

**Application Number:** 22/0994/LA.

**Date Received:** 06.12.2022.

**Applicant:** CCBC.

**Description and Location of Development:** Change the use of former comprehensive school to a vulnerable learners facility, demolish existing building and erect sports hall with MUGA and associated external works - Pontllanfraith Comprehensive School Coed-Cae-Ddu Road Pontllanfraith Blackwood NP12 2YB.

**APPLICATION TYPE:** Local Authority Application.

### SITE AND DEVELOPMENT

Location: The application site is located on Coed-Cae-Ddu Road, Pontllanfraith. Blackwood Road (B4251) runs along the north-eastern boundary at a lower level and provides direct vehicular access to the site via Penllwyn Lane along the southern boundary and Brynhyfryd Street along the northern boundary.

Site description: Former Comprehensive School, sports hall, outdoor tennis courts and associated grounds. Pontllanfraith Leisure Centre and its associated outdoor pitch along with Libanus playing fields (LE 1.10) are located to the north-west of the site with Penllwyn Woodlands (NH 3.75), a Site of Importance for Nature Conservation (SINC) beyond. Residential properties are located to the north along with the wider area immediately surrounding the site comprising of residential properties. To the east of the site beyond the B4251 is the Sir Harold Finch Memorial Park with residential development currently under construction on the site of the former Pontllanfraith Offices with Pontllanfraith Health Centre immediately adjacent to it.

Development: Full planning permission is sought to change the use of former comprehensive school to a vulnerable learners facility, demolish existing building and erect sports hall with Multi Use Games Area (MUGA) and associated external works.

Dimensions: The sports hall has a maximum footprint measuring 27.07 metres wide by 28.44 metres long with a height of 8.91 metres to the eaves and 10.39 metres to the ridge.

The Multi Use Games Area (MUGA) measures 30 metres wide by 40 metres long.

The planning application and related plans are supported with the following documents:

Pre-Application Consultation (PAC) Report;  
Design and Access Statement;  
Geo-Environmental and Geotechnical Assessment;  
Acoustic Design Report;

Transport Statement;  
Pre-Development BS5837 Tree Survey Report;  
Tree Constraints Plan;  
Drainage Statement and Layout Plan;  
Landscape Proposals Plan; and  
3D Visualisations.

Materials: The external finishes comprise of a combination of facing brickwork, rock panel wall cladding and profiled metal cladding for the walls, metal standing seam and grp roof sheets together with a combination of aluminium and steel windows, doors, louvres, fascias, soffits and rainwater goods.

Ancillary development, e.g. parking: The following works are proposed:-

Internal re-configuration of the existing school building.

Two relatively small extensions are proposed to the former grammar school building of which comprise a storage and an entrance lobby to the main Assembly Hall on the south-eastern elevation and a new plant room on the north-western elevation.

The storage and entrance lobby measures 8.13 metres wide by 2.62 metres long with an overall height measuring 2.95 metres.

The plant room measures 6.78 metres wide by 3.72 metres long with a height of 8.91 metres to the eaves and 10.39 metres to the ridge.

Over cladding of existing classroom extensions to match external finishes of the new small extensions.

The installation of 2 x projecting roof lanterns on the north-eastern and south western roof planes.

Re-configuration of the existing vehicular entrance to the former school.

New outdoor recreation areas on the upper and lower terraces of the former school building to provide covered seating areas, outdoor dining furniture and outdoor teaching areas.

Hard and soft landscaping to include ramped and stepped access across the upper and lower plateaus with green retaining walls, raised planting beds, wild flower, perennial and grassed embankments together with new native hedging and trees.

Re-configuration of the existing staff car parking area accessed from Brynhyfyd Street on the upper plateau to provide 23 staff and visitor parking spaces.

Re-instate the vehicular access on the lower plateau from Penllwyn Lane with 6.0 metres wide internal access roads to provide a one-way drop off route, access to the sports hall along, access to 2 x separate areas providing a further 23 staff and visitor parking spaces, including 3 x mobility impaired spaces and 5 x spaces equipped with electric vehicle charging points along with designated motorcycle bays and covered bicycle stores.

