

**Application Number:** 21/0382/FULL

**Date Received:** 01.06.2021

**Applicant:** Aber Valley Wolves Ltd

**Description and Location of Development:** Install a standard 20ft shipping container adjacent to the existing changing rooms at the park for the storage of training and playing equipment - Aneurin Park Heol Aneurin Penyrheol Caerphilly

**APPLICATION TYPE:** Full Application

### SITE AND DEVELOPMENT

Location: The application site is situated within the large recreation ground of Aneurin Park, Penyrheol, North-westerly suburb from central Caerphilly. The park neighbours the grounds of Penyrheol Cemetery Chapel. The park is easily accessible via cycle using National Cycle Network 475 and the primary commuter link B4263 heading east to Caerphilly centre; Bowls Close meets with Heol Aneurin and other routes North.

Site description: The application site comprises an area of open greenfield land immediately adjacent to the existing sports pavilion (Changing rooms) and Bowling Green within Aneurin Park. The site can be accessed via a gateway from the Public Right of Way (open footpath) through Aneurin Park and directly off Heol Aneurin Road.

Development: The application proposes the siting of a Standard 20ft Shipping container within the parcel of land described above. The container will be positioned against the existing palisade fencing at the front end (east - leisure field), abutting the existing hedgerow along the southern site boundary with the bowling green. An opening in the fencing which matches the width of the front of the container is already present, allowing access into the unit from the side of the playing field.

Dimensions: The dimensions of a 20-foot container (ISO standardisation) are as follows: Exterior Dimensions of 6.10m long x 2.44m wide x 2.59m high, Internal Dimensions of 5.758m long x 2.352m wide x 2.385m high, Door aperture of 2.343m wide x 2.280m high and Usable Capacity equivalent to 33.1m<sup>3</sup>.

Materials: Steel, with proposed standard green coating.

Ancillary development, e.g. parking: None.

### PLANNING HISTORY 2010 TO PRESENT

None.

## POLICY

Local Development Plan: Caerphilly County Borough Local Development Plan up to 2021- adopted November 2010 (LDP).

Policies Within settlement limits.

Local Development Plan: Caerphilly County Borough Local Development Plan up to 2021 Adopted November 2010: SP3 (Development in the Southern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW6 (Trees, Woodland and Hedgerow Protection), CW7 (Protection of Open Space), CW15 (General Locational Constraints).

Supplementary Planning Guidance: LDP 5 - Car Parking Standards sets out parking requirements for all developments. Supplementary Planning Guidance; LDP 6 - Building Better Places to Live gives advice on all levels of development.

National Policy: Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Planning Policy Wales Edition 11 (February 2021):

Access and Inclusivity 3.5 - Good design is inclusive design. Development proposals should place people at the heart of the design process, acknowledge diversity and difference, offer choice where a single design solution cannot accommodate all users, provide for flexibility in use and provide buildings and environments that are convenient and enjoyable to use for everyone.

Character 3.9 - The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement.

Recreational Spaces 4.5.1 - Recreational spaces are vital for our health, well-being and amenity, and can contribute to an area's green infrastructure. They provide a place for play, sport, healthy physical activity and a place to relax often in the presence of nature, and they contribute to our quality of life. Networks of high quality, accessible green spaces and recreation spaces will also promote nature conservation, biodiversity and provide enjoyable opportunities for residents and visitors to participate in a wide range

of physical activities. These activities are important for the well-being of children and adults and for the social, environmental, cultural and economic life of Wales.

Objectives of Good Design: Placemaking in Action - 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.

National Planning Guidance contained in Technical Advice Note: Technical Advice Note 12: Design (March 2016).

### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

### COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? The site is within a low risk area.

### CONSULTATION

Penyrheol Trecenydd & Energlyn Community Council - Raise concerns with regard to the appearance of the container.

Parks And Open Spaces - No objection.

Principal Valuer - No objection.

### ADVERTISEMENT

Extent of advertisement: The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) through the display of site notices at the site on 16th June 2021.

Local Ward Councillors (CCBC and Community Council) were consulted on 15th June 2021.

Response: Three letters of response have been received.

Summary of observations:

1. Object to the granting of Planning permission for a shipping container to be sited within the curtilage of Penyrheol park. The park is in excellent condition and has had substantial investment recently to bring it to an excellent standard. The siting of an ugly shipping container will detract considerably from a lovely park. The Rugby League club concerned have stored their equipment in the pavilion for some time and I see no issue with them carrying on using the pavilion.

2. Developments of this nature seem to attract antisocial behaviour wherever they are sited, i.e. graffiti, vandalism, children climbing on the structure.

