

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
12/0343/FULL 03.05.2012	Grwp Gwalia C/o Nathaniel Lichfield & Partners Mr C Kosaner Helmont House Churchill Way Cardiff CF10 2HE	Demolish existing garage/service building and erect independent hospital, landscaping and associated infrastructure works Land Off The Bryn (Via Old Newport Road) Bedwas Caerphilly

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: This application is for the redevelopment of part of the former C.A.T.S. transport site which fronts onto The Bryn, in Bedwas. The site is located fairly centrally in the Bedwas area.

Site description: The application site is roughly rectangular in shape, and is bounded to the north by a Surgery, to the south by a social club and Transport Depot. To the east is a bowling green and clubhouse, and to the west runs The Bryn, on the other side of which stands a small development designed as older persons' bungalows.

The site is itself relatively flat, however the social club is approximately two metres higher along the boundary with the site. This adjoining land is retained by a substantial wall designed for that purpose.

The area was previously occupied by three large maintenance buildings related to the transport operation based at the site. Two of these have now been demolished with the result that the site is currently in a semi-cleared state.

Development: The current proposal is for the removal of the remaining maintenance building and the re-development of the site by the construction of mixture of a single and two-storey building. The two-storey element faces onto The Bryn, to the east, and partly towards the Health Centre, to the north. Whilst the single-storey element is located behind this and wraps around the majority of the north and west boundaries to form a relatively large south facing private courtyard for residents and staff.

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The building therefore surrounds the courtyard on three sides. Two of the "arms" of the building forming this courtyard have pitched roofs, whilst the third (being the south facing one) has a flat roof upon which are located a number of rows of photovoltaic panels. This flat roofed area faces north towards the health centre and cannot be readily seen from the public highway.

The elevation facing The Bryn is set back from the footpath to allow car parking and an element of landscaping to be provided for. The boundary of the site on this side is marked by a 1.4 metre high enclosure comprising a wall topped with metal railings.

The ground floor comprises seven bedsits, living, dining and kitchen rooms, along with a range of offices and consulting and meeting rooms. There are also various plant rooms and storage areas sited on this level.

The first floor contains nine bedsits, an activity room and a staff office.

The application is accompanied by supporting information relating to the use and function of the hospital, which deals with women who have an "enduring" mental health support need. Detail is provided in respect to the relationship of this application with this Council's Community Strategy and also its Health, Social Care and Well Being Strategy. These, the applicant contends, supports one of the main aims of this development, which is to integrate such facilities into the community.

The applicant also stresses the point that both they (i.e Grwp Gwalia, who will develop the proposal) and Turning Point (who will be responsible for running it day to day) are both "Third Sector Organisations" who operate on a not-for-profit basis.

Dimensions: The site area comprises a total of 0.32 Hectares. The building will provide for a gross internal floor area of 1,260 square metres. The two-storey pitched roof element of the building which fronts onto The Bryn measures 12 metres to the apex of the roof, whilst the flat roof single-storey section measures approximately 8 metres in height.

Materials: The walls are to be finished in facing brick with timber detailing. Whilst the pitched roofs are to be covered in seamed zinc.

Ancillary development, e.g. parking: The staff parking area shows 13 spaces, 1 of which is for disabled use. The application forms also indicate 8 bicycle spaces will be provided.

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PLANNING HISTORY

07/1354/OUT - Redevelop site for residential purposes - Granted 11.03.11.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is within the settlement limit identified in the plan, however it is not allocated for a defined land use.

Policies: The policies of relevance to this proposal are as follows:

1. SP 3 - Development Strategy in the Southern Connections Corridor.
2. CW 15 - General Locational Constraints.
3. CW 2 - Amenity.
4. CW 3 - Design Considerations - Highways.

NATIONAL POLICY National Planning Guidance is set out in Planning Policy Wales (Edition 4, Feb. 2011).

Also of relevance are the following Technical Advice Notes:

TAN 12, Design.

TAN 22, Planning for Sustainable Buildings.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? The application was not required to be screened for an EIA as the area of the application was below the threshold of 0.5 Hectares.

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes.