PLANNING HISTORY 2010 TO PRESENT 13/0701/LA - Locate an external insulated cabin to serve food to pupils to include shelter in the form of sails - Granted 26.09.2013.

17/0840/NOTD - Demolish all school buildings - Granted 25.10.2017.

## POLICY

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

Site Allocation: The site is located within the settlement boundary of Blackwood.

Policies: SP2 (Development Strategy - Development in the Northern Connections Corridor (NCC)), SP4 (Settlement Strategy), Policy SP5 (Settlement Boundaries), Policy SP6 (Place Making), SP10 (Conservation of Natural Heritage), SP18 (Protection of Strategic Leisure Network), SP21 Parking Standards), SP22 (Community, Leisure and Education Facilities), CW1 (Sustainable Transport Accessibility and Social Inclusion), CW2 (Amenity), CW3 (Design Considerations - Highways), CW5 (Protection of the Water Environment), CW6 (Trees, Woodland and Hedgerow Protection), CW8 (Protection of Community and Leisure Facilities) and CW15 (General Locational Constraints).

NATIONAL POLICY Future Wales: The National Plan 2040 (2021), Planning Policy Wales Edition 11 (2021), Technical Advice Note 5: Nature Conservation and Planning (2009), Technical Advice Note 11: Noise (October 1997), Technical Advice Note 12: Design (2016), Technical Advice Note 16: Sport, Recreation and Open Space (2009) and Technical Advice Note 18: Transport (2007).

## 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? The site is located within a high risk area and the application is accompanied by a Geo-Environmental and Geotechnical Assessment which has been reviewed by The Coal Authority.

## CONSULTATION

Transportation Engineering Manager - Having reviewed the submitted documentation which includes Dwg No. P002 Proposed Site Layout Rev B and JNY11347-01a Transport Statement dated 08 October 2022 prepared by RPS022, the Highway Authority raises no objection subject to conditions imposed to any consent. Informal advice is also provided regarding the planned access points and the requirement to obtain the necessary require licences/agreement.

Chief Fire Officer - No comments received.

Ecologist - No objection subject to securing biodiversity enhancement provision within the site.

The Coal Authority - No objection raised.

Environmental Health Manager - No objection subject to conditions.

Heritage And Placemaking Officer - No comments received.

Senior Engineer (Drainage) - No comments received.

Senior Arboricultural Officer (Trees) - No comments received.

Parks And Countryside Operations Manager - No comments received.

Estates Manager - No adverse comments offered.

Waste Strategy and Operations Manager - No objection subject to sufficient refuse, recycling and food caddy storage being placed within easy access at an agreed collection point.

21st Century Schools Manager - No objection in that there will be no impact on pupil numbers.

Landscape Architect - No objection subject to conditions.

Dwr Cymru/Welsh Water - No objection however informative advice is provided.

CADW - Records show there are no scheduled monuments or registered historic parks and gardens that would be affected by the proposed development. Therefore no comments are offered on the proposed development.

## ADVERTISEMENT

Extent of advertisement: The application was advertised in the press, by way of two site notices and seventeen properties were notified by letter.

Response: None.

Summary of observations: Not applicable.

## SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?

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

## EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? Yes the presence of European protected species have been identified by a survey and common pipistrelles were seen emerging from within and adjacent to the site. In such instances 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 have been applied and answered as follows:

- (i) There are overriding economic, educational and social reasons to re-utilise the former school building and its associated grounds by demolishing the freestanding former gym building in that the current accommodation is not fit for purpose to meet the special education needs of vulnerable pupils within the County Borough.
- ii) An alternative proposal for the building would be to do nothing and allow the vacant buildings to fall into disrepair that would prevent future re-use of the site. Furthermore, it should be noted that prior approval (planning reference 17/0840/NOTD) has previously been granted to demolish all school buildings on the site and the survey to accompany that application confirmed the presence of bat roosts and the Council's Ecologist was content with the Method/Mitigation Statement to mitigate for the loss of those identified roosts. There is no other satisfactory alternative.

