

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
17/0936/FULL 10.11.2017	Apollo Capital Projects Mr R James 11 Cathedral Road Cardiff CF11 9HA	Demolish existing church hall and erect of a new GP Surgery including associated car parking, cycle parking and bin store Former Church Hall Church Street Llanbradach Caerphilly

**APPLICATION TYPE:** Full Application

**SITE AND DEVELOPMENT**

Location: Former Church Hall, Church Street, Llanbradach, Caerphilly.

Site description: The application site is the western half of a large rectangular land parcel comprising primarily of the former Church Hall building and an area of scrubland to the east. The Church Hall building was originally within the ground of All Saints Church which was demolished in the 1990s. The Church Hall building is a stone and brick structure which has ceased to be used and its condition is deteriorating with evidence of missing roof tiles and broken window panes. The application site is located within the Llanbradach Conservation Area bordered by Pencerrig Street to the south, and Church Street to the west. To the north-east is a lane which provides access behind terrace properties on Church Street with the curtilage of number 2 Church Street beyond.

Development: Full planning permission is sought in respect of the demolition of the existing Church Hall building and the erection of a new General Practitioners Surgery with 21 space car park (incorporating 3 disabled spaces), ambulance/delivery bay, bin store, bike rack and soft landscaping. The Surgery would incorporate GP Consulting Rooms, treatment rooms, waiting areas, associated administration and office/meeting space and welfare facilities.

A separate Conservation Area consent application in respect of the demolition of the Church Hall building has been submitted (reference 17/0937/CON) and is reported elsewhere on this agenda.

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Dimensions: The Surgery has a 'T' shape footprint with the main linear portion measuring 28.5m deep by 11.7m wide and the eastern projection measuring 11.5m wide by 7.5m deep.

Materials: Walls: Light Grey Brick with Red detailing brick and re-use of existing pennant stone from the Church Hall building on the south-west facing end elevation.

Roof: Metal Seamed Cladding.

Ancillary development, e.g. parking: Demolition of outbuildings, proposed erection of a Bin Store, car parking and servicing area, boundary treatments.

### PLANNING HISTORY 2005 TO PRESENT

08/1211/CON - Demolish existing gable to Church Street to create new entrance and demolish two out-buildings for proposed car park - Appeal dismissed 15.10.09.

08/1222/FULL - Convert existing All Saints Church Hall into four bed apartments and six bedsits - Appeal dismissed 15.10.09.

11/0901/CON - Demolish existing gable to Church Street to create new entrance and demolish two outbuildings to form car park as part of the Conversion of All Saints Hall into six one bedroom apartments, six bedsits and external works - Granted 21.06.12.

11/0904/FULL - Convert All Saints Hall into six one bedroom apartments, six bedsits and external works and demolish existing gable to Church Street to create new entrance and demolish two outbuildings to form car park - Granted 11.04.13.

17/0937/CON - Demolish existing church hall and erection of a new GP Surgery including associated car parking, cycle parking and bin store - NYD.

### 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 and within the Llanbradach Conservation Area.

Policies: CW2 (Amenity), CW3 (Highways), CW6 (Trees, Woodland and Hedgerow Protection) SP6 (Place making) SP10 (Conservation of Natural Heritage), SP21 (Parking Standards).

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

The Objectives within paragraph 6.2 of PPW Edition 9 Nov 2016 - Chapter 6 the Historic Environment include preserving or enhancing the character or appearance of conservation areas, while at the same time helping them remain vibrant and prosperous.

Paragraph 6.2.2 states that 'Local planning authorities and other public bodies have an important role in protecting and conserving the historic environment while helping it accommodate and remain responsive to present-day needs.'

Paragraph 6.5.22 When considering an application for conservation area consent, account should be taken of the wider effects of demolition on the building's surroundings and on the architectural, archaeological or historic interest of the conservation area as a whole. Consideration should also be given to replacement structures. The general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area'.

Paragraph 6.5.23 Authorities should take into account the visual, historic and amenity contribution of trees in conservation areas. New planting or replanting may be appropriate where consistent with the character or appearance of the area. Special provisions apply for trees in conservation areas which are not the subject of Tree Preservation Orders.

TAN 24: the Historic Environment.