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CONSULTATION

The Coal Authority - comments that the proposal falls within the defined Coal Mining Development Referral Area. This means that within the site and the surrounding area there are coal mining features and hazards, which need to be considered in relation to the determination of this application. On the basis of the original information provided in this regard the Coal Authority objected to the proposal. The applicant therefore submitted further information, which that Authority is now satisfied with and as a result the objection has been removed.

Conservation & Design Officer - comments on the proximity of the Listed Bedwas Workman's Institute and requests that this be considered as part of the application process.

Countryside and Landscape Services - With regard to wildlife conservation interests a Bat Survey was not required however it is recommended that an advisory note be sent out with any consent granted regarding Bats and Birds.

Bedwas, Trethomas & Machen Community Council - raises "strong objections" to the application on the basis that this is not an appropriate location for this development.

Dwr Cymru - raises no objection to the application but makes a number of detailed drainage comments that are required to either be conditioned or passed on by way of written advice to the applicant.

Senior Engineer (Land Drainage) - raises no objection to the application but requires a condition to be imposed, which addresses the surface water arrangements to serve the site. Other drainage matters are also referred to and these need to be forwarded to the applicant by way of written advice.

Head Of Public Protection - does not object to the application subject to a range of conditions being imposed relating to matters including the treatment of site contamination, odour and dust control, and the provision of noise mitigation measures during demolition and construction.

Transportation Engineering Manager - after discussing a number of issues relating to the level of car-parking and the terms of the Travel Plan, is now satisfied that the application is acceptable subject to conditions relating to parking and cycle spaces, vision splays, materials and a revised Travel Plan.

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Wales & West Utilities - has not commented on this application.

Western Power Distribution - has made no comment on this proposal.

Police Architectural Liaison Officer - has no objection to this application. Discussions are being undertaken between the police and the developer to ensure that the building will achieve the standard for the full "Secured by Design" award for hospitals.

Head Of Public Services - has made no comment on this proposal

CCBC Housing Enabling Officer - raises no objection to the application as strictly it does not refer to housing accommodation.

Social Services (Mental Health, Adult Services) - comments that whilst there may be no outstanding need for this type of service in the Borough there may still be some need for this level of service. As a result women from across Wales are likely to be accommodated there.

ADVERTISEMENT

Extent of advertisement: The application was advertised by way of site and press notices and 16 direct neighbour consultation letters.

Response: The response to this consultation exercise was the submission of three letters of objection.

Summary of observations: The basis of the objections submitted are as follows:

1. The hospital will be sited next to pensioners' homes; a school and a children's play area;
2. Why are women from outside the area being imported into Bedwas, whilst local people are not allowed to be referred to "Cardiff/UHW Heath Cardiff"
3. Are the patients a "danger to locals?"
4. The hospital is a private facility and does not have the same degree of accountability that an NHS hospital would have.
5. The location of this facility is totally inappropriate in this well developed area of Bedwas.

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SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area? It is not considered that the determination of this application will be detrimental to the issues of crime and disorder in this area. Gwent Police have been consulted on the proposal and raise no objection to it. They have already commenced discussions with the applicant's agent in respect to achieving a "Secured By Design" award for hospitals 2005.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No. The County Ecologist has considered the matter in respect to the available biodiversity records and considers that the matter can proceed on the basis of the information submitted.

ANALYSIS

Policies: Policy SP3 relates to the development strategy in the southern connections corridor. This contains a number of criteria, some of which are pertinent to the consideration of this site. These are as follows;

- A Uses previously developed land within settlement limits,
- C Makes the most efficient use of the existing infrastructure.
- D Has regard to the social and economic function of the area.

The current proposal will result in the remediation of the former Transport Depot by its redevelopment for the hospital and is well located in regard to the transport and drainage infrastructure links. It also has an impact on the economic function of the locality as it will employ 45 members of staff and will also be an important element of community life by allowing residents with mental health issues to be re-integrated into the local society.

As such it is considered that the proposal accords with this policy.

Turning to Policy CW 15 (General Locational Constraints), this also has criteria of relevance. These are as follows;

- A. Development proposals will not be permitted if they prejudice the implementation of wider comprehensive redevelopment or constrain the development of any adjacent site for its allocated land-use

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- B. Within settlement boundaries proposals for all types of development accord with the role and function of the settlement within which they are located.