(iii) The surveys of the site confirmed the presence of bat droppings and the emergence and re-entry of common pipistrelle bats to buildings across the site. A detailed Method Statement of works will be submitted for the entire project and will minimise any impact on the bats providing adequate mitigation for any loss. The favourable conservation status of the species is therefore unlikely to be affected by this development in that any mitigation sought will maintain and enhance the roosting opportunities for common pipistrelle species at this location.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes the development is CIL liable as the proposal intends to create more than 100 square metres of additional floor space. However, the proposed uses are charged at £0 per square metre for new development, as such no CIL will be collected.

### ANALYSIS

Policies: The application has been considered in accordance with local plan policies and national planning guidance. By way of background context to assist in the consideration of this application the development proposals are part of the wider 21st Century Schools Programme across Wales, where the Council has developed a rationalisation programme to remove unwanted surplus places in the Authority and to improve the existing building stock to enhance provision.

The aims of the development and the 21st Century School programme are to:-

Raise standards and improve the quality of learning environment to create a fit-for-purpose 21st Century School;

Provide a learning environment for children and young people in Wales that will enable the implementation of strategies for school improvement and better educational outcomes;

Reduce inequalities in achievement between advantaged and disadvantaged areas, groups and individuals; and

To provide a sustainable education system through better use of resources to improve the efficiency and cost-effectiveness of the education estate which will enhance local public service provision together with reducing recurring costs, energy consumption and carbon emissions.

Full planning permission is sought to change the use of former comprehensive school to a vulnerable learner's facility, demolish the existing building and erect a sports hall with Multi Use Games Area (MUGA) and associated external works. Collectively, the proposed works to the existing school building will provide ten teaching spaces, along with smaller group rooms, a meeting room, staff room, main hall, teaching kitchen and

Café. Furthermore, the proposed Sports Hall building will provide a 4 court sports hall with associated changing room facilities in addition to the outdoor MUGA. The aim of the proposal is to provide a pupil referral unit to support between 80 -120 vulnerable Key Stage 3/4 learners within the County Borough through specialised high quality classrooms, specialist intervention areas, on-site indoor and outdoor leisure and recreational provision that would be available for community use outside of school hours.

The main considerations in the determination of this application are:

The principle of development on the site;  
The impact upon trees;  
The impact upon ecology;  
The suitability of the site for after school hour's leisure provision;  
The visual impact of the development;  
The impact upon residential amenity; and  
The impact upon the highway network.

#### THE PRINCIPLE OF DEVELOPMENT ON THE SITE

The application site is a former education school site located in the Northern Connections Corridor. Policy SP5 (Settlement Boundaries) is the key policy mechanism for achieving resource efficient settlements within the Local Development Plan (LDP). The delineation of the settlement boundary defines the area within which development would normally be allowed, taking into account material planning considerations. Importantly it promotes the full and effective use of urban land and concentrates development within existing settlements. The application site falls within the defined settlement boundary of Blackwood and is immediately adjacent to Libanus playing fields (LE 1.10) and the residential properties of Brynhyfyd Street to the north of the site. In policy terms re-development of the site would be consistent with Policy SP5 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted 2010 in that it promotes the full and effective use of urban land and serves to concentrate new development within the existing settlement.

Policy SP2 (Development Strategy in the Northern Connections Corridor (NCC) requires development proposals within the NCC to promote sustainable development. Specifically proposals in this area should be targeted to both greenfield and brownfield sites having regard to the social and economic functions of the area; reduce car borne trips by promoting more sustainable modes of travel; make the most efficient use of existing infrastructure; and protect the natural heritage from inappropriate forms of development. The proposed development seeks to re-use brownfield land within a highly sustainable location and therefore accords with policy SP2.

Policy SP4 (Settlement Strategy) defines the settlement hierarchy for towns and villages across the county borough and identifies those areas where development would be supported and enhanced based on the specified role and function of a particular area.

The Strategy seeks to concentrate new development to respond appropriately to the economic, social and environmental needs of individual settlements and thus settlement boundaries are identified accordingly to indicate the potential areas where development is likely to be permitted. Pontllanfraith is identified as a residential area and the application site meets the definition of previously developed land (also referred to as brownfield) as set out in Planning Policy Wales (PPW).

