

Application Number: 21/1025/LA

Date Received: 19.10.2021

Applicant: CCBC

Description and Location of Development: Erect Primary school, including nursery, childcare unit, Special Educational Needs accommodation and associated external works including external hard and soft play areas, play equipment, seating, lighting, landscaping, boundary enclosures, cycle and vehicle access/parking - Former Cwmcarn High School Chapel Farm Terrace To Cwmcarn School Cwmcarn Newport NP11 7NG

APPLICATION TYPE: Local Authority Application

SITE AND DEVELOPMENT

Location: The application site forms part of the former Cwmcarn High School site and is located between the residential street of Priory Court to the south and a bowls club, changing room block and the Prince of Wales Industrial Estate to the north.

Site description: The application site comprises of an irregular parcel of land consisting of the former school playing field, part of the former school building site, a lower disused car park and an existing public car park that currently serves the adjacent welfare grounds. The area of playing field remains undisturbed since its previous use and the tarmac surface of the lower car park remains in situ. Whilst the area of the former school building has been significantly disturbed as a result of previous demolition works, this area is beginning to be recolonised by vegetation. There are some small groups of trees within the site and a number of existing trees are located along the site boundaries, most notably at the northern end and south-western corner of the site. The site is predominantly flat; however, the land does fall away in the south-western corner towards the lower car park area.

In terms of the surrounding area, to the north of the site is the bowls club with Abercarn welfare ground beyond. Prince of Wales Industrial Estate also lies to the north and the nearest employment unit, located just to the northeast of the site, is Gerry Jones Transport Services. The eastern boundary of the site adjoins the remainder of the former comprehensive school site which still retains the former performing arts building. The southern boundary of the site lies adjacent to the residential properties of Priory Court and also adjoins a wooded area as you move west towards the Ebbw River. The Ebbw River and the playing field used by Abercarn AFC lie adjacent to the southern and northern part of the western boundary respectively.

Development: Planning permission is sought for a new primary school that would replace the existing Ysgol Gymraeg Cwm Gwyddon Primary School, which is at capacity and unsuitable for expansion. The proposed replacement primary school would accommodate up to 420 school children and would also provide childcare and special

educational needs accommodation. The proposed primary school would have an internal floor area of approximately 3,377 square metres and would be served by a new northern vehicular access off Darren Drive and the existing southern vehicular access off Chapel Farm Terrace. Both access roads link to the main A467 distributor road.

Dimensions: The proposed primary school building is broadly a long, narrow rectangular building with a single perpendicular side projection on its north-eastern side towards the northern end of the building. The proposed building would measure approximately 127m in length. The width of the building would vary along its length, measuring approximately 19m at the northern end, approximately 65m across the building and its side projection and 22m across the middle and southern parts of the building.

The proposed building would be predominantly single storey with a shallow pitched roof measuring approximately 3.2m and 5m at eaves and ridge height respectively. A number of roof lanterns are also proposed which increase the height of the roof to approximately 7m. The side projection would be two storey in height and would also incorporate a shallow pitched roof design, measuring approximately 5.5m and 6.8m at eaves and ridge height respectively. Proposed projecting roof vents would also increase the height of the roof to approximately 7.5m.

Materials: The proposed building would primarily comprise of a mixture of facing brick with coloured render and panelling. An aluminium standing seam roof is also proposed along with aluminium curtain walling and aluminium doors, windows and louvres. Proposed canopies and brise soleil would primarily comprise of a glass roof and steel.

Ancillary development, e.g. parking: The existing car park in the south-western corner of the site would provide 58 car parking spaces and a new car park is proposed adjacent to the northern access, which would provide 13 car parking spaces (including 4 disabled spaces). It is also proposed to utilise the existing car park with 61 spaces adjacent to the bowls club/changing room block for parent drop off. The proposed bus bay would be located in the south-eastern corner of the site opposite the rear boundaries of the residential properties at Priory Court. Cycle racks are also proposed within the site.

An external sprinkler tank system and a bin storage area would be contained within timber enclosures. Outdoor children's play space is also proposed adjacent to the north-eastern and south-western sides of the building, along with outdoor teaching and ecological areas further to the south.

PLANNING HISTORY 2010 TO PRESENT

18/0974/NOTD - Demolish building/block A and building/block B - Prior Approval Not Required 23.11.18.

POLICY

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

Site Allocation: The part of the site which was formerly occupied by the comprehensive school building falls within the settlement boundary. However, the part of the site which comprises of the former school playing field and car park falls outside of the settlement boundary.