Paragraph 6.12 states 'Applications for consent to demolish must be made to the local planning authority. Applications for Conservation Area Consent will require a heritage impact statement, which should explain why demolition is desirable or necessary alongside a broader assessment of the impact of the proposals on the character or appearance of the area'.

Paragraph 6.13 There should be a general presumption in favour of retaining buildings, which make a positive contribution to the character or appearance of a conservation area. Proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings (see 5.15 from TAN 24 below). In cases where it is considered a building makes little or no contribution, the local planning authority will normally need to have full information about what is proposed for the site after demolition. Consent for demolition should not be given without acceptable and

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detailed plans for the reuse of the site unless redevelopment is itself undesirable. The local planning authority is entitled to consider the broad principles of a proposed development, such as its scale, size and massing, when determining whether consent should be given for the demolition of an unlisted building in a conservation area.'

Paragraph 6.14 - It may be appropriate to impose a condition on the grant of consent for demolition so that it does not take place until full planning permission has been granted and a contract for carrying out the development work has been made.'

Trees in Conservation Areas (TAN 24) states:-

Paragraph 6.15 Local planning authorities have the power to protect trees and woodlands by making tree preservation orders. In addition, there is a special provision for trees in conservation areas which are not the subject of tree preservation orders. Anyone proposing to cut down, top or lop a tree in a conservation area is required to give the local planning authority six weeks notice, during which time the local planning authority can decide whether to protect that tree with a tree preservation order.'

Paragraph 6.16 - When considering whether to extend protection to trees in conservation areas, local planning authorities should always take into account the visual, historic and amenity contribution of trees. In some instances, new or re-plantings may be desirable where this would be consistent with the character or appearance of the area.'

#### SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance note LDP4: Trees and Development.

Supplementary Planning Guidance note LDP 7 (Householder Development).

#### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not applicable.

#### COAL MINING LEGACY

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

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## CONSULTATION

Senior Arboricultural Officer (Trees) - Confirms that the submitted Tree Survey and Arboricultural report are acceptable. Recommends that Arboricultural Method Statement and Tree Protection Plan and monitoring scheme as well as Landscaping and mitigation plan are provided/conditioned.

Head Of Public Protection - No objection subject to planning conditions addressing contamination and method of demolition.

Senior Engineer (Land Drainage) - Offers no objection to the development but advises that the site is situated within an area susceptible to groundwater and surface water flooding. Notes the possible presence of a culvert within the site. Recommends a planning condition requiring full details of surface water and land drainage be attached to any permission.

Countryside And Landscape Services - Welcomes use of pennant stone and detailing associated with the original Church Hall on the proposed building. This makes a small but significant contribution to maintaining the quality of the conservation area in which the development is located.

Also welcome that existing mature trees, of category A to C, located in and adjacent to the S/W of the site are to be retaining and protected. Unfortunately, however, the layout does not take into account existing associated perimeter hedgerows, which also contribute significantly to the quality of the conservation area. I recommend that a landscape condition is used to ensure that perimeter hedgerows are retained and protected during development, in the interest of visual amenity and biodiversity.

Transportation Engineering Manager - No objections subject to planning conditions addressing detailed highways considerations.

Conservation & Design Officer - Raised an objection to the plans, however, following submission of amended details has removed the objection. Recommends that planning conditions be attached to require details of materials, boundary treatments and conservation rooflights.

Ecologist - A Bat Survey was undertaken in 2011 by Wildwood Ecology which confirmed there was nesting bird activity noted within the eave structures on the eastern elevation. Further discussions with the ecologist confirmed these were swifts which was also confirmed by discussions with a local resident who contacted us as they were

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concerned about the swifts and the effect that the redevelopment would have on the swifts using the building. The report confirmed that the building was not a breeding site for bats. However the building had some potential for incidental use and a precautionary approach should be taken when undertaking restoration and refurbishment works.

An updated Bat Survey was undertaken in 2017 by Acer Ecology along with a Reptile Survey. The Bat Survey consisted of a daytime internal and external inspection, a preliminary roost assessment and a dusk emergence and dawn re-entry survey. When undertaking the internal inspection of the building the loft void was inaccessible due to health and safety considerations as the loft hatch was very high from the first floor and it was unknown if it was safe/stable. Also although the presence of bats were confirmed during the internal inspection only two activity surveys were undertaken, which were also undertaken outside of the maternity season.