In settlements, brownfield land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome. Policy SP2 also requires that new proposals reduce car borne trips by promoting sustainable modes of travel and make the most efficient use of existing infrastructure. Chapter 4 of PPW covers the theme of active and social places. With respect to transport the planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport.

The site is within walking distance of a number of local facilities including community, education, health services, formal leisure provision, recreational spaces together with a number of retail stores and a small food supermarket. There is a north bound bus stop located on High Street (B4251) approximately 95 metres to the east of the site and a south bound bus stop on High Street approximately 130 metres to the south-east with the bus stops providing access to Blackwood, Pontllanfraith, Newbridge, Ystrad Mynach rail station, Ystrad Mynach, Caerphilly, Pontypridd, Nelson, Gelligaer and Cefn Hengoed.

## THE IMPACT UPON EXISTING TREES WITHIN THE SITE

Criterion D of Policy SP2 seeks to protect the natural heritage from inappropriate development. In tandem with criterion D of Policy SP2, Policy SP10 (Conservation of Natural Heritage) is of relevance and indicates that the Council will protect, conserve, enhance and manage this asset in the consideration of all development proposals. The native trees and planting around the eastern, northern and southern perimeters of the site make a positive contribution to the built environment and enhances the character of the area as well as providing a significant amount of screening together with offering substantial environmental benefits.

Policy CW6 (Trees, Woodland and Hedgerow Protection) therefore requires proposals to ensure that effective measures are taken to ensure the protection of seeks to protect trees, woodland and hedgerows where they make a positive contribution to the natural and built environment. More specifically, the policy requires reasonable efforts to retain trees, woodlands and hedgerows as part of development proposals; arboricultural surveys to provide adequate mitigation and compensation for any that are removed; and adequate protection measures for root systems of any that are retained. In that regard the proposed layout has been designed to minimise the loss of existing trees and hedgerows within the site. The submitted Arboricultural Survey Report to accompany the application identifies that six tree trees will require works comprising of cutting back



epicormic shoots or reductions to minimise the end weight of loaded limbs but five trees namely 3 category C trees (1 x Goat Willow and 2 x Silver Birch) and 2 category U trees (1 x Pink Hawthorn and 1 x Ash) would need to be removed. The proposed development therefore seeks to retain the majority of existing trees and planting within the site and replacement semi-mature mitigation tree planting is also proposed. Subject to the imposition of a condition to secure adequate protection for existing trees to be retained within the site during the construction phase of the development, the proposal complies with Policy CW6.

In terms of landscaping, the existing site predominantly comprises of hard surfacing with limited areas of soft landscaping. The proposed development seeks to enhance the existing landscaping with additional native hedgerow and shrub planting. The grassed embankments will also be planted with species rich planting for pollinators as well as incorporating a swale which takes advantage of the sloping ground within the site. It is therefore considered that a suitable approach has been taken to landscaping and biodiversity with retention of trees where possible as well as enhancement of the biodiversity opportunities within the site and no objection is raised by this Council's Landscape Officer subject to the review of a detailed planting scheme to be submitted and agreed. This can be adequately controlled by way condition.

## THE IMPACT UPON ECOLOGY

Alongside Policies SP2, SP10 and CW6, Policy CW4 states that development proposals must conserve, and where appropriate, enhance the ecological importance of local designations, or, where the need for the development outweighs the ecological importance of the site, the harm must be minimised by mitigation measures and offset as far as practicable by compensation measures. The site is not covered by any statutory or non-statutory nature conservation designations however SINC's Penllwyn Woodlands (NH 3.75) and River Sirhowy (NH 3.11) are within 118 metres and 340 metres of the site boundary.

An Ecological Impact Assessment Report (EIA) and Dusk Emergence and Dawn Re-entry Survey Report have been submitted to accompany the application and based on the surveys undertaken. The reports confirm the presence of bat roosts within the buildings for low numbers of common pipistrelle bats together with any on-site established trees having the potential to provide natural commuting habitats and foraging opportunities for protected species. The reports contain a number of recommendations in relation to bats, breeding birds, mammals and reptiles which, if implemented as part of the proposed development, would prevent any long-term impacts upon key protected species and habitats present or adjacent to the site. Given the presence of confirmed bat roosts within the site, further survey work is also required along with the requirement to obtain a European Protected Species (EPS) Licence from Natural Resources Wales (NRW). The Council's Ecologist has raised no objection subject to securing a number of ecological enhancements and mitigation measures by imposing a biodiversity strategy related condition to any permission. It is therefore

considered that the proposed development would comply with the requirements of Policies SP10 and CW4.