Policies: SP3 (Development Strategy - Development in the Southern Connections Corridor), Policy SP4 (Settlement Strategy), Policy SP5 (Settlement Boundaries), Policy SP6 (Place Making), SP8 (Minerals Safeguarding), SP10 (Conservation of Natural Heritage), Policy CW1 (Sustainable Transport, Accessibility and Social Inclusion), Policy CW2 (Amenity), Policy CW3 (Design Considerations - Highways), Policy CW4 (Natural Heritage Protection), Policy CW5 (Protection of the Water Environment), Policy CW6 (Trees Woodland and Hedgerow Protection), Policy CW8 (Protection of Community and Leisure Facilities), Policy CW15 General Locational Constraints and Policy NH3 (Sites of Importance for Nature Conservation).

Supplementary Planning Guidance: LDP 5 Car Parking Standards sets out parking requirements for all developments.

Future Wales: Policy 1 (Where Wales will Grow), Policy 2 (Shaping Urban Growth and Regeneration - Strategic Placemaking), Policy 3 (Supporting Urban Growth and Regeneration - Public Sector Leadership), Policy 6 (Town Centre First), Policy 8 (Flooding), Policy 9 (Resilient Ecological Networks and Green Infrastructure), Policy 12 (Regional Connectivity) and Policy 33 (National Growth Area - Cardiff, Newport and the Valleys).

NATIONAL POLICY Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009), TAN 12: Design (2016) and TAN 15: Development and Flood Risk (2004).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? Yes.

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? No.

CONSULTATION

Dwr Cymru – No comments received.

Head Of Public Services - Adequate waste storage, such as a bin compound, should be provided for the proposed school.

Parks And Open Spaces - No comments received.

Welsh Government - Planning Directorate - No comments received.

Transportation Engineering Manager - CCBC - No objection subject to conditions relating to parking, travel plan and a construction environment management plan.

Head Of Public Protection - CCBC - No objection subject to conditions relating to contamination, floodlighting, plant and machinery, fumes and odour control, and dust and noise mitigation.

Heritage And Placemaking Officer - No objection but a number of design improvements recommended.

Senior Engineer (Land Drainage) - No objection subject to additional details/information being submitted as part of the SAB application process.

Principal Valuer - No comments made.

CCBC - 21st Century Schools - No comments received.

Strategic & Development Plans - No objection subject to no adverse comments received from Drainage, Highways and Environmental Health.

Ecologist - No objection subject to a condition securing a biodiversity strategy.

Landscape Architect - CCBC - Concerns raised over encroachment of infrastructure into root protection areas of several trees and soft landscaping scheme is considered to be insufficient given the size and scale of the proposed development. Also recommends that roofing materials are a non-reflective, muted darker colour and details of outdoor furniture, paving areas, boundary treatments and external lighting are secured by condition.

Natural Resources Wales - No objection subject to conditions being imposed that address concerns in relation to European Protected Species, land contamination and pollution prevention.

Police Architectural Liaison Officer - No comments received.

Western Power Distribution - Advised that a separate application to WPD would be required if there is a need for a new connection or service alteration.

Senior Arboricultural Officer (Trees) - Concerns raised over the impact of the development on several trees, due to the encroachment of infrastructure into root protection areas. Additional landscape screening also recommended adjacent to the proposed bus drop off area located in the south-eastern corner of the site.

ADVERTISEMENT

Extent of advertisement: The application was advertised in the press, by means of site notices (x5) and thirteen neighbours were notified by way of letter.

Response: None.

Summary of observations: Not applicable.

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?

There are no specific crime and disorder implications material to the determination of this application.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Based on current evidence, this is unlikely to be a significant issue in this case, but a bat roost has been confirmed in the former performing arts building located adjacent to the site. Conditions would be attached to any planning permission to mitigate any indirect impacts. Policy 9 of Future Wales - The National Plan 2040 also states that action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment. In that regard biodiversity enhancements will be sought as part of this development.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? No, the development is not CIL liable.

ANALYSIS

Policies: With regards to the principle of development, only part of the application site is located within the settlement boundary. The proposed school building and much of the associated infrastructure, including outdoor play facilities, new northern car park and existing south-western car park are all located outside of the settlement boundary. Among other things, Policy SP5 seeks to prevent inappropriate development in the

countryside. Policy CW15 also states that proposals outside settlement boundaries will not be permitted unless, among other things, it is associated with the provision of public utilities, infrastructure and waste management facilities that cannot reasonably be located elsewhere.