The report confirmed the presence of Brown long eared bats, Lesser horseshoe bats and common pipistrelle. Brown long eared and Lesser horseshoe are species that would use the main roof void as a possible maternity roost. As this area wasn't surveyed and the activity surveys were undertaken late in the season, we cannot rule out the presence of a maternity roost for these species. Also lesser horseshoes like to light sample before they leave the roost so where the evidence was found in the subsidiary roof section on the eastern gable may have been where they light sample prior to leaving the main roost area which could be in the main roof space. The Bat Conservation Trust Good Practice Guidelines state that if the presence of bats are confirmed during the initial assessment then at least 3 activity surveys should be undertaken, and if the building has high roost suitability at least two of these surveys should be taken between May to August.

Therefore, in order to confirm the presence/absence of a maternity roost and to ensure that the demolition can be fully mitigated for, a full inspection of the main roof void will be required and at least another two activity surveys, should be undertaken on the building during the maternity season. This information is required prior to the determination. As the building is being proposed for demolition, this information is required in order to ensure that the bats are properly mitigated for on both a temporary and permanent basis.

Natural Resources Wales - Express significant concerns with the proposed development as submitted and the Local Planning Authority should only grant planning permission if the scheme can meet the following requirement:

European protected species - Further information and surveys to determine the status and importance of the roosts present, for each species present, and the full impacts of

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the proposals; and site specific mitigation proposals appropriate to the species present and the scale of the impacts.

### ADVERTISEMENT

Extent of advertisement: The application was advertised via a site notice, press notice and neighbour notification letters were sent to 18 nearby properties.

Response: One letter of support has been received in relation to this application. In addition three representations have been received in relation to the partner Conservation Area application (17/0937/CON).

Summary of observations: Representations received in relation to this planning application:

- I fully support the demolition of the existing building. As a neighbour the building is looking very unkempt and is encouraging people to misuse the building. To have a new building in place would be a refreshing change and will benefit the village in many ways.

Representations received in relation to the partner Conservation Area Consent application (17/0937/CON):

- The building is of brick construction and will look at odds with the surrounding environment. Grey brick and metal do not look like stone and slate.
- Regardless of why the conservation area was designated, it remains a conservation area and as such, new buildings must be in traditional building materials. Especially where the building replaces a previously historical structure.
- The large waiting room windows look directly into houses on Tyn y Graig terrace and invade their privacy.
- Insufficient Parking Provision for staff and patients, highlights local issues with parking.
- Common Swifts are breeding within the existing Church Hall Building. Specialist nest boxes should be provided and demolition undertaken at a suitable time of year.

### 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.

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### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Yes

European protected species have been identified by a survey.

The Local Authority must apply the following three tests to the planning application:

(i) The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

(ii) There is no satisfactory alternative.

(iii) The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The three tests were applied and answered as follows:

(i) The application relates to the provision of new healthcare facility within the community which is considered to be of overriding public interest.

(ii) The requirements of the Surgery use in terms of specifications in relation healthcare provision does not make renovation and conversation of the existing building a practical or financially viable solution.

(iii) The bat survey information submitted with the application has identified that the existing building supports bats and it is considered that with the additional information supplied in relation to demonstrating that a dedicated bat loft which exceeds best practice guidance in terms of size means that there is the ability to provide compensatory provision in the form of new roosting opportunities within the new building. It is therefore considered that with suitable planning conditions the conversation status of the species can be achieved.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Development type is not chargeable.

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## ANALYSIS

Policies: The application has been considered in accordance with local plan policies and national planning guidance. The main issues to be considered in the determination of this planning application are the loss of the existing church hall building, compatibility of the proposed use with neighbouring land uses, amenity, highway considerations and design particularly given the site is located within the Llanbradach Conservation Area. In this respect special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

The proposal will result in the demolition of the existing Church Hall and construction of a new General Practitioner's Building. A Conservation Area Consent application (17/0937/CON) for demolition of the Church Hall has been submitted in tandem with this application.

