

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0651/COU 13.09.2017	Mr L Jarvis St. Martin's School Hillside Caerphilly CF83 1UW	Change the use from residential dwelling to school reception/offices School House Hillside Caerphilly CF83 1HN

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: School House, Hillside, Caerphilly, CF83 1HN.

Site description: A detached dwelling formerly the School Caretakers house located at the western end of Hillside. To the east is a small lane and beyond that lies a semi detached property (Roseworthy) and rear curtilage areas of properties on Mountain Road. To the south is Hillside with a school entrance and semi detached properties Lugano and Arfryn beyond. To the west is St Martin's Comprehensive School with a car park area, swimming pool and various school buildings. To the north are trees on the boundary with the graveyard of St Martin's Church.

Development: Change the use from residential dwelling to school reception/offices.

Dimensions: Footprint of dwelling is approximately 8m by 8m.

Materials: Walls: Red Brick, Roof: Slate.

Ancillary development, e.g. parking:

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site lies within the defined settlement boundary.

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Application 17/0651/COU continued

Policies: CW2 (Amenity), CW3 (Highways), SP6 (Place making) SP10 (Conservation of Natural Heritage).

NATIONAL POLICY Planning Policy Wales, Technical Advice Note 12: Design.

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? This is a High risk area, and so it is intended to attach an informative note about mining conditions in the area.

CONSULTATION

Dwr Cymru - No objection.

Countryside And Landscape Services - No objections.

Transportation Engineering Manager - No objection in principle to this application request that parking provision is clarified.

Head Of Public Protection - No adverse comments.

Principal Valuer - No comments.

ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice and neighbour notification letters were sent to 15 nearby properties.

Response: Representations were received from 10 households and a joint response on behalf of residents by a Planning Consultancy.

Summary of observations:

- Existing problems with traffic congestion and parking on Hillside and proposals will increase it.
- Queries use of the building and security
- Hillside is not wide enough for all the extra traffic

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Application 17/0651/COU continued

- Street was never designed as a 'through road'
- The road is used daily, morning evenings and weekends for dropping pupils to the school and public using swimming pool most evenings and weekends.
- Lack of a turning circle
- Noticed a large amount of traffic using a resident's driveway to turn around and large vehicles having to reverse onto Mountain Road.
- Hillside is a residential street occupied by families with children and elderly people who would be put at risk by the additional traffic
- Object to Loss of the Caretaker
- Boundary amendments
- Health and Safety issues with current vehicles movements including school minibus/coach movements
- Overlooking from upper floor of a previously residential building looking directly into our property.
- Express appreciation of the efforts that have been made by Mr Jarvis and the School to alleviate the problems neighbours face as residents and suggest if changes are made to the proposal in terms of assurances of use of the upper floor and parking alterations objection may be removed.
- Access and Parking arrangements have created problems.
- Suggest Trees protected by Tree Preservation Orders will be affected
- Raises other matters including fencing, future maintenance of areas and antisocial behaviour.
- Contrary to Planning Policies CW2 and CW3.
- Building is outside School Boundary and represents an alteration to the Planning Unit allowing educational and associated operational activities to "spill out" onto Hillside.
- There is now use of Hillside as an access and waiting area by supplementary specialist staff, deliveries and buses throughout the day
- Boundary treatment with Hillside should be reinstated.
- All pedestrian, vehicular and cycle access to the proposed reception and office (former caretakers house) are via the school and that there is no direct access from Hillside.

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 crime and disorder will be materially affected by the development.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No European protected species implications and therefore no comments required from council's ecologist

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Application 17/0651/COU continued

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Not chargeable as Schools (Non-Residential Institutions) are Zero rated for Community Infrastructure Levy.

ANALYSIS

Policies:

The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The main considerations for the application are the impact on neighbour amenity and the impact on highway safety.

The detached building has been used as dwelling (Caretakers house) and the proposed change of use would be for purposes ancillary to the functioning of the School (D1 Non Residential Institution) and it is has been indicated that this would house reception/office facilities.