With regard to the former it is considered that the current proposal can be undertaken without prejudicing wider development or constraining the activities/operations being undertaken on adjacent land. This criterion is therefore complied with.

In respect to the latter requirement the small hospital facility proposed is considered to complement the role and function of the settlement in terms of its scale and purpose. As such this criterion is also considered to be satisfied.

Policy CW2 requires development to pay regard to all relevant material planning considerations in order to satisfy the following requirements:

- A. There is no unacceptable impact on the amenity of adjacent properties or land
- B. The proposal would not result in overdevelopment of the site and / or its surroundings
- C. The proposed use is compatible with surrounding land-uses and would not constrain the development of neighbouring sites for their identified land-use
- D. Where applicable, the viability of existing neighbouring land uses would not be compromised by virtue of their potential impact upon the amenity of proposed new residential development.

With regard to the first of these the site is surrounded to the north, south and west by various commercial and leisure uses the impact of the current proposal on the amenity of these uses are considered to be of an acceptable level. There is a large Listed Building (i.e. Bedwas Workman's Institute) located to the south-west of the site. This building does not share a boundary with the site and fronts onto Newport Road, as opposed to The Bryn. In the circumstances it is not considered that the hospital affects the Institute, or its setting in a detrimental way.

The design and appearance of the hospital is well considered in respect to the layout, scale and massing and this also is considered of an acceptable standard in respect to its own site and that of the surrounding land-uses.

The issue of overdevelopment is not relevant as the building covers less than a third of the site area and is also of a scale, which reflects that of its surroundings.

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With regard to the proposed use, the applicant has provided information, which indicates that the use of the hospital is one that falls within Class C2 of the Town and Country (Use Classes) Order. This covers uses such as residential care homes, hospitals, nursing homes etc. In doing this they seek to draw a distinction between this class and the relatively recently defined Class C2A, which covers secure residential accommodation, including prisons, secure hospitals etc.

The following statement is provided by Turning Point, who will run the facility;

"The service will be a 16 bed Mental Health Independent Hospital. The client group is expected to be female, aged 18-65, who are currently receiving support to manage their mental health but are not required to reside in a secure hospital setting. The purpose of the unit will be to provide community based rehabilitation that will mainly focus on improving 'activities of daily living'. This is aided by the provision of individual bedsits. There will be a 24 hour staffed presence. There will be a mixture of Nursing staff and support workers".

The intent of the hospital is to integrate the residents into the community. No resident will live at the site for longer than 2 years and during that time it is indicated that residents will move within the community, as they are not required to be contained in secure accommodation.

It is on this basis that it is accepted that the operation falls within Class C2 and is one that complies with criterion C of policy CW2. If members approve this application a condition could be imposed restricting the activity to this Class.

Turning Point also indicate that they operate two similar hospitals in Yorkshire and have also obtained planning permission for two further hospitals in Derbyshire, all of which have been granted planning consent under Class C2.

Criterion D refers to new residential development and is not strictly relevant in this instance. As such the requirements of this policy are satisfied.

The final Local Development Plan policy refers to CW3 (Design Considerations - Highways). The applicant has submitted a Highways Statement, including a Travel Plan, to address the issues contained in this policy. These include matters such as adequate parking provision and the safe, efficient and effective use of the transportation network. The Transport Engineering Manager has considered the information provided and, subject to the use of conditions, considers that the highway safety issues can be adequately dealt with.

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In the circumstances there are no LDP policy objections to this proposal.

In terms of National Guidance and the Technical Advice Notes of particular relevance are TAN 12 - Design and TAN 22 - Planning for Sustainable Buildings. The former's objective is in achieving good design solutions. In this respect the submission was accompanied by a Design and Access Statement prepared in accordance with the guidance contained in this TAN. It is considered that the solution arrived at is acceptable in this regard.

The design discussions for the building, undertaken by the applicant, included a requirement for it to be a sustainable structure and have a BREEAM rating of excellent. In this respect a BREEAM pre-assessment was submitted with the application. This document was prepared in the light of the advice contained in TAN 22 (Planning for Sustainable Buildings). In the circumstances the proposal has been designed on this basis and accords with the necessary advice.