### 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? No. However, Policy 9 of Future Wales - The National Plan 2040, states that action towards securing the maintenance and enhancement of biodiversity (to provide net benefit), the resilience of ecosystems and green infrastructure assets much be demonstrated as part of development proposals through innovative, nature based approaches to site planning and the design of the build environment. In that regard biodiversity enhancements can be sought as part of this development through any additional landscaping proposals required if the development is considered acceptable in all other areas.

Is this development Community Infrastructure Levy liable? No. The development is less than 100sqm of new floorspace and therefore not CIL liable.

### ANALYSIS

It should be noted the applicant, Aber Valley Wolves Ltd has recently received grant funding for expansion of its rugby league division. On 21st June 2021 (Town Council), funding was agreed to the sum of £400 to Aber Valley Wolves Rugby League Club, based at Aneurin Park, Penyrheol. The grant is to support the establishment of four new age group teams, with females now eligible to play for U10s. The Club has 50+ members who are residents within the Town Council area. Given the current success and expansion of the club, the container is required to store essential training/playing equipment that can no longer be housed within the Pavilion, due to inadequate provisions. Other avenues to utilise existing space at the park have been explored by the applicant but proved to be unsatisfactory, hence this application precedes these former efforts to remedy the issues.

Policies: This application has been considered in accordance with national guidance, the policies as specified in this report of the Caerphilly County Borough Local Development (adopted November 2010) and all relevant Supplementary Planning Guidance. The application seeks full consent to install an ISO standard 20ft shipping/intermodal container adjacent to the existing changing rooms (Sports Pavilion) at the park for the storage of training and playing equipment.

The primary issues in the consideration of this application relate to the impact of the proposed development upon visual amenity of Aneurin Park as a whole, associated communal areas and wider area, with respects to the residential amenities of surrounding occupants, giving regard to all the above as key planning considerations. It will be critical to assess whether the container is acceptable in design terms and whether its siting and intended use is acceptable.

With regard to the first issue, it should be noted that the container is sited on a small parcel of open green space, featuring mature vegetation that has formally served to facilitate a communal area as part of a defined 'curtilage' or grassy verge belonging to the historic sports pavilion and adjoining bowling green. The area has been secured with palisade fencing to quarantine the area from public use outside of the hours of operation of the two communal facilities, operated by CCBC Parks. The fencing in its positioning, has served to create a separate enclosure from the park access road and playing fields, with its own gated access from the primary footway which travels North from the access off Bowls Close to entry points along Heol Aneurin and Troed-Y-Bryn.

Policy CW2 sets out criteria relating to visual and neighbouring amenity. The nearest residential properties are located approximately 120m+ (North and South) away from the site with physical buffers, green land/highways in-between. The site is adjacent to a busy main route of Heol Aneurin, which passes through this locale to wider areas of the County Borough. As such it is not considered that siting of the container and intended use of this would give rise to any amenity issues for neighbouring uses and as such the proposal complies with Policy CW2 of the LDP.

With regards to the design and appearance of the container, although not necessarily an ideal structure to site within a park environment, the siting of the structure between two existing provisions serves to remedy some of the issues in respect of visual amenity. The park is very well maintained and features well established, mature trees and hedgerows adjacent to the community pavilion. This landscaping would serve to act as a natural screen to the development. The shipping container has been positioned alongside the hedging, set-back within the plot to preserve all the current landscaping. Observing the 'shipping container' in clear view from any public vantage points including across the bowling green and from Heol Aneurin Road, it can be concluded that only oblique views would be possible. The primary view would be across from the footway within the park which opens onto an area of hardstanding at the front of the pavilion. It can be debated whether moving the container further into the plot may also serve to conceal it from the public realm at this vicinity, however, some of the existing vegetation may need to be compromised.

Policy CW6 states "Development proposals on sites containing trees, woodlands and hedgerows, or which are bordered by one of more such trees or hedgerows, will only be permitted provided that... Root systems will be retained and adequately protected for the duration of all development activity on site and... Development proposals have made all reasonable efforts to retain, protect and integrate trees, woodlands or hedgerows within the development site". In this instance, the proposed container, is above-ground with no proposed excavation works. Typically shipping containers are sited on blocks (4 corner support), raised up slightly from the ground to allow an airflow underneath which will dry out the underside of the container. The root system of the adjacent hedge is likely to be unimpacted by the development and there would be sufficient distancing away from the boundary hedging to limit shadowing and associated decay of this ground area. Appropriate conditions will be applied to ensure the protection of surrounding landscaping.

The pavilion building is currently painted in a dark green. It has been suggested that the club would prefer a standard green shipping container to reflect the prevailing colour of the changing rooms and parkland context and they are open to incorporating timber cladding. With these finishes, it would appear as more of an inconspicuous, subservient addition to the pavilion building.