It is noted that Cadw guidance within the document "Managing Conservation Areas in Wales" acknowledges in section 8.2 (Targeting Buildings at Risk) that "Neglected and underused buildings damage the vitality and attractiveness of conservation areas" however it is noted that the guidance highlights wherever possible Local Planning Authorities should work with owners to encourage maintenance, repair and reuse. A proposal to convert the Church Hall building to apartments was approved (applications 11/0901/CON and 11/0904/FULL) however to date these have not been implemented and the Conservation Area Consent has lapsed and the planning permission (granted later due to a delay in relation to the signing of a legal agreement) is due to lapse in April 2018.

Notwithstanding the unimplemented permission, it is considered that the general likelihood of reuse of the Church Hall building is limited by the site circumstances, it was originally built to support the functioning of All Saints Church. The demolition of that Church some 25 years ago, has removed the primary use from the site. The remaining Church Hall building has been closed for a significant period of time, being visibly boarded up since at least 2009. Given the planning history which has approved a scheme which has not been implemented and the length of time the building has already stood vacant it is considered that there is a realistic prospect that the building could continue to be left vacant and as CADW guidance recognises, in its current state with the surrounding land is considered to have a negative impact on the character of the Conservation Area vitality and attractiveness. It is acknowledged that were the building to be restored that it could have the potential to enhance the Conservation Area, however there is not considered to be any degree of certainty that this will occur and the building condition could worsen over time leading to it having a negative effect on the Character of the Conservation Area. In this respect it is considered that

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demolition of the building, in combination with a suitable form of replacement building, would result in the character of the Conservation Area being preserved.

This application, whilst leading to the loss of the Church Hall, would in its place provide a new medical facility for the community which in itself is a material planning consideration as providing such a facility was identified for this area of Llanbradach within the adopted Local Development Plan Policy CF1.22 (Community Facilities). The development would also contribute to Welsh Government's Well-being goals through providing a medical facility that would support the vision of a healthier Wales. By establishing a new GP Surgery within the community of Llanbradach it is considered that it will contribute to achieving a society in which people's physical and mental well-being is maximised. It is also considered that the development would contribute to Sustainable Development in Wales by improving social well-being in Wales thereby meeting a key shared UK principle of ensuring a strong, healthy and just society by improving quality of life within the community of Llanbradach.

In terms of the proposed development's impact on the amenity of occupiers of nearby residential properties, the Surgery would be separated from surrounding housing to the west by the intervening road Church Street and to the south by Pencerrig Street. To the north is a residential property (number 2 Church Street) which has an unfenestrated side elevation facing towards the proposed GP Surgery and the end elevation of the surgery has limited fenestration serving circulation areas only. The views from fenestration on the north west elevation (which includes a variety of different rooms including office, welfare area, storage and glazed waiting areas at both ground and first floors) would provide views across Church Street to properties including those known as 1-6 (inclusive) Tyn-Y-Graig Terrace, Church Street and the former All Saints Vicarage and its amenity space. Numbers 1-6 Tyn-Y-Graig Terrace, Church Street are orientated such that they angle further away from Church Street the further to the north along the row of dwellings. At the very southern end of the row where the dwellings are closest to the road they will face part of the car parking area of the Surgery. The former Vicarage which is now in residential use is angled in relation to the church building. In terms of separation distance between windows in existing dwellings and the new surgery it is considered that this will be broadly similar to properties further north on Church Street where terrace dwellings face each other across the street. It is considered that the proposed development would not result in unacceptable overlooking to any surrounding residential dwelling or their occupiers according with adopted Local Development Plan Policy CW2 (Amenity).

The development would be served by a new vehicle entrance from Pencerrig Street and would have a 23 space car park. A separate planning application (17/1042/FULL) for 11 residential apartments on an adjacent land parcel to the east has been submitted to the

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Local Planning Authority and is still currently under consideration and would shared the vehicle access from Pencerrig Street (but retain its own separate car parking). The application site is close to existing bus stops located on High Street/Park View within 100m of the proposed Surgery and Llanbradach Railway Station is within 400m of the site. The Transportation Engineering Manager has considered the submitted layout and parking provision and is satisfied that with the submission of a revised Travel Plan secured through a planning condition that the application is acceptable and accords with Policy CW3 (Highways).