In this instance, the Strategic and Development Plans Officer has advised that when the settlement boundary was designated in this location, it included the former school buildings but excluded the playing fields and ancillary open space in order to protect them from inappropriate development. However, the former school buildings and the associated playing field and ancillary open space are considered to form a single planning unit with an established educational use. As the proposal seeks to redevelop the site for an alternative form of education development, the principle of development is considered to be acceptable and as such, no objection has been raised in respect of Policy SP5.

In addition, the submitted Design and Access Statement provides background information in respect of the development constraints on the existing Ysgol Gymraeg Cwm Gwyddon Primary School site, indicating that it is at maximum capacity and developed to its maximum extent. Details are also provided of alternative site options considered as part of the education consultation exercise, such as the Ty Sign Primary School. Based on local education and community needs the redevelopment of the application site for a new purpose-built Welsh-medium primary school has been found to be the most appropriate development option. As such, it is considered that the proposal represents a form of public infrastructure that cannot be reasonably located elsewhere which meets the requirements of Policy CW15.

It should also be noted that Policy 6 of Future Wales states that, among other things, significant new education facilities must be located within town centres and a sequential approach must be used to inform the identification of the best location for these types of developments. However, the supporting justification goes on to state that this policy applies to developments of a significant scale, which can broadly be defined as where the facility will serve a town or region-wide catchment (see page 71). Moreover, it indicates that it is for the planning authority to determine whether or not a development is considered to be of a significant scale. In this instance, the proposed primary school is not considered to be of a significant scale as it would primarily serve the educational needs of more local school children. As such, a sequential approach to site selection is not considered to be necessary.

Notwithstanding this general land use acceptability, it should be noted that the playing field which forms part of the site is also protected by Policy CW8. This Policy states that proposals which result in the loss of a community and/or leisure facility will only be permitted where a comparable replacement facility can be provided (criterion A) or where it can be demonstrated that the facility is surplus to requirements (criterion B). The playing field was previously used solely in association with the former comprehensive school and has not been used or maintained since the school closed a number of years ago and the site was secured. It is therefore considered that the field is

surplus to requirements and accordingly, the proposed development accords with criterion B of Policy CW8.

In relation to flooding, the majority of the application site, including where the proposed school building would be located, is unaffected by flooding from the Ebbw River. The northern most part of site does, however, fall within Flood Zone B and the south-western corner of the site falls within Flood Zone C2. TAN 15 describes Flood Zone B as an area known to have flooded in the past evidenced by sedimentary deposits, while a Flood Zone C2 is described as an area of floodplain without significant flood defence infrastructure (see Figure 1 of TAN 15). Only the existing northern car park to be used for parent drop off falls within the Flood Zone B area and TAN 15 acknowledges this flood zone is generally suitable for most forms of development (see Section 9). As such, the flooding implications for this part of the site do not require further consideration. In respect of Flood Zone C2, TAN 15 states that only less vulnerable development should be considered in such a location subject to the application of the justification test, including acceptability of the consequences of flooding (Sections 6 and 7). The existing car park, which is classified as less vulnerable development (see Figure 2 of TAN1 5), is located within this part of the site along with the proposed ecological area which involves no built development.

A Flood Consequence Assessment (FCA) has been submitted with the application which focusses on the justification for the reuse of the car park and an assessment of flood consequences for the existing car park and proposed ecological area in the south-western corner of the site. In terms of justification, the car park is an existing feature and therefore does not involve any change of use in the land or operational development. Moreover, no surrounding flood storage areas would be built on and as such, there would be no additional flood risk to the surrounding area. Accordingly, the reuse of the existing car park is considered to be justified.

In terms of flood consequences, the FCA recommends the following measures to reduce risks from flooding: display clear signs explaining the flood risk to the site; display clear escape routes from the car park and ecological area to areas at lower risk of flooding; ensure the school management is signed up to receive flood warnings from Natural Resources Wales (NRW); close / barrier off the car park and ecology area in the event of receiving a flood warning from NRW; and develop a flood emergency plan and circulate to all site users. NRW has reviewed the submitted FCA and confirmed that they have no objection to the proposed development given that the former use of the site was that of a school and there is no change in the use of the site or flood risk vulnerability. NRW has also advised that the local planning authority may wish to condition the flood management measures recommended in the FCA. However, a condition of this nature is not considered to be enforceable and, as an alternative, the need for such measures can be brought to the applicant's attention via an appropriately worded informative.

