

Application Number: 23/0452/LA

Date Received: 11.07.2023

Applicant: Caerphilly County Borough Council

Description and Location of Development: Erect two storey extension with single storey link and freestanding single storey childcare unit to amalgamate Llanfabon Infant and Llancaeath Junior Schools to form a new Primary School facility - Llanfabon Infant School Bryncelyn Nelson Treharris CF46 6HL

APPLICATION TYPE: Local Authority Application

SITE AND DEVELOPMENT

Location: The application site is located on the eastern side of Bryncelyn and Fford Trawsgae (Cross Field Road), Nelson.

Site description: The application site comprises of two parcels of land within the ownership of the Local Authority. The main parcel of land comprises of a single storey school building (Llanfabon Infants School) set within its associated school grounds. Residential properties surround the site at a lower level beyond the intervening tree buffer and Bryncelyn Court public footpath runs parallel to the school and the properties at 13-19 Cae'r Gelynnen and 48-63 Ashgrove to the south-east and 40-44 High Close to the east.

The second parcel of land is directly adjacent to the school and is enclosed brownfield land immediately to the east of Nelson Community Centre. The land comprises of two hard surfaced pitches with vegetation overgrowth in places and there is semi-scrub vegetation buffer along the northern and eastern peripheries of pitches which then falls away.

Vehicle access to the school would be as per the existing arrangements via Bryncelyn Court which links to the wider highway network of Bryncelyn to the north-west and Crossfield Road to the south-west.

Development: Full planning permission is sought to erect a two storey extension with single storey link and freestanding single storey childcare unit to amalgamate Llanfabon Infant School and Llancaeath Junior School to form a new Primary School facility.

Dimensions: The two storey extension measures 45.81 metres wide by 18.10 metres long with an overall height of 11.15 metres.

The single storey link extension measures 6.32 metres wide by 8.3 metres long with an overall height of 5.95 metres.

The single storey child care unit measures 16.75 metres wide by 8.55 long metres with an overall height of 4.7 metres.

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

- Pre-Application Consultation (PAC) Report;
- Design and Access Statement;
- Topographical Survey;
- Ecological Impact Assessment Report;
- Landscape Strategy;
- Low and Net Carbon Technology Study;
- Pre-Development BS5837 Tree Survey, Categorisation and Constraints Report;
- Tree Constraints Plan;
- Tree Constraints and Demolition Plan;
- Drainage Layout Plan;
- Transport Assessment; and
- 3D Visualisations.

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

Ancillary development, e.g. parking: A summary of the planned additional works include:

- Remodelling of existing external play and staff areas;
- Demolition of the existing twin demountable nursery building;
- New security fencing and pedestrian gate to be installed along the eastern boundary;
- The stopping up of a section of the existing school access to relocate the school gates;
- New pedestrian crossing point in front of the relocated school gates;
- Diversion of Bryncelyn Court public footpath;
- New uncontrolled flat hump vehicle crossing on Cross Field Road;
- New shared footway/cycleway from Bryncelyn to Cross Field Road;
- 39 staff and visitor parking spaces allowing with one way system allowing for vehicle drop offs subject to pre-existing arrangements with the school;
- 3 x mobility impaired spaces;
- 6 x spaces equipped with electric vehicle charging points;
- 3 x designated car spaces;
- 3 x designated motorcycle bays;
- 30 x designated bicycle spaces;
- Designated delivery and unloading pull in bays;
- Covered external bin store; and
- Sprinkler tank building.

PLANNING HISTORY 2010 TO PRESENT None.

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 Nelson.

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, 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 12: Design (2016) 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 low risk area, standing advice will however be provided by way of an informative note should planning permission be granted.

CONSULTATION

Transportation Engineering Manager - CCBC - No objection subject to conditions with the car parking area requiring reconfiguration to allow for drop off and collection and a coach/ mini bus parking area.

Environmental Health Manager - No objection subject to condition in respect of controlling imported material and suppressing noise and dust through the submission of appropriate mitigation schemes.

Senior Engineer (Drainage) - No comments received.

Senior Arboricultural Officer (Trees) - No comments received.