## THE SUITABILITY OF THE SITE FOR AFTER SCHOOL HOURS LEISURE PROVISION

It should be noted that whilst planning permission is sought to change the use of the school to a vulnerable learner's facility, in land use terms there is no change of use to the former grammar school building and it would still remain as an educational institution.

The proposed sports hall building and outdoor MUGA will serve the recreational needs of the vulnerable learners in attendance at the school but would also be available for community use outside of school hours. The leisure facilities proposed as part of this application are not linked to Pontllanfraith Leisure Centre located on a wider part of the site and the proposals are not seeking to replace any existing facilities currently offered by the leisure centre but instead provide additional facilities to the school itself with those facilities being made available outside of school hours for community use. The proposed on-site leisure provision would therefore deliver appropriate and fit for purpose physical activity, teaching and recreational spaces as well as contributing to the community sport and active recreation.

This is further reinforced in the Council's Sport and Active Recreation Strategy (2019-2029) and is directly linked to the Council's Wellbeing Objectives, its strategic priorities, as set out in the Corporate Plan (2018-2023) and follows on from the first phase of the Council's 21st Century Schools Programme (2014-2019) whereby over £56 million has been invested in schools to improve facilities, including the new Islwyn High School to replace the school site the subject of this application, Pontllanfraith Comprehensive School along with Oakdale Comprehensive School. The Council's approach on new school sites is to provide new sport and physical activity spaces and support delivery of maximising availability of all school leisure facilities for community uses outside of school hours. In that regard the proposed on-site leisure provision accords with the following Well-being Objectives as set out in the Team Caerphilly Better Together Corporate Plan (2018-2023):

Objective 1 - Improve education opportunities for all; and  
Objective 5 - Creating a county borough that supports a healthy lifestyle in accordance with the Sustainable Development Principle within the Well-being of Future Generations (Wales) Act 2015.

Whilst the proposed development will provide additional facilities for the community outside of school hours it should be noted that Policy CW8 (Protection of Community and Leisure Facilities) would provide adequate protection to these leisure facilities in the future given their importance from a health, social, educational and economic well-being perspective to the local community.

## THE VISUAL IMPACT OF THE DEVELOPMENT

In line with national planning policy, SP6 (Place Making) requires development proposals to contribute to the creation of sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features. Policy SP6 requires new development to incorporate resource efficiency and passive solar gain through layout, materials, construction techniques, water conservation and where appropriate through the use of Sustainable Urban Drainage Systems (SUDS). In that the proposed development exceeds more than 100 square metres of floor space the development will require SUDs approval. Those technical details will require consideration from the Sustainable Drainage Approval Body (SAB) and is an independent approval process outside of planning legislation. Refurbishment of the former grammar school building and the proposed sports hall seeks to maximise lighting and solar gain opportunities along with the landscaping proposals incorporating sustainable urban drainage features.

In terms of design and appearance two relatively small extensions are proposed to the former grammar school building of which comprise a storage and an entrance lobby to the main Assembly Hall on the south-eastern elevation and a new plant room on the north-western elevation. The extensions are considered subservient to that of the host building and whilst their external finishes appear contemporary for the age and character of the existing building in this instance the external finishes are considered acceptable because they coherently provide a unique identity between the existing former grammar school building and the proposed sports hall building. Further details in respect of external finishes will be required by condition, however it is considered that the contemporary character of the school extensions would not detract from the character and appearance of the local area.

Access within the site between the existing former grammar school building and the proposed sports hall and outdoor MUGA will be achieved via a ramped path and stepped access. With regards to the design and character of the proposed sports hall the proposed building is highly contemporary. In terms of re-development of the lower plateau the evolution of the design of this building has been undertaken upon a design team basis, with the end user (21st Century Schools) being involved from the outset to ensure that those using the building consider it will function relative to their needs and provide practical usable arrangement of spaces and operational requirements of re-introducing on-site educational facilities and after school community leisure provision on site together with a desire to produce a betterment in terms of previous parking and access provision serving the former school site.