In relation to mineral safeguarding, Policy SP8 requires the safeguarding of known resources of coal, sand, gravel and hard rock whilst maintaining a minimum ten-year

land bank of permitted aggregate reserves in line with national guidance. Whilst part of the application site is located within a minerals safeguarding zone, the site already has an established educational use and its redevelopment would not result in the sterilization of the mineral as that has already occurred when the educational use was originally established.

Policy SP6 focuses on placemaking and broadly requires development proposals to help create sustainable places by having full regard to the local context and any special features which contribute to local distinctiveness. In particular, the policy also requires, among other things, a high standard of design and layout that reflects sustainable transport and accessibility principles. Planning Policy Wales (PPW) also adopts a placemaking approach to decision making on planning applications (paragraph 2.9), highlighting the need to consider the context, function and relationships between a development site and its wider surroundings, and the potential to create high quality development and public spaces.

The proposed primary school would be accessed by both pedestrians and cyclists from the north and south of the site, providing good connectivity to the local area. Legible access into the proposed school building would also be provided through the inclusion of both northern and southern building entrances that are linked by pathways to their respective site accesses.

There is no consistent pattern to the built form of the local area, due to the variety of different neighbouring land uses present. As such, even though the position and orientation of the proposed school building is somewhat irregular and largely dictated by the physical constraints of the site, it is not considered to be unacceptable. Similarly, the scale and design of existing buildings vary within the local area but are generally either one or two storey in height. The proposed school building is predominately single storey with one element rising to two storeys, and as such, it is considered that the proposal would be in keeping with the local context in this regard.

In terms of design and appearance, the proposed school building would incorporate a gable pitched roof design with roof lanterns. The proposed materials would be a combination of traditional and modern styles. Gable pitched roofs are a common feature in the local area and whilst the roof lanterns are uncommon locally, they are a design feature typically found on school buildings and are not considered to be visually unacceptable. The more traditional brickwork and render proposed would reflect some of the materials used in the surrounding residential areas, while the more modern materials, comprising of a standard seam roof, coloured cladding panels, curtain walls and glazed canopies/brise soliel, would help create a more contemporary character to the proposed building. Collectively, the proposed mix of materials is considered to create a coherent design for the building as a whole that would not detract from the character and appearance of the local area. The proposed school building would also incorporate the principles of Secured by Design for school buildings and would achieve BREEAM 'Excellent' rating 2018, using sustainable and natural materials where possible and installing photovoltaic solar panels on the south-western roof plane.

The proposed school building would be visible from upper valley sides, including the A467 road to the east, and it is noted that the Council's Landscape Architect has highlighted the importance of the school's roof material being of a non-reflective, darker colour in order to reduce the building's visual impact within the wider area. This matter can be addressed via a condition requiring the submission and approval of all proposed materials for the school building.

In respect of the comments raised by the Council's Placemaking and Built Heritage Officer, it is considered that any beneficial effects of re-orientating the building would be limited by the constrained nature of the application site. The recommendation to incorporate a greenfield roof has also been ruled out by the applicant, due to the lightweight construction of the roof, and whilst the recommended light well along the length of the proposed school building would increase the level of natural light within the building, it is not considered essential given that adequate levels of natural light would be provided by the combination of roof lanterns and curtain walls currently proposed. Finally, both appropriate building materials and landscaping details can be secured via condition and concerns raised relating to land use compatibility with the adjacent industrial estate are addressed below under the consideration of amenity.

It is therefore considered that the proposed development would not have an unacceptable impact on the character and appearance of the local area and is acceptable in placemaking terms. Accordingly, the proposal meets the requirements of Policy SP6.

In relation to highways and parking matters, the proposed development would incorporate two separate vehicular accesses each serving a dedicated onsite car parking area at the northern (13 spaces) and southern (58 spaces) end of the site. Cycle racks would also be provided on site and a bus bay would be created at the south-eastern corner of the site. In addition, the existing public car park (61 spaces) at the northern end of the site adjacent to the bowls club/changing room block would be used by parents to drop-off and pick-up children.