Estates Manager - No adverse comments offered.

CCBC - 21st Century Schools Manager - No comments received.

Ecologist - No objection subject to the imposition of a condition to secure a biodiversity strategy for the site.

Landscape Architect - CCBC - No objection subject to conditions.

Placemaking Officer - Douglas McGlyn - No objection.

Chief Fire Officer - Provide advice to be conveyed to the developer.

Dwr Cymru - No objection however informative advice is provided.

Strategic & Development Plans - No comments received.

Waste Strategy And Operations Manager - Confirms that the existing collection arrangements would remain however provides informal advice to the applicant to increase the capacity of the bin store indicated in order to accommodate more bins.

National Grid - Provides advice should a new connection, service alteration or disconnection be required.

Heritage Officer - Peter Thomas - No comments received.

Police Architectural Liaison Officer - No comments received.

ADVERTISEMENT

Extent of advertisement: The application was advertised in the press, by way of a site notice and fourteen properties were notified by letter.

Response: One letter of representation was received.

Summary of observations: The following concerns were raised:

1. The areas identified H2 and H3 state that they provide good screening, however the trees within both areas have been left to grow without any maintenance and control over them which in turn reduces the amount of sunlight to the neighbouring properties and this is exacerbated by the difference in levels between the adjacent footpath and school grounds and the neighbouring properties.
2. There is little relationship with the school and neighbours in terms of communication in relation to the neighbour's requests to maintain the trees, with the schools relying on budget cuts as to why the trees cannot be maintained.
3. The increase in the number of pupils will inevitably lead to more users of the footpath and therefore security and lighting of the footpath and neighbouring residents should be improved to prevent anti-social behaviour and littering.

4. Objects to the 2 metre screening indicated if sited next to the footpath as it would be unsightly and impact upon existing views. Also requests further details in respect of the screen to be provided and location.

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 a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature based approaches to site planning and the design of the built environment. Therefore should planning permission be granted a scheme for biodiversity enhancement will be sought as part of the proposed development.

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 use is 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. Full planning permission is sought to erect a two storey extension with single storey link and freestanding single storey childcare unit to amalgamate Llanfabon Infant School and Llancaeath Junior School to form a single integrated Primary School within Nelson. The project involves extending Llanfabon Infants School to provide a 275 place primary school with an additional 40 nursery places and a standalone Childcare unit within the school grounds. The proposed development is part of the wider Sustainable Communities for Learning programme, which is a major long-term capital investment programme jointly funded by the Welsh Government and the Local Authority. The Childcare unit is funded separately from the Primary School via the Welsh Government's Childcare Grant.

The main considerations in the determination of this application are:

- The principle of development on the site;

- The impact upon trees, landscaping and ecology;
- The visual impact of the development in terms of place making, design and layout;
- The impact upon residential amenity; and
- The impact upon the highway network.

THE PRINCIPLE OF DEVELOPMENT ON THE SITE

The application site is an existing school and resource centre 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 Nelson and in policy terms further 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 6 of Future Wales – The National Plan 2040 also states:-

Significant new commercial, retail, education, health, leisure and public service facilities must be located within town and city centres. They should have good access by public transport to and from the whole town or city and, where appropriate, the wider region. A sequential approach must be used to inform the identification of the best location for these developments and they should be identified in Strategic and Local Development Plans.

In response to this the applicant has stated:-

The current Llanfabon Infants site was chosen as the site for this amalgamation for the following reasons:

* The Llancaiach Junior site is too small to accommodate a school of the size required by the amalgamation (total pupil numbers: 270 Primary + 40 Nursery).

Building Bulletin 99: Briefing Framework for Primary School Projects, the current Welsh Government standard for primary school site and building sizes, recommends a minimum site size of 1.2ha for this school. The Llancaiach site is 0.67ha, just over 50% of that required.

There are no adjacent sites, to Llancaiach Junior, that could be purchased to increase the site size.

* The highway infrastructure to access the Llancaiach Junior site is very poor and comes through the adjacent residential area. There is no space to improve this. It was therefore considered probable that the site would not be accepted by the Highway

Authority for a new school development as it would increase traffic flow in roads already congested at school arrival and leaving times.

