

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0044/LA 21.01.2016	CCBC - Education Mrs K Cole Ty Penallta Tredomen Park Ystrad Mynach Hengoed Caerphilly CF82 7PG	Upgrade existing school playing fields to a 3G artificial area to allow for rugby, football and a 200m running track, erect a minimum 5m high security fence, designate an area as MUGA pitches with a surrounding fence at minimum 2.4m height and provide floodlighting to the 3G pitch only, along with pedestrian lighting to the pathways (Phase IV) Y Gwyndy - Ysgol Gyfun Cwm Rhymni Pontygwindy Road Caerphilly CF83 3HG

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is situated to the south of Y Gwindy School and on the western side of Pontygwindy Road.

Site description: The application site forms part of the grounds of Y Gwindy School, which is a newly refurbished and extended school within a mainly residential area to the north of Caerphilly Town Centre. This is a relatively flat site with buildings and a large car park on the majority of the northern part of the site, with playing fields and a disused and overgrown gravel all weather pitch at the southern half. The complex of buildings houses a primary school in the former St Ilan School building with a new building housing a secondary school. There is also an existing Primary School on the south east corner of the site which is to be converted into a Flying Start facility.

Development: The application seeks full planning consent for the upgrading of the existing gravel playing field to a 3G artificial playing area to allow for rugby, football and a 200m running track.

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The development will comprise the removal of the existing surface and the creation of a new larger plateau to accommodate the running track and storage areas for goals etc. There will be a 5m high ball stop fence surrounding the field with seven 15m high floodlighting columns on each side of the pitch.

Consent is also sought for the creation of 3MUGA's and a ball court. The MUGA's will be sited around the existing grassed pitch and to the side of the Flying Start building, with the ball court to the rear of that building. The MUGA's and the ball court will be surrounded by 2.4m high ball stop fences.

The application also proposes the construction of a pathway leading to the 3G pitch which will be lit by standard lighting columns.

Dimensions: The 3G pitch has overall dimensions of 120m by 67m with an extended area at the end of a 100m running straight measuring 15m by 13m. The ball court measures 70m by 37m and the MUGA's measure 24m by 36m.

Materials: The 3G pitch will be covered by a specialist artificial grass surface whilst the MUGA's will be covered by macadam.

Ancillary development, e.g. parking: Access to the playing fields upon completion will be via the existing school access gates onto Pontygyndy Road. Construction access for the works will be via Parc Y Felin Street in order to avoid conflict with school traffic and pedestrians accessing the school on health and safety grounds.

PLANNING HISTORY 2005 TO PRESENT

10/0690/LA - Erect second hand treble mobile classroom unit - Withdrawn 05.04.2011.

11/0398/LA - Refurbish existing school building, demolish existing sports hall and changing facilities and construct new sports hall and changing rooms- Granted 20.02.2012.

12/0358/LA - Refurbish existing school building, demolish existing sports hall and changing facilities and construct new sports hall and changing rooms- Granted 05.07.2012.

13/0336/LBCC - Refurbish and extend existing Grade II Listed former Gwyndy Girls School to provide improved facilities for the relocation of Ysgol Gynradd Gymraeg Caerffili - Granted 13.08.2013.

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13/0335/LA - Refurbish and extend existing Grade II Listed former Gwynndy Girls School to provide improved facilities for the relocation of Ysgol Gynradd Gymraeg Caerffili - Granted 05.09.2013.

13/0837/LA - Erect new two/three storey teaching block, bus turning area, parking and external works - Granted 15.05.2015.

14/0663/NMA - Seek approval of a non-material amendment to the height of the building approved under planning consent 13/0837/LA (Erect new two/three storey teaching block, bus turning area, parking and external works) - Granted 28.10.2014.

15/0456/NCC - Vary condition 22 of planning consent 13/0837/LA (Erect new two/three storey teaching block, bus turning area, parking and external works) to provide a revised car parking arrangement and an extension to the access road within the site to a new bus parking bay - Granted 08.09.15.

POLICY

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW6 (Trees, Woodlands and Hedgerow Protection) and CW15 (General Locational Constraints).

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

National Policy: Paragraph 4.11.9 of Planning Policy Wales (2012) states: - "The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions."

Paragraph 13.15 gives advice on Development management and noise and lighting and sets out the criteria to be considered.

National Planning Guidance contained in Technical Advice Note 12 - Design.

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CONSULTATION

Conservation & Design Officer - No objection.

Transportation Engineering Manager - No objection subject to conditions.

Head Of Public Protection - No objection subject to hours of operation, the control of operation, the control of imported materials.

Senior Engineer (Land Drainage) - No objection subject to the imposition of a condition requiring the submission of a drainage scheme.

Dwr Cymru - Provides advice to be conveyed to the developer.

Natural Resources Wales - No objection.

The Coal Authority - No objection.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a press notice, a site notice and neighbour letters.

Response: Six letters of objection were received.