The building is located on the eastern side of the existing Comprehensive School site and representations made to the application have raised the issue of the existing school boundary and the Caretakers House being outside of the established "planning unit". The current application is for a change of use to the Caretakers House and therefore the suitability of the use of the building and its amenity space for educational uses has been considered within this application. The Caretakers House is separated from other properties on the northern side of Hillside by an access lane and is angled in relation to the properties on the southern side of Hillside (including Lugano). The western boundary of the application site immediately abuts the school site and as such the proposed change of use is considered acceptable in principle.

The impact of the development on the existing levels of amenity enjoyed by occupiers of nearby dwellings has been considered. The former use of the building as a dwelling included habitable rooms on upper floors with fenestration on the front south facing elevation, rear north facing elevation and eastern side elevation. The siting and orientation of the building is such that direct overlooking of parts of rear amenity spaces close to residential dwellings does not occur and angled views are over significant distances. The first floor front fenestration is angled in relation to the dwelling opposite (Lugano) and the closest window serves a non habitable area (stairwell/landing). A former bedroom which would become an office/meeting room overlooks the school site with angled views towards the front elevation of Lugano at a separation distance of approximately 20 metres. It is not considered that any unacceptable overlooking would occur as a result of the proposed change of use. No other property would be

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Application 17/0651/COU continued

unacceptably affected by the development. The development accords with adopted Local Development Plan Policy CW2 (Amenity).

In respect of Highway matters and parking provision, concerns have been raised by residents in relation to existing access problems and parking issues on Hillside. In response to being provided objections raised in relation to the planning application a copy of a presentation made by the Head Teacher of St Martin's School to local residents was provided to the Local Planning Authority this included the following bullet points deemed relevant to include the School's Actions to date:

- Site security-perimeter fencing at Rectory Lane and Hillside with vehicle and pedestrian gates
- Additional parking
- Lock down procedures-to reduce traffic flow using Hillside
- Security fencing around perimeter of former caretaker's house and church yard
- Communications with the local authority Highways department
- Police logs where illegal or dangerous parking, or vehicle manoeuvres, are evident
- New signage relating to speed limits
- Prevention of students going off site at lunch and break times
- Opened up front of former caretaker's house for visitors or staff who arrive on Hillside after school gates are locked, thus reducing parking in front of residents' houses.
- Former caretaker's house not in use on weekends and agreed parking spaces can be used by residents on weekends and evenings, if necessary
- Undertaken assemblies and lessons covering safe routes to school and crossing roads
- Senior leadership team on duty daily easing traffic flow in the town and surrounding school site
- Lobbied council for residents' parking on Hillside
- Gained new street sign for Hillside
- Request to Highways to consider relocating public bin on Hillside
- Request to Highways to refresh school road signage on St. Martin's Road which is faded and unclear
- Request to Highways for no-through road signage to be introduced on the entrances of both Hillside & Rectory Lane
- Request to Highways for children crossing signs/school zone to be introduced on Hillside & Rectory Lane
- Request to Highways for 20mph speed limit to be introduced on Hillside & Rectory Lane
- School regularly engage with its neighbours to listen to concerns and make improvements, where possible, for all

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Application 17/0651/COU continued

It is noted that the Local Planning Authority has been advised by the School that longer term measures including providing turning facilities within the school grounds are being considered by the Head Teacher but this may require installation of new gates and amendments within the school boundary. In relation to the Highway issues raised by residents it is noted that the application property is adjacent to an existing established access to the school site and removal of boundary treatments would not have required planning permission. In terms of additional parking areas created by the removal of fencing this was undertaken when the building was a dwelling and an associated creation of an access onto Hillside as an unclassified road would not in itself had required planning permission. In addition some issues raised related to parking on the public highway appear to be within areas with no traffic order restrictions and therefore could not be controlled.

It is acknowledged that the proposed change of use will generate some additional traffic onto Hillside and it is noted that the school has a parking area within the school grounds adjacent to the swimming pool area in addition to the parking spaces outside the former caretakers school. It is considered that adequate access and parking arrangements can be agreed with the applicant by the imposition of a planning condition requiring a Traffic Management Plan to be submitted for the written approval of the Local Planning Authority prior to the use commencing and agree measures required to be implemented within appropriate timescales.

