



Janet.Finch-Saunders@senedd.wales

Ms Paula Jones,
Head of Planning,
Conwy County Borough Council,
By Email

Constituency Office

29 Madoc Street,
Llandudno LL30 2TL

Swyddfa'r Etholaeth

29 Stryd Madog,
Llandudno LL30 2TL

01492 871 198

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Re: Planning Application 0/48610

Dear Head of Planning, Paula,

I am writing further to the letters I sent dated 15 July 2021, 5 November 2021, and 23 February 2022, formally objecting to planning application 0/48610.

Please note that this letter should be read in conjunction with my previous correspondence, and rather than reiterate points, I only aim to offer additional comments for consideration here.

As you will be aware, it was resolved that the Planning Committee be minded to refuse the planning application, unless the applicant could provide further evidence to demonstrate that the proposed development would not cause significant harm to the standards of education service and environment currently enjoyed by the special needs school Ysgol y Gogarth, including its respite accommodation (Llys Gogarth), to the satisfaction of the Development and Building Control Manager. I acknowledge that the applicant has now submitted a Boundary Treatment Plan, Response to the Equality Impact Assessment – Sections plans, and Noise Assessment Addendum.

1. Ysgol y Gogarth

Upon reading the Noise Assessment Addendum I note that the report found that the sound sources at Noise Measurement Point 1 were: 'distant road traffic and local sources from the school'. The average measured ambient sound level at night did not exceed 38, and in the day, 43.

Should the application be approved, construction is estimated to last approximately 18 months. This means that the noise level could considerably contrast to the current 'distant road traffic and local sources from the school'. In fact, for 100% of the estimated construction timeframe, the school and respite accommodation would have to contend with a diesel generator which has a sound pressure level of 77.9. Additionally, for 80% of the estimated construction timeframe they have to contend with, for example:

- a concrete pump and cement mixer which has a sound pressure level of 67;
- a dumper truck which has a sound pressure level of 86;
- and a diesel generator which has a sound pressure level of 94.

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Table 4.2 identifies that the calculated unmitigated construction noise exceeds the 65 threshold value at all receptors. I acknowledge that the developer is including measures to mitigate noise, such as a 3m high barrier. In fact, the criterion set for sleeping is 30. Therefore, I am struck by the fact that the predicted internal noise level for sleeping is 30. As such, I believe that more needs to be done to mitigate the noise impact as the estimate is at the maximum level deemed acceptable.

Importantly, it is recommended that Ysgol y Gogarth is consulted during the construction phase – an 18 month period – and made aware of any potentially noisy activities in advance so that they can appropriately prepare the students or advise residents at the Respite Centre. I do not think it acceptable that the Planning Committee allow any development to take place which necessitates action by the school to prepare students. Indeed, this strikes me as clear evidence that the development is going to result in disturbance to the calm and peaceful environment required to educate the pupils. Also, the school has previously highlighted that the barrier would overpower the rear of the building and turn the outdoor space into a dark, damp and unwelcoming area for children.

As Ysgol y Gogarth wrote on 7 March 2022:

‘The chance that one child loses their place in their community because of the disruption caused by the construction phase and subsequent loss of space adjoining the school is too high a price morally and financially for Conwy’.

I remain of the opinion that the development is not in line with:

- DP/3, LDP: ‘Have regard to the impact on adjacent properties’. In particular, I am concerned about potential noise, disturbance, and nuisance that may be caused to Llys Gogarth;
- Policy STR/3, LDP: ‘New developments will be required to mitigate the undesirable effects of travel such as; noise, pollution, impact on amenity and health and other environmental impacts’;
- Policy DP/4, LDP: ‘Planning permission will not be granted where the proposed development would have an unacceptable adverse impact... e) On environmental conditions arising from noise, lighting, vibration, odour, noxious emissions or dust’;
- Policy NTE/1, LDP: ‘In seeking to support the wider economic and social needs of the Plan Area, the Council will seek to regulate development so as to conserve and, where possible, enhance the Plan Area’s natural environment, countryside and coastline. This will be achieved by... Preventing, reducing or remedying all forms of pollution including air, light, noise, soil and water, in line with Policy DP/6’;
- Policy DP/3, LDP: ‘Have regard to the impact on adjacent properties’;
- The Equality Act 2010: the equality impact assessment completed by Red Shiny Apple Ltd found that:

‘there is considered to be substantial impact upon disabled children presented by the planning proposal for the development adjacent to Ysgol y Gogarth and the respite care facility. Those areas were analysed and considered to breach the ‘legal threshold’ of the Equality Act 2010 as having a substantial impact upon disabled children... The areas of concern are as follows: a) Noise disturbance from residential dwellings... b) Noise disturbance from Building works... c) Disruption to the Respite care facility... d) Safe place... e) Potential for family breakdown... f) Disruption to quiet and tranquil green outdoor space... g) Road safety issues (congestion and parking)... h) Safeguarding’.

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2. Ysgol Bodafon

I wish to reiterate my serious concerns about access to Ysgol Bodafon. As you will recall, *Highways Technical Note 1: Response to Pre-Application Comments* states:

'Alternative access to serve the site direct to Bodafon Road to the south would be inappropriate, due to the narrow rural lane character of this route, which is not capable of being improved to meet modern standards'.

I agree, and must take this opportunity to remind you that any children living on the new estate would have to travel along Bodafon Road to reach Ysgol Bodafon. As such there is a potential that the proposal is in conflict with:

- PPW 4.1.10: 'make it possible for all short journeys within and beyond the development to be easily made by walking and cycling';
- PPW 4.1.1: 'The planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport'.

I have highlighted previously that Mr Wilkinson has wrongly dismissed my concern about children having to travel along Bodafon Road to Ysgol Bodafon, by stating: 'with a development this size, it would be unreasonable for the Developer to fund an Active Travel compliant route to the existing school site at Ysgol Bodafon from the development site'.

There is no question that the officer response is unacceptable and provides clear proof that the application is in breach of PPW 4.1.10 & 4.1.1. This remains the case with the developers offer of providing signage either end of Bodafon Road.

The Local Authority and the developer should be appalled that you are willing to even contemplate enabling children to walk and cycle to Ysgol Bodafon along 'a the narrow rural lane... which is not capable of being improved to meet modern standards'. Yet again, I recommend that all members of the Planning Committee undertake a site visit and walk from the development location to the school at around 8:30am on a school day, and back at around 3:30pm on a school day. I am sure that they would come to a reasonable conclusion that the route is unsafe and as such the development is in breach of PPW. This is confirmed by the fact that on 7 March 2022 Mr Wilkinson wrote in relation to Ysgol Bodafon:

'it is likely that the small number of children associated with the development scheme will be driven to school by their parents. This would eliminate any potential safety issues for cycling and walking this particular route where it is appreciated that there are no formal footways etc'.

Alongside there being no guarantee that the children would not walk or cycle, I believe that the Local Authority stance of expecting parents to drive pupils to the school is in breach of PPW 4.1.10 & PPW 4.1.1, and in complete conflict with the Climate Crisis.

I maintain that the Local Authority recommend refusal.

Kind regards,

Janet Finch-Saunders MS/A