The proposed sports hall will replace an existing dilapidated building and shall achieve a BREEAM 'Very Good' rating with an 'Excellent' rating for Energy Conservation and where possible sustainable and natural materials will be used with the overall scale and massing of the building fitting comfortably within the plot. Whilst the external finishes and overall design are considered to be contemporary to that of its surroundings, consideration has been given to how the application of modern materials can

complement the traditional external finishes of the former grammar school building along with the relationship of its siting and visual appearance when viewed and set behind the perimeter trees within the site. It is therefore considered that the design, scale and massing and external materials of the proposed sports hall building would not cause any harm to the character and visual amenity of the wider area and as such accords with Policy SP6.

## THE IMPACT UPON RESIDENTIAL AMENITY

Policy CW2 (Amenity) states that development proposals must have no unacceptable impact on the amenity of adjacent properties or land; would not result in the over-development of the site; and the proposed use is compatible with surrounding land uses. In that regard the proposed demonstrates that adequate parking, turning and drop off/ collection points can be provided within the site together with providing areas of soft landscaping and useable outdoor spaces. The proposal is not considered to be over-development and is compatible with surrounding land uses.

In terms of its impact upon residential amenity it should be noted that whilst the use of the site as a Comprehensive School has ceased, in planning terms the use of the site as an educational institution has not been abandoned and as such the nearest neighbours to the south-west, Helson Bungalow, would be largely unaffected by the learning undertaken within the main school building. The introduction of an outdoor MUGA and a one way system would intensify potential noise levels to the rear garden areas of the properties along the southern side of Brynhyfryd Street, however the positioning of the MUGA achieves the required 30 metres minimum separation between the activity zone and the respective rear garden boundaries in accordance with the Fields in Trust Guidance for Outdoor Sport and Play (Wales). Furthermore, there is also an intervening rear lane between the school site and the rear gardens and a robust planting scheme along the northern boundary is also proposed, further details of which will be secured by condition.

In that the use of the MUGA would be available to the community outside of school hours there will be a need to provide adequate lighting facilities within the site. There is limited information to accompany the submission details in respect of lighting and therefore further details of a lighting plan including the design, height and lux levels and cowlings will be required to be submitted for consideration and can be secured by condition to ensure that any lighting to be provided within the site would not give rise to any unacceptable light nuisance to neighbouring residential occupiers. Having regard to the siting and positioning of the proposed sports hall building, no overbearing or overshadowing impacts would arise to any of the nearest residential occupiers. Therefore, subject to conditions to ensure adequate protection is afforded to residential amenity during the construction phase and upon use of the leisure facilities, the proposed development is therefore considered compliant with Policy CW2.

## THE IMPACT UPON THE HIGHWAY NETWORK

Policy CW1 (Sustainable Transport, Accessibility and Social Inclusion) requires development proposals that have the potential to generate a significant number of trips (either as an origin or a destination) to be designed to ensure that car borne trips are kept to a minimum. It is therefore important to ensure that provision is made within the development to actively encourage walking and cycling and that appropriate infrastructure is included in the layout to facilitate short trips on foot. In that regard, no pedestrian highway improvements are required in that students, staff and visitors can gain access on-foot to the school site using the existing footways provided along Penllwyn Lane that continue along the B4251 and Brynhyfryd Street with connectivity within safe and convenient walking distance to bus stops. It is therefore considered that the range of accessible and sustainable travel choices to and from the development site does reduce the need for some staff, a small number of potential students and community users to travel to/from the site by private motor vehicles. Supplementary Planning Guidance LDP5: Car Parking Standards does however set out specific car parking standards and requirements given the potential conflict and congestion issues that arise on the wider area of any school site in terms of dropping off and collecting children, therefore there is a requirement to focus on adequate parking provision and dedicated drop off/collection areas.