The proposed design of the Surgery has been subject to extensive discussions between the developer and the Local Planning Authority and following these negotiations alterations have been made to the external facade treatments. These changes includes the introduction of natural stone to the end elevation facing the junction of Pencerrig Street and Tyn-Y-Graig Road/Church Street. In addition red brick detailing has been introduced which echoes architectural detailing found on the existing Church Hall building. Whilst a planning condition is proposed to enable the Local Planning Authority to agree samples of all external facing materials it is anticipated that reuse of stone from the existing Church Hall building will occur, envisaged to be utilised on the aforementioned southern end gable of the new Surgery and to clad a proposed bin store within the site. It is considered that a balance has been struck between the aspirations of the applicant to provide a statement building providing a 21st Century Community facility utilising some use of modern materials such as metal clad roofing and the need to respect the Conservation Area with the incorporation of traditional elements including use of natural stone on the most prominent gable end and utilisation of brick detailing reminiscence of the church hall architecture.

Comments from consultees: The Senior Engineer's (Land Drainage) initial response did not object to the application but did question the possible presence of a culvert within the site. The applicant subsequently submitted a Drainage Technical Note in support of the application which detailed that investigatory works had been carried out on and off site including a CCTV survey which they state found the culvert outside of the application site. The Land Drainage Officer has been reconsulted and offered no further comments. It is considered that drainage matters can be addressed subject to a planning condition requiring full details of Land and Surface Water Drainage as recommended by the Land Drainage Officer.

The submitted Bat Survey information has been considered by the Council's Ecologist and Natural Resources Wales, both of whom have raised concerns in relation to the amount of surveying that has been undertaken within the Church Hall Building and that when undertaking the internal inspection of the building the loft void was inaccessible due to health and safety considerations as the loft hatch was very high from the first

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floor and it was unknown if it was safe/stable. Dusk emergence and dawn re-entry surveys were undertaken on 24th August 2016 and 12th September 2016 respectively.

In respect of the first survey (Dusk Emergence) undertaken on 24th August 2016 (Start Time 19:46, Finish time 21:46) the following was observed by four surveyors:

Dusk Emergence:

- One common pipistrelle emerged from the ivy on the southern elevation;
- One common pipistrelle emerged from under the eaves where the eastern gable joins the main roof;
- One brown long-eared bat emerged from a broken window on the southern elevation; and
- One common pipistrelle emerged from under the eaves of the northern gable.

Foraging and Commuting:

Moderate levels of bat activity of five species (common pipistrelle, soprano pipistrelle, Myotis sp., brown long-eared and noctule) were recorded during the survey. No linear vegetation features were observed to be used by commuting bats.

The grounds of the site were identified as an important foraging area for bats.

In respect of the second survey undertaken on the 12th September 2016 (Start time 05:14 Finish Time 06:59) the following was observed by four surveyors:

Dawn Re-entry:

- One common pipistrelle bats re-entered the building at the Main roof ridge, near to the chimney;
- One common pipistrelle bats re-entered the building at the main roof ridge on the south-west elevation; and
- One common pipistrelle bats re-entered the building at eaves of the northern gable end.

Foraging and Commuting:

Low levels of bat activity of three species (common pipistrelle, soprano pipistrelle and Myotis sp.) were recorded during the survey. No linear vegetation features were observed to be used by commuting bats and no important foraging areas were identified.

The bat report includes specifications for provision of a new dedicated bat loft.

To mitigate/compensate for the loss of the existing bat roosts the developer proposes that a new dedicated bat loft will be created in the roof space at the eastern gable end of the new surgery building.

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The applicant has provided an additional plan demonstrating that a dedicated bat loft can be provided within the new roof space of the proposed General Practitioners Surgery which accords with the specification outlined within the submitted Bat Survey. The Bat roost detail supplied by the applicant shows a dedicated Bat Loft with a footprint of 5 metres by 5 metres and an apex height of 3.1m. It is noted that this exceeds the Bat Mitigation guidelines contained within the Bat Conservation Trust's 'Bats and Buildings' which advises that an ideal roof void would have an apex height in excess of 2.8 m and a length and width of 5 m or more. In terms of the proposed bat loft there is also potential to enlarge the length of the bat loft should this be required.