There are considered to be no policy objections to this development.

Comments from Consultees: None of the Consultees have raised objection sufficient to sustain a reason for refusal. A number do however make comments, which are required to be imposed as conditions attached to any consent granted. Whilst the Council's Social Services Department comment that it is unlikely that the hospital will be occupied primarily by women from this district, this does not affect the land-use assessment of the development per se. The applicant comments that "future residents will originate from the 3 South Wales LHBs: Aneurin Bevan, Cardiff and Vale, and Cwm Taf". The nomination of residents is however not a matter which can be the subject of control through the planning process.

Comments from public: The responses to the matters raised by members of the public and the Bedwas and Machen Community Council are as follows;

1. The hospital is indeed to be sited within the built up area of Bedwas and Trethomas. It will be in relatively close proximity to other residential properties and existing facilities such as the health centre, the Bowls Club, the Institute and the school etc. There is not considered to be a valid land-use reason to prohibit this location.
2. The geographical make up of residents is not a material planning consideration, neither is the access to particular hospitals for treatment.

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3. The residents are people with enduring mental health issues, however this does not make them dangerous. The applicants have indicated that the persons residing there are not required to live in a secure hospital. They may have issues which make dealing with everyday life difficult and consequently need assistance and care in this respect, however the purpose of this hospital, as described in the application, is to assist residents from a position of dependency to one of independence, with the outcome that they can be integrated back into society.
4. The hospital is an independent facility and is separate from the NHS. This fact alone is again not a material planning consideration. Many dentists, nursing and residential homes, and doctors operate outside the NHS. The issue of accountability lies with the relevant Government Departments, Health Boards etc. The applicant has however sought to provide some context in this regard. The following statement is taken from a longer submission regarding their role in the provision of such services.
" Both Gwalia and Turning Point are established providers of accommodation and support for a wide range of vulnerable groups across Wales and the U.K. As Third Sector organisations, both businesses operate on a not-for-profit basis, with voluntary sector ethos and charitable values as part of their constitutions".
5. This location is the one that has been applied for and therefore is the one to be assessed. On the basis of the information submitted with the application, this site is considered to be appropriate in respect to its design and use.

Other material considerations: In support of the application the agent has referred to the role that this Authority, through its strategies on Community and also Health, Social Care and Well-Being, plays in respect to the treatment of adult mental health. They consider that the hospital proposal will play its part in helping to modernise and redesign the service by assisting the recovery of residents by promoting independence and self-management. Whilst these documents are not strictly relevant to land-use issues in a detailed sense, it is acknowledged that this Authority has an extremely important role in respect to mental health care.

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RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenity of the area.
- 03) Prior to the commencement of works on site a scheme for the drainage of foul, land and surface water shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.
REASON: To ensure the development is served by an appropriate means of drainage.
- 04) The scheme of drainage required in condition 3 above shall include a grease trap. This shall be agreed in writing with the Local Planning Authority as part of the required comprehensive drainage scheme and shall be installed in the foul drainage system prior to the first use of the building hereby approved as a hospital commencing.
REASON: To prevent pollution.
- 05) The premises shall be used for a Hospital and for no other purpose, including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification without the approval of the Local Planning Authority.
REASON: In the interests of adequate control of the site's use.

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- 06) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of public health.
- 07) Before any soils or hardcore are brought on to site a scheme for its importation and testing for contamination, shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: To prevent contamination of the application site in the interests of public health.
- 08) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.
REASON: To protect public health.
- 09) Prior to the commencement of the development hereby approved a scheme of odour/effluvia/fume control, including the erection of any associated stacks or vents, shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be carried out and operated in accordance with the approved scheme.
REASON: In the interests of the amenity of the area.
- 10) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.
REASON: In the interests of the amenity of the area.
- 11) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.
REASON: In the interests of the amenity of the area.