Although the park grounds are attractive, the pavilion has little 'character'. The pavilion itself is a flat-roofed, building with little architectural merit, featuring harsh security screens and stark elevations. Given the expense of extending or demolishing/rebuilding parts of the existing pavilion, this is the most suitable option for secure storage. Parks supported this, commenting "There has been a detailed discussion on the storage of sports equipment at the club. With the changing rooms/pavilion ruled out due to lack of space this would appear to be the best solution." The park is being used by a wide range of local clubs and residents with bowls, rugby league and football clubs using the facilities on a weekly basis. These operations are clearly growing, and the facilities are a favoured choice. Hence, the additional storage serves to support the current uses and keep these facilities open to the local community.

In support of this use, the 'best' design possible for this form of structure and its setting within a park with several sports facilities, Policy SP6 states, "development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features through an appropriate mix of uses that reflect the role and function of settlements". It highlights that the LDP strategy seeks "to ensure that sustainable places are created that are socially cohesive, enhance quality of life, meet the needs of current and future residents and reflect the role and function of settlements". In this case, the proposal seeks to meet the needs of the community by enabling the expansion of a club which encourages social cohesion and enhances the lives of the community, via offering active play and outdoor sports.

In terms of securing the container, Palisade Security fencing with a controlled gated access is already present around the pavilion and will enclose the site. It does not

appear that the current building has been subject to graffiti or vandalism, which suggests the security measures in place are effective.

Regarding highway safety, it is considered that there is ample space within the site and along the adjacent highways to accommodate parking associated with any increased use of the pavilion. Around £300,000 has been invested into environmental improvements in Penyrheol, as part of the Caerphilly County Borough Council's £260 million Welsh Housing Quality Standard (WHQS) programme, including additional car parking for residents in Gellideg and Penybryn. In that regard the proposal complies with Policy CW3 of the LDP.

In conclusion the siting of the shipping container in order to provide additional storage facilities, has been put forth for consideration as the only suitable solution, which is as sustainable as possible in terms of its impact. Therefore, subject to imposing required conditions to the planning permission to control the colour of the container in the interests of visual amenity, it is therefore considered that the proposed development is acceptable in planning in terms and seeks to capitalise on the existing community facilities, encouraging an active, social lifestyle and outdoor leisure/recreation within the county borough. Having regard to all material planning considerations, including the Human Rights Act, the development is acceptable in terms of its siting and design and intended uses. On this basis the proposal is regarded as being an acceptable form of development that accords with the provisions of Policies SP3, SP5, SP6, CW2, CW3, CW6, CW7 and CW15 of the Caerphilly County Borough Local Development Plan up to 2021 Adopted November 2010, all referenced Supplementary Planning Guidance and wider policy frameworks. Approval is therefore recommended.

Regard has been given to the duty to improve the economic, social, environmental, and cultural well-being of Wales, in accordance with the sustainable development principle, under Part 2, Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this recommendation, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WBFG Act and consider that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the public bodies' well-being objectives set out as required by Part 2, Section 9 of the WBFG Act.

Comments from Consultees: The comments of the consultees have been set out above, and any concerns can be accommodated by condition.

Comments from public: Siting and appearance of shipping container: The siting has been sensitively chosen to use existing landscaping to provide a natural screen to the development. The siting of the container within a parcel of land between existing facilities, confines the container within the cluster of existing buildings, and building line on this side of the recreation ground. The applicant proposes a green coloured container to match with the colour of the existing pavilion building, allowing further 'blending in with the existing landscaping. The container will be a subservient addition to the sports pavilion and not a container put in isolation within the site.

Using existing storage facilities: The Rugby League club are currently using the sports pavilion to store equipment, however, due to expansion of the club, this space is no longer adequate for safe/secure storage. The applicant has assessed all alternative options and concluded the proposal is the best solution, as confirmed by CCBC Parks Department there has been a detailed discussion on the storage of sports equipment at the club. With the changing rooms / pavilion ruled out due to lack of space this would appear to be the best solution. The container is of a standard size, occupying a small area of space/land which is currently disused space, given it is segregated from the primary recreation grounds via fencing.

Antisocial Behaviour and Crime: Palisade Security fencing with a controlled gated access is already present around the pavilion and fully encloses the site to enable controlled public access. It does not appear that the current building has been subject to graffiti or vandalism, which suggests the security measures in place are effective.

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

**RECOMMENDATION that Permission be GRANTED**

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents: Site Location Plan - XX\_01\_1000 received on 9th April 2021.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) Notwithstanding the approved plans, within 3 months of the date of this consent the container shall be painted in a colour to be agreed in writing by the Local Planning Authority.  
REASON: In the interests of the amenity of the area and in order to ensure compliance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.



- 04) The development hereby approved shall be used for purposes ancillary and incidental to the Sports Pavilion, Aneurin Park, Penyrheol at all times.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) 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 commencement 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.

Advisory Note(s)

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