Paragraph 6.3.7 of Technical Advice Note 5 states "It is clearly essential that planning permission is not granted without the planning authority having satisfied itself that the proposed development either would not impact adversely on any European protected species on the site or that, in its opinion, all three tests for the eventual grant of a regulation 44 licence are likely to be satisfied."

It is considered that having demonstrated the feasibility of providing mitigation within the loftspace of the new surgery building in terms of a dedicated bat loft which would exceed the dimensions advocated as best practice in relevant guidance that as recorded earlier in this report that the three tests are likely to be satisfied and that with planning conditions the application can be approved.

A Reptile and Translocation report has also been submitted in support of the planning application. It is noted that the translocation exercise was undertaken between August and October 2017 and resulted in a total of 17 Slow Worms being removed from the site and relocated at an receptor site approximately 700metres to the south-west which had been agreed with the Council's Ecologist. The report recommends further precautionary measures be implemented and a planning condition is attached requiring adherence to the report recommendations.

In respect of the Landscape Architect's comments who requests that hedgerows on the site's periphery be retained it is noted that following discussions with the applicant this would not be feasible in terms of providing the development and associated parking. The existing hedgerow is of a low species type and a replacement boundary treatment of metal railings has been tendered for those site boundaries immediately adjacent to Church Street and Pencerrig Street. It is considered on balance that this will have an acceptable visual impact and the loss of the hedgerows does not warrant refusal of the application. The applicant has included soft landscaping on the submitted site layout plan and a planning condition for submission of a detailed Landscaping Scheme is included within the recommendation of this report.

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In that the existing building is disused, and showing signs of dilapidation, the proposed development will enhance the character and appearance of the conservation area.

Comments from public:

Representations received in relation to this planning application:

- I fully support the demolition of the existing building. As a neighbour the building is looking very unkempt and is encouraging people to misuse the building. To have a new building in place would be a refreshing change and will benefit the village in many ways.

Representations received in relation to the partner Conservation Area Consent application (17/0937/CON):

- The building is of brick construction and will look at odds with the surrounding environment. Grey brick and metal do not look like stone and slate.  
-Regardless of why the conservation area was designated, it remains a conservation area and as such, new buildings must be in traditional building materials. Especially where the building replaces a previously historical structure.

The applicant has amended the design to incorporate reuse of reclaimed stone from the Church Hall into the Gable End which faces the junction of Pencerrig Street and Tyn-Y-Graig Terrace/Church Street. Introduction of areas of red brick reminiscent of the church hall detailing brick has also been incorporated in the new Surgery building. It is considered on balance that the proposed development will have an acceptable visual impact.

- The large waiting room windows look directly into houses on Tyn y Graig terrace and invade their privacy.

The properties on Tyn Y Graig Terrace front onto Church Street where views are possible from public footways towards the front fenestration of the dwellings. The proposed Surgery Building is located across the road from the dwellings and there will be a broadly similar separation distance to the situation in Grove Street to the south where dwellings directly face each other across a road. It is considered that there will not be unacceptable overlooking created by the development.

- Insufficient Parking Provision for staff and patients, highlights local issues with parking.

The Transportation Engineering Manager has considered the scale of the proposed development, parking and proximity to public transport and considers that with the

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submission of a revised Travel Plan to be secured by a planning condition that the development is acceptable.

- Common Swifts are breeding within the existing Church Hall Building.

Specialist nest boxes should be provided and demolition undertaken at a suitable time of year.

It is proposed that Ecological Enhancement will be achieved through the imposition of planning conditions.

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;  
Roof Plan, drawing reference L(00)07 , received 30.01.18;  
East and North Elevations, drawing reference L(1-)01 revision A, received 30.01.18;  
West and South Elevations, drawing reference L(1-)02 revision A, received 30.01.18;  
Proposed Site Plan, drawing reference L(0-)03 revision A, received 30.01.18;  
Proposed Site Layout plan, drawing reference L(0-)04 revision A, received 30.01.18;  
Proposed Bat Roost Location, drawing reference L(1-)06, received 30.01.18;

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- Proposed Bin Store, drawing reference L(0-)06 received 30.01.18;  
Proposed Boundary Types, drawing reference L(0-)07 received 30.01.18.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Notwithstanding the submitted plans, prior to the commencement of works details of rooflights shall be submitted for the written approval of the Local Planning Authority.  
REASON: In the interests of the visual amenity of the area.
- 04) Prior to the commencement of work on site, a method statement setting out the manner in which the existing building is going to be demolished and the new development constructed, shall be submitted to and agreed in writing with the Local Planning Authority. The demolition and construction shall thereafter be carried out in accordance with the agreed statement unless it is varied with the written agreement of the Local Planning Authority.  
REASON: To ensure that the demolition and construction is carried out in an appropriate manner, in the interests of residential amenity.
- 05) 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.
- 06) 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.
- 07) 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.