Policy CW3 (Design Considerations - Highways) requires development proposals to have regard for the safe, effective and efficient use of the transportation network. The submitted Transport Statement confirms that the refurbishment of the former school building will provide teaching accommodation for up to 120 students and 40 full time equivalent (FTE) staff. A new car park and drop-off area for minibuses and taxis will be provided on the lower plateau adjacent to the proposed sports hall building and MUGA. 46 off-street car parking spaces are also proposed across the site including electrical vehicle charging and cycle parking. The existing eastern vehicular access from Penllwyn Lane will be widened and will be the main vehicular access for students, staff and visitors. The existing western vehicular access from Penllwyn Lane will also be widened and will provide vehicular access for deliveries, refuse collection and also access to the proposed Respite Centre via a one-way route. The vehicular access from Brynhyfryd Street will also be retained and will provide access to a secondary car parking area on the upper plateau for staff and parent parking.

It should also be noted that the majority of students are anticipated to commute initially to/ from school with taxis during both morning and afternoon peak hours. However, over time, the school is planning to develop a mini-bus service that will collect students around the borough. The number of vehicle trips associated with the student collections is not considered to have an adverse impact on the local highway network.

The anticipated number of trips to and from the site for community use outside of school hours is considered to have minimal impact on the surrounding highway network along with there being sufficient on-site parking provision outside of school hours for community users.

The Council's Transportation Engineering Manager has reviewed the supporting information in full and no objection has been raised subject to a number of highway and parking related conditions. The application is therefore considered to be acceptable in highway safety terms and compliant with Policies CW1 and CW3.

## CONCLUSION

In conclusion, the site is previously developed land within the defined settlement boundary of Blackwood on existing education land. The proposed development complies with both local and national planning policies, would provide much needed additional school places for vulnerable school learners within the County Borough along with providing additional leisure facilities available for community use outside of school hours. Having regard to the above observations subject to conditions the proposed development is considered acceptable in planning terms.

Comments from Consultees: No objection raised.

Comments from public: No comments received.

Other material considerations: None.

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

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

**RECOMMENDATION** that Permission be GRANTED

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:  
Dwg No. P001 Rev A Site Location/Existing Site Layout Plan received on 06.12.2022;  
Dwg No. P002 Proposed Site Layout Rev B received on 09.01.2023;  
Dwg No. P004 Proposed Floor Layouts received on 21.11.2022;  
Dwg No. P005 Proposed Sports Hall Layout received on 21.11.2022;  
Dwg No. P007 Rev B Proposed Elevations received on 06.12.2022;  
Dwg No. P008 Rev A Proposed Sports Hall Elevations received on 21.11.2022;  
Dwg No. 687/01 Sketch Landscape Proposals received on 21.11.2022;  
Dwg No. 220414-PCS-TCP-LI Tree Constraints Plan received on 21.11.2022;  
Pre-Development BS5837 Tree Survey Report dated November 2021 prepared by Broadway Consultancy and received on 21.11.2022;  
Dusk Emergence and Dawn Re-entry Survey Report dated November 2022 prepared by Acer Ecology and received on 07.12.2022;  
JNY11347-01a Transport Statement dated 08 October 2022 prepared by RPS and received on 21.11.2022;  
Supplementary Geo-Environmental and Geotechnical Assessment dated May 2022 prepared by Earth Science Partnership and received on 21.11.2022; and  
Acoustic Design Report dated 01.07.2022 prepared by MACH Acoustics Ltd and received on 21.11.2022.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) 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.
- 04) 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: In the interests of public health and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 05) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the

Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.

REASON: To protect public health and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.

- 06) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for dust mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with dust arising from construction works.  
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) Prior to the development commencing on the construction of any roads, drainage, or buildings hereby approved a scheme for noise mitigation shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the agreed scheme shall be employed as necessary to deal with noise arising from construction works.  
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) No floodlighting shall be installed unless its details have been submitted to and approved in writing by the Local Planning Authority before the use of the Multi Use Games Area (MUGA) hereby permitted commences. Thereafter the development shall be carried out in accordance with the approved details.  
REASON: In the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 09) No development shall commence on site until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The Construction Method Statement shall include details of:  
hours of working;  
the on-site parking of vehicles of site operatives and visitors;  
loading and unloading of plant and materials;  
storage of plant and materials used during construction works;  
wheel washing facilities;  
the erection and maintenance of security hoardings;  
measures to control noise during construction works;  
measures to control pollution from plant and runoff;  
measures to control the emission of dust and dirt during construction works; and  
details of a scheme for the recycling/disposing of waste resulting from construction works.  
Thereafter the construction of the development shall be undertaken in accordance with the approved Construction Method Statement.