The application is considered acceptable and recommended for approval subject to a planning condition requiring a Traffic Management Plan.

Comments from Consultees:

The Council's Ecologist has offered no objection to the application but has requested informative notes and ecological enhancement to be conditioned. It is considered that in relation to ecological enhancement this would not be reasonable to condition due to the small scale of the development and this advice should instead be provided to the applicant as an informative with the permission.

Comments from public:

- Existing problems with traffic congestion and parking on Hillside and proposals will increase it.
- Queries use of the building and security
- Hillside is not wide enough for all the extra traffic
- Street was never designed as a 'through road'
- The road is used daily, morning evenings and weekends for dropping pupils to the school and public using swimming pool most evenings and weekends.

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Application 17/0651/COU continued

- Lack of a turning circle
- Noticed a large amount of traffic using their driveway to turn around and large vehicles having to reverse onto Mountain Road.
- Hillside is a residential street occupied by families with children and elderly people who would be put at risk by the additional traffic
- Health and Safety issues with current vehicles movements including school minibus/coach movements
- Access and Parking arrangements have created problems.
- There is now use of Hillside as an access and waiting area by supplementary specialist staff, deliveries and buses throughout the day

It is considered that the requirement for a Traffic Management Plan to be submitted and agreed in writing by the Local Planning Authority will enable the school and the Local Planning Authority in conjunction with the Highway Authority to agree suitable measures for parking and access prior to the use commencing.

- Object to Loss of the Caretaker

This is not a material planning consideration.

- Boundary amendments

- Boundary treatment with Hillside should be reinstated.

This is a matter for the applicant.

- Overlooking from upper floor of a previously residential building looking directly into our property.

The former use of the building included habitable rooms and the siting and orientation of the dwelling/fenestration is such that neighbour amenity will not be unacceptably harmed by the proposed development.

- Express appreciation of the efforts that have been made by Mr Jarvis and the School to alleviate the problems neighbours face as residents and suggest if changes are made to the proposal in terms of assurances of use of the upper floor and parking alterations objection may be removed.

The application has been considered on the basis of the submission.

- Suggest Trees protected by Tree Preservation Orders will be affected

There are no Tree Preservation Orders in the locality.

- Future maintenance of areas and antisocial behaviour.

This is a matter for Police and the applicant.

- Contrary to Planning Policies CW2 and CW3.

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Application 17/0651/COU continued

It is considered that the proposal is not contrary to policy CW2 (Amenity) and with agreement of a suitable Traffic Management Plan mitigation can be provided to ensure an acceptable impact on highway safety according with Policy CW3 (Highways).

- Building is outside School Boundary and represents an alteration to the Planning Unit allowing educational and associated operational activities to "spill out" onto Hillside. This has been considered within the officer report.

- All pedestrian, vehicular and cycle access to the proposed reception and office (former caretakers house) are via the school and that there is no direct access from Hillside. There is an existing access to the school from Hillside and the scale of the proposed development is not such to warrant this restriction.

Other material considerations:

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

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) The development shall be carried out in accordance with the following approved plans and documents:
 - Site Location Plan, received 06.09.17;
 - Proposed Ground floor plan, received 06.09.17;
 - Proposed First Floor Plan, received 06.09.17.REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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Application 17/0651/COU continued

- 03) Prior to the commencement of the use hereby permitted a Traffic Management Plan (TMP) shall be submitted for the written approval of the Local Planning Authority. The Traffic Management Plan shall include details of vehicular and pedestrian access arrangements, an operational management strategy which shall include measures to manage traffic flow and encourage parking within the school grounds. The measures within the approved Traffic Management Plan shall be implemented prior to the commencement of the use hereby permitted (unless another timescale is agreed within the approved Traffic Management Plan). The approved measures shall be maintained thereafter.
REASON: To ensure the development has an acceptable impact on Highway Safety.
- 04) The premises shall be used for purposes ancillary to the operation of St Martin's School and for no other purpose (including any other purpose in Class D1 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 the amenity of the area.

Advisory Note(s)

Please find attached the comments of The Council's Ecologist that are brought to the applicant's attention.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority.

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: CW2 and CW3.