Summary of observations:

1. Visual impact of the fencing and lighting columns.
2. Obtrusive light/light spill will have a detrimental impact on the amenity of neighbouring residents.
3. Noise nuisance from the increased use of the facility will have a detrimental impact on the amenity of neighbouring residents.
4. Impact on wildlife and ecology. The site is used by nesting birds and bats and some of this habitat will be lost.
5. The use of Parc Y Felin Street for construction access will have a detrimental impact on the amenity of neighbouring residents and could also lead to damage of cars and be dangerous to highway safety.
6. The plan proposes the loss of a tree to the rear of 61 Dol-Y-Felin Street. The loss of this tree will have a detrimental impact on the amenity of neighbouring residents by virtue of the loss of natural screening of the facility.

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7. The DAS submitted with the application refers to Sport England guidelines but fails to acknowledge that the same document suggests that such facilities should be sited in locations which take account of the need to protect the amenity of neighbouring properties.
8. Having looked at the history of the site it is noted that a similar proposal was refused planning consent by Mid Glamorgan County Council under application reference number 5/5/94/0501. The application was refused on the grounds of noise and light nuisance.
9. The development will permanently remove an area of green space.
10. The proposed fencing will have an overbearing impact on adjacent properties.
11. The development could lead to an exacerbation of existing anti-social behaviour problems in the rear lane of Mill Road. Spectators sat on the boundary walls around the site would also be able to overlook the neighbouring properties.
12. The tree directly behind number 45 Dol-Y-Felin Street should be removed or cut back as it is growing over into that property.

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?

None.

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 an advisory note will be attached to the consent and sent to the applicant as a precautionary measure.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: The application has been considered in accordance with national guidance, local plan policy and supplementary planning guidance. The application seeks consent for the construction of improved sports facilities at an existing school within a built up area on the outskirts of Caerphilly town and in that regard the principle of the development is accepted.

The main points to consider in the determination of this application are the objections raised by local residents which will be considered in turn below.

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1. With regard to the visual impact of the fencing and the floodlighting columns for the facility it is accepted that these will change the outlook to the rear of the properties in the surrounding streets. However, it has to be accepted that this is an established educational facility within a built up area and that such structures are not uncommon in such areas. With regard to the fencing it is proposed to use weldmesh fencing powder coated green and it is considered that this would adequately mitigate the visual impact of these features. It should also be noted that at its nearest point the fence will be 14m from the rear of a dwelling and partially screened by existing buildings and boundary features.

With regard to the lighting columns it should be noted that these are fairly slimline structures not unlike street lighting columns but with additional light housings at the top. Whilst they are 15m high their slimline construction means that they are not overly visible when set against an urban backdrop and in that regard it is not felt the proposal would have a detrimental impact on the visual amenity of the area.

2. The application has been supported by the submission of a lighting plan that shows the light levels for the application site and the surrounding properties. The plan shows that with proper design of the lighting, the use of cowling etc. and controlling the lux level of the lights to 75lx, the light levels in adjacent properties can be controlled to acceptable levels. Whilst there would inevitably be an increase in diffuse light (i.e. a background glow) from the existing near darkness levels on the application site, it is not considered that this would be sufficient to warrant refusal of this application. Hours of operation of no later than 21.00 hours are also recommended, after which the floodlighting would be switched off.

3. It is accepted that there would be an increased noise level at the facility than that currently experienced as the existing surface is not currently in use. However, as the use of the site for sporting activities is established, improvements to the surface and increased use of it could be made without any planning control. It should also be noted that planning consent would not be required to erect floodlighting or any street lighting at the school and as such the use of the facility could be extended to that which is similar to the proposal. As the Local Planning Authority would not be able to provide any control over the hours of operation of such a facility it is considered that this proposal would lead to an increased noise level to that which is possible at present.

4. It is accepted that the site is used by bats and that they may use the site for roosting and as a flight path. However, it is not felt that the proposals would have a significant impact on that habitat, such that it would warrant refusal of the application. It is acknowledged that one tree is to be removed as part of the development but adequate replacement planting is proposed to mitigate its loss in ecological terms.

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5. The applicant has stated that Parc-Y-Felin Street will be used as the construction access for the site on health and safety grounds in order to avoid conflicts with users of the adjacent schools. It is accepted that use of the main school access by construction traffic could prove problematic during term times when school children will be walked or driven into the school grounds. However, it is also acknowledged that the majority of the proposed works will be carried out during school holiday periods and as such not all construction traffic will need to use Parc-Y-Felin Street. In that regard it is considered that a Construction Traffic Management Plan should be required by condition, requiring the applicant to set out how these issues will be managed on site. It is considered that subject to the submission of an adequate scheme which should limit the use of Parc-Y-Felin Street, the proposal will be acceptable in this regard.

6. The Council's Arboriculturalist has assessed the application including the loss of the tree to the rear of 61 Dol-Y-Felin Street and has raised no objection to the application. Whilst the tree to be removed (a Maple Tree) has some amenity value it is not considered that its loss would be unacceptable subject to the provision of replacement planting. In that regard a condition should be attached to any consent granted requiring a Capital Amenity Valuation for Trees (CAVAT) be carried out in order to determine the number of replacement trees required. Given that a number of additional trees are already proposed and the amount of space available for further planting if necessary, it is felt that such a matter can be adequately addressed by condition.