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- 08) Prior to the commencement of the development a scheme depicting hard and soft 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 development being brought into beneficial use 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.

- 09) 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),

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- 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.

- 10) The development shall be carried out in accordance with the recommendations of the Acer Ecology Reptile Survey and Translocation Report dated October 2017.  
REASON: In the interests of the protected species.
- 11) Notwithstanding the submitted bat mitigation details shown on drawing no. L(1- )06, details of the type and form of a bat loft to be built into the development hereby approved shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development. The development shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure the agreement of suitable bat mitigation measures in the interests of biodiversity.

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- 12) Prior to any demolition or development occurring a detailed Bat survey shall be carried out and the results of the survey, together with any proposed remedial measures (including methodologies) shall be submitted for the written agreement of the Local Planning Authority. The measures shall be complied with as agreed in writing by the Local Planning Authority.  
REASON: To ensure adequate protection for protected species.
- 13) Where any species listed under Schedules 2 or 4 of The Conservation (Natural Habitats, etc.) Regulations 1994 is present on the site (or other identified part) in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.  
REASON: To ensure adequate protection to protected species.
- 14) Prior to the construction of the external surfaces of the development hereby approved details of the materials to be used, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the visual amenity of the area.
- 15) Prior to the commencement of works on site details of measures to prevent the discharge of surface water/ land drainage onto the public highway 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 it relates is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 16) Prior to any part of the Surgery being brought into beneficial use the proposed means of vehicle access shall be laid-out, constructed and maintained thereafter with vision splays of 2.4m x 25m. No obstruction or planting when mature exceeding 0.9m in height above the adjacent footway shall be placed or allowed to grow in the required vision splay areas.  
REASON: In the interests of highway safety.
- 17) The required access to Pencerrig Street shall be laid out in accordance with the submitted drawings and constructed in materials to be agreed in writing with the Local Planning Authority prior to beneficial occupation of the development.  
REASON: In the interests of highway safety.

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- 18) The building shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans to the satisfaction of the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking of vehicles.  
REASON : To ensure that adequate parking facilities are provided within the curtilage of the site.
- 19) Prior to the surgery being brought into beneficial use the proposed parking area shall have been completed in materials as agreed with the Local Planning Authority, to ensure loose stones or mud etc. is not carried on to the public highway.  
REASON: In the interests of highway safety.
- 20) Notwithstanding the submitted details before any part of the Surgery hereby approved is brought into beneficial use, 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.
- 21) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (Swifts) in the new Surgery, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new extension hereby approved is first utilised.  
REASON: To provide compensatory nesting opportunities for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Government's Planning Policy Wales (2016) and Tan 5 Nature Conservation and Planning (2009).

Advisory Note(s)

Please find attached the comments of The Senior Engineer (Land Drainage) that are brought to the applicant's attention.

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: policies CW2, CW3 and CW4.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered

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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](http://www.gov.uk/government/organisations/the-coal-authority).

Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all works should stop immediately and Natural Resources Wales (NRW) should be contacted for advice on any special precautions before continuing.

Please also be advised that works should not take place that will disturb nesting birds from March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the local authority ecologists (01495 235253) or Natural Resources Wales (NRW) (029 20 772400).

Mature trees are potential bat roosts. All bat species and their roosts are protected by the Conservation of Habitats and Species Regulations 2010 and its amendment 2012, which transposes the EC Habitats Directive 1992 into UK legislation, and the Wildlife and Countryside Act 1981. If bats are discovered, then all works should stop immediately and the Countryside Council for Wales should be contacted for advice on any special precautions, and whether a licence is required, before continuing.