The submitted Transport Statement (TS) indicates that even though the proposed primary school would accommodate approximately 574 pupils compared to the 1000 pupils previously attending the former comprehensive school, vehicle trip generation can be higher in relation to the proposed development, due to primary school pupils being more likely to travel to school by car. The Council's Highway Engineer has reviewed the trip rate data contained within the TS and confirmed that when the current level of bus/minibus use of the existing Ysgol Gymraeg Cwm Gwyddon Primary School is taken into account, the number of projected vehicle trips during the AM peak is 40 less trips, while the PM peak is 83 more trips compared to the previous use. Whilst the additional 83 vehicle trips equates to 1 additional vehicle movement every 43 seconds, the PM peak for school pupils is 15:00 to 16:00 and would not therefore affect traditional peak traffic which occurs from 17:00 to 18:00. Moreover, the TS confirms that a travel plan would be prepared for the proposed school which would promote more sustainable modes of transport, such as walking and cycling, and help further reduce car borne

journeys to and from the site. As such, the Council's Highway Engineer has raised no objection to the proposed development, subject to a number of highway and parking related conditions, and it is considered that the proposal complies with Policies CW1 and CW3.

With regards to drainage, a consultation response from Dwr Cymru/Welsh Water had not been received at the time of writing but sewer records indicate that the proposed school building would be set away from any existing infrastructure in the local vicinity. Moreover, foul flows from the proposed primary school are anticipated to be lower than those from the previous comprehensive school given the significant reduction in number of staff and pupils. A verbal update of Welsh Water's comments will also be provided at Planning Committee, if any issues are raised in relation to foul drainage.

The outline drainage strategy for the site indicates that the proposed development would incorporate permeable paving, swales located along the site boundaries and an attenuation basin located in the proposed ecological area to the south of the site. It is also anticipated that the attenuated water would discharge from the basin at a restricted greenfield runoff rate into an existing site drain which ultimately discharges into the watercourse. As the proposed development is over 100 square metres, such sustainable drainage (SuDS) details will require a separate consent from the SuDS Approval Body.

In respect of trees and landscaping, Policy CW6 seeks to protect trees, woodland and hedgerows where they make a positive contribution to the natural and built environment. More specifically, the policy requires reasonable efforts to retain trees, woodlands and hedgerows as part of development proposals; arboricultural surveys to provide adequate mitigation and compensation for any that are removed; and adequate protection measures for root systems of any that are retained. The submitted Arboricultural Survey Report identifies three groups of trees within or adjacent to the application site, namely a small row of blossom trees located at the southern entrance of the site, a courtyard style group of trees located near the existing performance arts building and a group of trees located along the northern boundary adjacent to the existing bowls club and changing room block and the proposed northern vehicular access. The majority of trees that have been placed in category B (i.e. trees of moderate quality with an estimated life expectancy of at least 20 years) are found within the northern group of trees.

The groups of trees located at the southern entrance and near the existing performance arts building would be largely unaffected by the proposed development and the Council's Arboricultural Officer has raised no concerns in respect of these trees. An alder tree of moderate quality and an ash of poor condition would need to be removed to accommodate the proposed new northern vehicular access road. Whilst the Council's Arboricultural Officer has not objected to the loss of these two trees, concerns have been raised in respect of the impact of the proposed access road on the root protection area of an adjacent birch tree of moderate quality. Similar concerns have also been raised in relation to the impact of the proposed northern car parking area and other hard

surfacing adjacent to the proposed school building on the root protection areas of several other trees some of which are categorised as being of moderate quality.

In order to address these concerns, the applicant has realigned the northern access road so that it now avoids the root protection area of the birch tree and a number of parking spaces have been relocated to the south of the site, removing built infrastructure from the root protection area of several other trees. The only tree with some hard surfacing remaining within its root protection area is a spruce tree of moderate quality, but it should be noted that the extent of the conflict has been reduced. To remove this conflict in its entirety would involve the repositioning of the proposed school building further south and the applicant has indicated that this is not possible, due to development constraints. Whilst the health and life expectancy of the spruce tree may be compromised to some extent by the proposed hard surfacing, it is considered that any detrimental impact can be adequately compensated for by future tree planting as part of an appropriate landscaping scheme. Moreover, the trees to be retained can be protected via a condition requiring the submission, approval and implementation of an arboricultural method statement, which includes a tree protection plan. As such, it is considered that the proposed development meets the requirements of Policy CW6.