7. The amenity impact of the proposal has been considered above. Whilst the Sport England document does state that residential amenity should be carefully considered, those considerations have to be balanced against other criteria and the benefits that such a facility can bring, including improvements in health.

8. The previous refusal by Mid Glamorgan County Council is noted. However, it is clear from the report on that application that the decision was finely balanced at that time. Given the improvements in technology since that decision and given the change in circumstances since that time it is not felt that that decision should unduly influence the consideration of this application. As stated above the floodlighting can now be adequately controlled by cowling etc. and there would be no unacceptable light nuisance. The effect on amenity is also now considered to be acceptable. Moreover, the Local Authority is now in a different position whereby national policies have changed in order to place a duty to best utilise urban space for such facilities. It should also be noted that facilities such as this, whilst being in high demand are not financially viable unless they have dual use as proposed here. In that regard, the only way that such a facility can be provided is for it to be located on existing school sites.

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9. The application site is not considered to be an area of green space. Moreover, as the surface of the facility will be green and landscaping is to be provided it is not felt that there would be a detrimental impact on the character of the area. Also as the facility will be for community use the field will not be lost as a play facility either.

10. As stated above it is not felt that the fencing would have an overbearing impact or be unduly detrimental to the amenity of the neighbouring properties.

11. It is difficult to see how anti-social behaviour can be linked to the use of this facility by organised sporting groups. Such users would be expected to control the behaviour of their members and any ongoing anti-social behaviour problems in the rear lane would be a matter for the Police. Moreover, the diffuse lighting provided by the floodlighting columns would discourage any such behaviour in the rear lane as this area would be more brightly lit. Any persons climbing onto walls surrounding the facility would doubtless be committing an offence which would be a matter for the Police and given the level of sport that would be played at the facility it is unlikely that high levels of spectators would ever be present.

12. Pruning of any trees on site is a matter between the property owner and the applicant.

In conclusion it is considered that the impacts of the proposal can be adequately mitigated against and as such the proposal is acceptable in planning terms. There would be no undue detrimental impact on the amenity or privacy of neighbouring landowners, the proposals would not be overbearing or have an unacceptable on the visual outlook of those properties, protected species would not be affected and access to the site can be adequately controlled by conditions. In that regard the application is recommended for approval.

Comments from consultees: No objections raised.

Comments from public: Addressed above.

Other material considerations: None.

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.

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- 02) Prior to the commencement of works on site a scheme of land drainage 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.
- 03) Notwithstanding the submitted plans no works shall commence on site until after a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the LPA. The CTMP shall provide details of the contractors parking provision within the site, details of the HGV delivery movements in terms of size, duration and number of vehicles, the adequacy or otherwise of the existing school entrance for use by site traffic, the provision of a suitable turning area within the site and temporary improvements to visibility on Parc-Y-Felin Street/Pontygwindy Road junction for approval. The works thereafter shall be carried out in accordance with the approved plan.
REASON: In the interests of highway safety.
- 04) There shall be no temporary or permanent pedestrian or vehicular access to the facility hereby approved created onto Parc-Y-Felin Street, Dol-Y-Felin Street, Mill Road, Celyn Grove or Celyn Avenue unless otherwise agreed in writing with the Local Planning Authority.
REASON: In the interests of highway safety.
- 05) 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.

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- 06) 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,

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- 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.

- 07) Prior to the commencement of works on site a Capital Asset Valuation for Trees (CAVAT) shall be submitted to and approved in writing by the Local Planning Authority. The CAVAT shall assess the value of the tree in order to ascertain the number of replacement trees that are required to act as mitigation for its loss. Thereafter, a revised tree planting schedule shall be submitted for the approval of the Local planning Authority and the planting approved shall be carried out in the first planting season following the approval of those details.
REASON: In order to provide sufficient mitigation for the loss of the existing trees on site.
- 08) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their 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.
- 09) The use of the facilities hereby permitted shall not take place outside the following times: 21.00 hours to 08.00 hours Monday to Friday, and 16.00 hours to 09.00 hours on Saturdays and Sundays.
REASON: In the interests of residential amenity.

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- 10) A Landscape Management Plan, including
 - (a) long term design objectives,
 - (b) management responsibilities, and
 - (c) maintenance schedules for all landscape areas, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use.
The Landscape Management Plan shall be carried out as agreed.
REASON: To ensure that the landscaping is maintained in the interests of the visual amenity of the area.

- 11) Prior to the commencement of works on site a scheme of monitoring the floodlights to assess the impact on protected species shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
REASON: In the interests of nature conservation.

- 12) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: Design and Access Statement (January 2016) Rev A, A001, E001, 01 Rev TO, 02 Rev TO, L001 Rev A, L002, and TLL/H/0179218/ EX/R2/200116 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Advisory Note(s)

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, CW3 and CW4.