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

- 10) Prior to the occupation of the development hereby approved the proposed access points to and from Penllwyn Lane shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4 metres x 43 metres. No obstruction or planting when mature exceeding 0.6 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.

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

- 11) The development shall not be occupied until the areas indicated for the parking and turning of vehicles have been laid out in accordance with Dwg No. P002 Proposed Site Layout Rev B to the satisfaction of the Local Planning Authority, and those areas shall not thereafter be used for any purpose other than for the parking and turning of vehicles in connection with the development hereby approved.

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

- 12) Any gates shall be located and fitted so that they open inwards and not out towards the highway.

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

- 13) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway. Such provision shall be made prior to occupation of the development hereby approved and maintained thereafter 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.

- 14) Prior to the commencement of works associated with the sports hall above Damp Proof Course (DPC) level, full details of the cycle shelters as indicated on Dwg No. P002 Proposed Site Layout Rev B shall be submitted to and approved in writing by the Local Planning Authority. The cycle shelters shall be provided in accordance with the approved details prior to the occupation of the approved sports hall and shall be maintained thereafter for the lifetime of the consent.

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

- 15) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary

treatment shall be completed in accordance with the approved details before the development hereby approved is occupied.

REASON: In the interests of the visual amenities of the area amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 16) 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 landscaping scheme shall include details and proposed timing of hard and soft landscaping together with details of ground preparation including mulching and planting plans noting the species, plant sizes and planting densities for all new planting. The agreed details shall be carried out in the first planting and/or seeding season following the occupation of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of the visual amenity of the area in accordance with policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 17) No development or any other operations shall commence on site until a scheme for the protection of the existing trees growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. The scheme must include a plan clearly showing the location and specification of the protective fencing to be used. The approved protective fencing must be installed prior to the commencement of the development and thereafter retained intact for the full duration of the construction works and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the Local Planning Authority.

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

- 18) Prior to the commencement of development a scheme of biodiversity protection, mitigation, compensation and enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Strategy shall include details of:

A Construction Environment Management Plan (CEMP);

Appropriate site clearance methodologies for protected and priority species including hedgehog, birds and reptiles;

A soft felling methodology for trees T1, T2, T3, T4, T5 and T15;

Biodiversity enhancement measures for birds and bats;

Details of the lighting units, levels of illumination and hours of use; and

A 5 year management plan for the site to maximise biodiversity value;

The Biodiversity Strategy shall be implemented as agreed.

REASON: To provide biodiversity conservation measures, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Planning Policy Wales (2021) and Technical Advice Note 5: Nature Conservation and Planning (2009).

- 19) No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings/buildings hereby permitted has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

- 20) The use of the site hereby permitted for community purposes beyond school hours shall not be open to members of the public outside the following times:

(a) 08.00 hours to 21.00 hours Monday to Friday;

(b) 09.00 hours to 21.00 hours on Saturdays; and

(c) 10:00 hours to 20:00 hours on Sundays and Bank Holidays.

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

#### Advisory Note(s)

Please refer to Public Access on the Council's website to view the comments of the consultees that are brought to the applicant's attention. Informative information is also provided.

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.

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).

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: [www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

#### Notification of initiation of development and display of notice:

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

#### Notice of initiation of development:

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

#### Display of Notice:

The person carrying out the development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in

Schedule 5B to the Town and country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

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

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

#### NOTE

The applicant should be made aware that access points will associated with the development will require highway licences / agreements and no work shall be undertaken on or adjacent to the adopted highway until such have been agreed in writing. The applicant is therefore advised to contact Highway Development Control once planning consent has been granted to discuss the specific requirements.

The applicant should also be made aware that the existing Bus Stop road markings should be removed and may require changes to the existing Traffic Regulation Order (TRO) and as such the cost of such will be borne by the applicant.

Warning: A European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require a EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at

<https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>