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- 12) The development shall be carried out in accordance with the information contained in the Environmental Noise Impact Assessment (Doc. No, P2005111/ (REP) U001) written by BDP Acoustics dated May 2012 and submitted with the application.
REASON: In the interests of residential amenity.
- 13) As part of the scheme required in condition 3 above the details relating to surface water and land drainage flows from the site, shall demonstrate how they are being dealt with as required by the Flood and Water Management Act 2010.
REASON: To ensure that the site can be adequately drained.
- 14) Prior to the commencement of works on site details shall be submitted to and approved in writing by the Local Planning Authority of 15 off-street parking spaces within the curtilage of the site. Such provision shall be completed in accordance with the agreed details prior to beneficial occupation of the development and shall be maintained thereafter free of obstruction for the parking of motor vehicles only.
REASON: In ensure that adequate parking facilities are provided within the curtilage of the site.
- 15) Prior to work commencing on site the proposed parking area shall be completed in materials as agreed in writing with the Local Planning Authority, to ensure loose stones or mud etc. are not carried on to the public highway. The parking area shall be completed in accordance with this written agreement prior to the use of the hospital commencing.
REASON: In the interests of highway safety.
- 16) The required access, together with vision splays of 2.4m x 33m, shall be laid out in accordance with the approved drawings and constructed in materials to be agreed in writing with the Local Planning Authority prior to beneficial use of the hospital commencing.
REASON: In the interests of highway safety.
- 17) Notwithstanding the submitted plans prior to the commencement of work on site revised details of the cycle stand location shall be submitted to and approved in writing by the Local Planning Authority. The stand shall be relocated to the front of the building in a position to be agreed with the Local Planning Authority and be completed prior to beneficial occupation of the hospital first commencing.
REASON: In the interests of highway safety.

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- 18) Prior to the development commencing a revised Travel Plan shall be submitted and approved in writing by the Local Planning Authority. Thereafter this agreed Travel Plan shall be implemented within 3 months of occupation of the hospital first commencing.
REASON: In the interests of highway safety.
- 19) Unless otherwise agreed in writing with the Local Planning Authority, each building hereby permitted shall be constructed to achieve a minimum Building Research Establishment Environmental Assessment Method (BREEAM) overall level 'Very Good' and achieve the mandatory credits for 'Excellent' under issue 'Ene1 - Reduction of CO²', in accordance with the requirements of BREEAM 2008 or any subsequent or equivalent quality assured scheme.
REASON: To comply with the requirements of Ministerial Interim Planning Policy Statement 01/2009 or any statement revoking and re-enacting the Statement in part or in full.
- 20) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of work on site an 'Interim Certificate' issued by an accredited body, certifying that the development shall achieve Building Research Establishment Environmental Assessment Method (BREEAM) overall level 'Very Good' and achieve the mandatory credits for 'Excellent' under issue 'Ene1 - Reduction of CO²', shall be provided to and its receipt acknowledged in writing by the Local Planning Authority.
REASON: To comply with the requirements of Ministerial Interim Planning Policy Statement 01/2009 or any statement revoking and re-enacting the Statement in part or in full.
- 21) Unless otherwise agreed in writing with the Local Planning Authority, no building hereby permitted shall be occupied until a 'Final Certificate' issued by an accredited body, certifying that the building has achieved Building Research Establishment Environmental Assessment Method (BREEAM) overall level 'Very Good' and achieved the mandatory credits for 'Excellent' under issue 'Ene1 - Reduction of CO²', has been provided to and its receipt acknowledged in writing by the Local Planning Authority.
REASON: To comply with the requirements of Ministerial Interim Planning Policy Statement 01/2009 or any statement revoking and re-enacting the Statement in part or in full.

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- 22) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected, and a timetable for its implementation. The boundary treatment shall be completed in accordance with the approved details and timetable.

REASON: In the interests of the visual amenity of the area.

- 23) The development shall be undertaken in accordance with the contents of The Coal Mining Risk Assessment Report, dated the 24th July 2012.

REASON: To address coal mining legacy issues.

Advisory Note(s)

Please find attached the comments of Dwr Cymru/Welsh Water, Senior Engineer (Land Drainage), Council's Ecologist, Heddlu Gwent Police and Transportation Engineering Manager that are brought to the applicant's attention.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: SP3, CW2, CW3, CW15.