In terms of landscaping, the proposed landscaping scheme generally comprises of hard and soft (predominantly grass) play areas around the school building, an outdoor teaching area with orchard tree and bulb planting immediately to the south of the school building and ecological areas further to the south with more tree and hedgerow planting and wildflower seeding. The Council's Landscape Architect has raised concerns in relation to the robustness of the proposed landscaping scheme, indicating that it requires significant expansion and improvement. In particular, more semi-mature tree and hedgerow planting is required around the proposed children play and outdoor teaching areas, and further consideration needs to be given to the function, layout and planting proposals for the ecological areas to the south. Semi-mature tree planting is also required for the amenity grass verge between the proposed bus bays and the properties of Priory Court to help screen views and improve visual amenity in this location.

Given the above, the submitted landscaping scheme is not considered to be sufficiently robust to approve at this stage. It is therefore recommended that a revised landscaping scheme, which addresses the concerns of both the Council's Landscape Architect and Arboricultural Officer, is secured via condition.

With regards to ecology, Policy SP10 seeks to protect, conserve and enhance the natural heritage of the County Borough. Policy CW4 also states that development proposals must conserve, and where appropriate, enhance the ecological importance of local designations, or, where the need for the development outweighs the ecological importance of the site, the harm must be minimised by mitigation measures and offset as far as practicable by compensation measures. The site is not covered by any statutory or non-statutory nature conservation designations. The south-western corner of the site does, however, adjoin the River Ebbw Site of Importance for Nature

Conservation (SINC - NH3.12). Given that the proposed built development would occur on the more northern and eastern parts of the site, and the fact that the adjacent playing field and proposed ecological area would act as an appropriate buffer between this SINC and the proposal, it is considered that the ecological importance of the SINC would be conserved.

The submitted Ecological Impact Assessment Report (EIAR) states the existing former performing arts building, which lies outside of the applications site, is confirmed to be a roost for common pipistrelle bats, and hedgehogs have been confirmed to be using the site. No reptiles were found to be using the site and no nesting birds were observed. Section 5 of the EIAR also contains a number of recommendations relating to bats, breeding birds and mammals which, if implemented as part of the proposed development, would prevent any long-term impacts upon key protected species and habitats present or adjacent to the site.

As the confirmed bat roost is not affected by the proposed development, a European Protected Species Licence is not required. Both NRW and the Council's Ecologist have, however, requested details of a lighting plan to be secured by condition as the site's boundaries offer optimum foraging and commuting habitat and should therefore be kept as dark corridors. NRW has also advised that the lighting plan should also have regard for the potential for dormice which are also a nocturnal species. It is considered that such a condition would meet the tests of the Welsh Government's Planning Conditions Circular (WGC 016/2014) and should be imposed if planning permission were to be granted. It is also considered that the other recommendations contained within EIAR can be secured via the imposition of a biodiversity strategy related condition as recommended by the Council's Ecologist. It is therefore considered that, subject to these conditions, the proposed development would comply with the requirements of Policies SP10 and CW4.

In respect of amenity, the proposed school building would be located approximately 123m away from the boundary of the nearest residential property at Priory Court. As such, it is not considered that the proposed development would have an unacceptable impact on the residential amenity of surrounding properties. The proposed development is also considered to be compatible with the neighbouring recreational uses to the north and west of the site and the submitted Environmental Noise Survey indicates that the neighbouring employment use to the north generates very little ambient background noise at the application site. Moreover, no concerns have been raised by the Council's Environmental Health Officer in respect of the proximity of the proposed school building to the existing industrial estate and it is not considered that the proposed educational use would compromise the viability of any existing neighbouring land uses. As such, the proposed development is considered to meet the requirements of Policy CW2.

In relation to ground contamination, the submitted Ground Investigation Report (GIR) states that only minimal extents of made ground were recorded across the site, with no contamination exceedances considered to pose a risk to the proposed school development. In addition, whilst one sample from the made ground and another sample

from shallow soils identified the presence of asbestos containing material, these samples were obtained from outside of the current application site boundary.

NRW has reviewed the GIR and requested additional soil sampling in the southern part of the site in a small area identified by historical mapping as potentially having refuse heaps present. The Council's Environmental Health Officer has also requested further evidence in respect of ground gas monitoring. Such further ground investigation, along with the provision of appropriate remediation measures, can be addressed through the submission of a remediation scheme for the site which can be secured via condition.

Comments from Consultees: All of the concerns raised have been addressed above.

Comments from public: No comments received.

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.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.

