021. It wouldn't be until September 2028 that the school could be at full capacity.

## Conclusion

The governing body conclude that the proposal would have a positive impact on the existing and future pupils of St Nicholas CIW Primary School. The proposal would result in 21<sup>st</sup> century teaching and learning environments that would promote pupil wellbeing and attitudes to learning. Improved ICT infrastructure would ensure the school is adaptable to future changes to the curriculum. Estyn formally responded to the consultation stating that *'the proposer has considered comprehensively the effect of the proposals on the quality of outcomes, provision and leadership and management'*. Estyn also stated that *'the proposal is likely to at least maintain the current standards of education and provision in the area'*.

The proposal would also ensure the Council is able to meet its statutory duty to provide sufficient school places. St Nicholas CIW Primary School has limited capacity and oversubscription is becoming more regular as the local population increases with additional housing developments.

The existing buildings are in poor condition and ongoing maintenance is costly and disruptive. A new school building would reduce the revenue impact of this ongoing maintenance.

The governing body notes the concerns of local residents regarding increased traffic

and would work closely with the 21<sup>st</sup> Century Schools Team to limit the impact of this. As outlined above, a full transport assessment would be undertaken and would be factored into the design. The final design would be subject to a planning application. This includes a formal consultation with local residents.

## Recommendations

It is recommended:

1. That the governing body consider the objection report along with the individual objections received during the objection period.
2. That the governing body approve the publication of the objection report
3. That the governing body approve the implementation of the proposal to change the age range of St Nicholas CIW Primary School from 4 to 3 to include 48 part time nursery places and to increase the capacity of St Nicholas CIW Primary School from 126 places to 210 places from September 2021.
4. That the governing body refer the Consultation Document, Consultation Report, Statutory Notice, Objection Report and Objections to the Council for final determination in line with section 51 of the School Standards and Organisation (Wales) Act 2013.

## Annex 1