RECOMMENDATION that Permission be GRANTED

- 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:
Location Plan, Drawing No. 4661/P100;
Proposed Site Plan, Drawing No. 4661/P103 (Rev. A);
Ground Floor in Context Plan, Drawing No. 4661/P104 (Rev. A);
Ground Floor Plan, Drawing No. 4661/P105;
Proposed Elevations, Drawing No. 4661/P106;

Proposed Sections, Drawing No. 4661/P107;
Roof Plan, Drawing No. 4661/P108;
Enlarged Site Access and Parking Plan, Drawing No. 4661/P110;
Proposed External Works, Drawing No. 077517-CUR-XX-XX-SK-C-90004-P03;
Proposed Site Levels Sheet 1, Drawing No. 077517-CUR-XX-XX-DR-C-91000-P02;
Proposed Site Levels Sheet 2, Drawing No. 077517-CUR-XX-XX-DR-C-91001-P02.

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

- 03) The development shall not be brought into beneficial use until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.

REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 04) Before any of the development hereby approved is occupied, a travel plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein.

REASON: To encourage the use of a variety of transport options in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 05) Prior to the occupation of the building hereby approved all hard surfacing within the site boundary shall have been:

- 1) constructed in porous or permeable materials, or
- 2) provided with drainage to direct run-off water from the hard surface to a porous or permeable area or surface within the site boundary, and
- 3) where a surface is to be used as a parking area or drive it shall not be constructed in loose materials,

and thereafter those areas shall be permanently maintained so as to comply with requirements 1), 2) and 3) of this condition.

REASON: To provide a sustainable drainage system and avoid loose materials being taken out onto the highway in accordance with policies CW3 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 06) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, in electronic or printed format 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 in accordance with policy SP6 and CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 07) Notwithstanding the details forming part of the submitted plans, prior to the commencement of the development a revised scheme depicting hard and soft landscaping together with a programme of long term maintenance of the landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the occupation of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area in accordance with policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) 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. The boundary treatment shall be completed in accordance with the approved details before the development is brought into beneficial use.
REASON: In the interests of the visual amenities of the area amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 09) Notwithstanding the details forming part of the submitted plans, prior to the commencement of development details of all external, ancillary structures/equipment associated with the development hereby approved that exceed 4 metres in height or 200 cubic metres in capacity shall be submitted to and agreed in writing by the Local Planning Authority. Such details shall include the location, scale and appearance of the structures/equipment. Thereafter all structures/equipment shall be provided in full accordance with the approved details.
REASON: In the interests of placemaking in accordance with policy SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 10) Prior to the commencement of development, a biodiversity strategy shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity strategy shall be implemented as agreed.
REASON: To provide biodiversity conservation measures, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Planning Policy Wales (2021) and Technical Advice Note 5: Nature Conservation and Planning (2009).
- 11) Prior to the installation of any external lighting details of the lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority. The lighting scheme shall thereafter be carried out in accordance with the approved scheme.

REASON: To ensure adequate protection to protected species in accordance with policy CW4 of the adopted Caerphilly County Borough Local Development Plan up to 2021 in accordance with policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 12) No vegetation clearance, works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the Local Planning Authority. This scheme shall where the Local Planning Authority consider appropriate include:
- a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan,
 - b) the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule,
 - c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work,
 - d) written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works,
 - e) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837),
 - f) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,
 - g) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837),
 - h) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837),
 - i) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (RPA) (para. 5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground,
 - j) the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing),
 - k) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees,

- l) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction,
- m) the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site,
- n) the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity,
- o) the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837),
- p) the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837),
- q) the timing of the various phases of the works or development in the context of the tree protection measures.

The development shall thereafter be carried out in accordance with the agreed details.

REASON: In the interests of visual amenity in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 13) In this condition a "retained tree" is an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building or the commencement of use of the approved development for its permitted use.
- a, No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998.
 - b, If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- REASON: In the interests of visual amenity in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 14) 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.

- 15) 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 and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 16) 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 by 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.
- 17) No floodlighting shall be installed unless its details have been submitted to and approved in writing by the Local Planning Authority before the development hereby permitted commences. Thereafter the development shall be carried out in accordance with the approved details.
REASON: In the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 18) 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 in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 19) Prior to the commencement of the development details of all external and roof mounted plant/machinery associated with the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. Such details shall include the location of the plant/machinery and predicted noise levels (measured as a LAeq 1 hour) as measured on the boundary of the site. Thereafter all plant/machinery shall be installed and operated in full accordance with the approved details.
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 20) If piling or any other foundation design using penetrative methods are to be used as part of the method for building construction, the development hereby approved shall not commence until a foundation assessment that demonstrates

that there is no unacceptable risk to groundwater has been submitted to and agreed in writing by the Local Planning Authority. The piling or other foundation design using penetrative methods shall be implemented in accordance with the approved details.

REASON: In the interests of ground water protection in accordance with policy CW5 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 21) If infiltration of surface water into the ground is to be used as part of a sustainable drainage scheme for the development hereby approved, the development shall not commence until details of the sustainable drainage scheme that demonstrate that there is no unacceptable risk to controlled waters have been submitted to and agreed in writing by the Local Planning Authority. The sustainable drainage scheme shall be implemented in accordance with the approved details.
REASON: In the interests of protecting the water environment in accordance with policy CW5 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 22) The development hereby approved shall provide a minimum of 10% of car parking spaces with electric vehicle charging points. The necessary infrastructure required shall be installed prior to the occupation of the building.
REASON: To provide the necessary infrastructure to serve the development in accordance with Policy 12 of Future Wales: The National Plan 2040.
- 23) The development hereby approved shall make provision for gigabit capable broadband infrastructure to serve the approved building. The necessary infrastructure required shall be installed prior to the occupation of the building.
REASON: To provide the necessary infrastructure to serve the development in accordance with Policy 13 of Future Wales: The National Plan 2040.
- 24) No development shall commence on site until a Construction Environmental Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The Plan shall include details of:
- hours of working;
 - loading and unloading of plant and materials;
 - storage of plant and materials used during construction works;
 - wheel washing facilities;
 - the erection and maintenance of security hoardings;
 - measures to control noise and the emissions of dust and dirt during construction works;
 - details of a scheme for the recycling/disposing of waste resulting from construction works; and
 - siting and details of any required construction compound.
- Thereafter the construction of the development shall be undertaken in accordance with the approved Construction Environment Management Plan.

REASON: In the interests of amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021- Adopted November 2010.

- 25) Prior to the commencement of the development, a Himalayan Balsam remediation plan shall be submitted to and approved in writing by the Local Planning Authority. The remediation plan shall be implemented as agreed by a suitably qualified and licenced contractor.

REASON: To prevent possible offences under the Wildlife and Countryside Act 1981 (as amended) by preventing damage to the proposed new building and infrastructure and to prevent the spread of a schedule 9 species.

Advisory Note(s)

Notification of initiation of development and display of notice:

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include:

Notice of initiation of development:

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the town and Country Planning (development Management procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of Notice:

The person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out the development must ensure the notice is:

- (a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- (b) legible and easily visible to the public without having to enter the site; and
- (c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

WARNING:

SUSTAINABLE DRAINAGE APPROVAL IS REQUIRED PRIOR TO COMMENCEMENT OF THIS DEVELOPMENT.

Please note from the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 commenced in Wales requiring all new developments of more than one house or where the construction area is of 100m² or more to implement sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

The Sustainable Drainage Approval process is a technical approval independent of the need to obtain planning permission, and as such you are advised to contact the Sustainable Drainage Approval Body. Their details are provided below:

Phone: 01443 866511

Email: drainage@caerphilly.gov.uk

Website: www.caerphilly.gov.uk/sab

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 applicant/developer is advised that the biodiversity enhancement strategy to be submitted in accordance with condition 10 should include, but not be exclusively limited to, the following:

Clearance methodologies for vegetation, including timing/phasing for birds and hedgehogs;

Details of buffers to water courses/water bodies;

Details of proposed bird/bat boxes; and

Details of dark corridors to be retained around the periphery of the site.

The applicant/developer is advised that any lighting scheme submitted in accordance with condition 11 should include the following:

Details of the siting and type of external lighting to be used;

Drawings setting out light spillage in key sensitive areas;

Details of lighting to be used during construction and/or operation of the building; and

Measures to monitor light spillage once development is operational.

The applicant is advised of the need to ensure that the future management/employees of the school are made fully aware of the flood management measures set out in Sections 5.2 and 5.3 of the submitted Flood Consequences Assessment.

The applicant/developer is advised that further soil sampling and ground gas monitoring will be required as part of the ground investigation/remediation scheme required by condition 14. Further details of the consultation responses received by Natural

Resources Wales and the Council's Environmental Health Officer can viewed on the Council's website via public access.