* There is insufficient space within the site to improve the current parking situation to meet current LDP requirements as part of the Planning Process.

* There is no clear space on the existing Llancaiach site to construct a new building to form the amalgamated school and as a result the existing Edwardian buildings would need to be demolished to provide sufficient development space. To do this the school pupils would need to be decanted to an alternative site. There is no site within the area, owned by the Council, to do this.

Having regard for the above, it is considered that an appropriate sequential approach to the selection of the application site has been undertaken and as such the proposal complies with Policy 6 of Future Wales.

TREES, LANDSCAPING AND ECOLOGY

Criterion D of Policy SP2 (Development in the Northern Connections Corridor) 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.

In tandem with the above Policy CW6 (Trees, Woodland and Hedgerow Protection) requires proposals to ensure that effective measures are taken to ensure the protection of 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. Whilst there are no Tree Preservation Orders (TPOs) on or adjacent to the site, there are however a series of mature trees present. Details of these are shown on the tree constraints plan and within the accompanying Arboricultural Report and Tree Survey. The proposed layout has been carefully designed to minimise the loss of existing trees and vegetation. There are however 3 x Category B Ash trees within the site at health stage 3 of Ash dieback disease, 1 x Category U Ash at health stage 2/3, 2 x Category B2 (species not identified) dead trees, 1 x Wild Cherry category U subjected to bacterial canker and 1 x Category U Pendunculate Oak that require removal for health reasons and a greater number of trees within the school site would require scheduled tree maintenance works. The identified works to the trees have been fully detailed in the Arboricultural Survey Report, however it should be noted that the report does not extend to planned tree works outside of the red line boundary associated with the application site.

The Arboricultural Report and Tree Survey has been undertaken by an experienced arborist and present an unbiased third-party opinion offering professional advice on the

value of the trees on or adjacent to this site. The conclusions of the Arboricultural Report confirm that subject to adhering to the suggested tree protection recommendations, the proposed development can be constructed without any significant long-term adverse impact on the retained trees within the site or the visual amenity of the area. A Landscape Strategy accompanies the application and includes tree planting to address the loss and mitigation of existing dead or dying trees, however the Council's Landscape Architect has advised that a detailed tree planting scheme should be submitted for consideration which expands beyond planting Oak trees. In that regard subject to the imposition of a suitably worded condition the proposed development complies with Policy CW6.

In terms of landscaping, the site predominantly comprises of hard surfacing with limited areas of soft landscaping excluding the woodland areas along the site peripheries and maintained grassed areas within the school grounds. The proposed Landscape Strategy aims to provide welcoming outdoor play spaces for pupils and external useable outdoor staff seating areas promoting a sense of community and well-being. The existing native and semi-native perimeter planting is to be enhanced and protected to help aid visual amenity and to improve biodiversity. A suitable approach has been taken to landscaping and biodiversity through the retention of trees as well as the enhancement of the biodiversity opportunities within the site however it is considered reasonable to request further details of the hard and soft landscaping scheme to be provided.

Alongside Policies SP2, SP10 and CW6, Policy CW4 (Natural Heritage Protection) 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 and the nearest Site of Importance for Nature Conservation (SINC) is Wern Woodland, Nelson (NH3.57) approximately 520 metres to the north-east of the site with a further six designated sites comprising of SINC's and a Site of Special Scientific Interest (SSSI) within 620 - 950 metres of the site.

The Ecological Impact Assessment Report confirms that given the limited scale of the proposed development and the lack of likely impacts beyond the site boundary that it is not anticipated that there would be any likely impacts to the designated sites within the wider locality. In terms of the impacts upon priority and protected species, the loss of a small number of trees is likely to have a negligible impact although the report does confirm that there were no bat roosting opportunities within the trees with the hedgerows/ scrub and grassland providing foraging, sheltering opportunities for wildlife and invertebrates.

The recommendations contained within the Ecological Impact Assessment Report confirm that habitat enhancement and creation should be carried out to compensate for the loss of scrub and grassland within the school site. The Council's Ecologist has raised no objection to the proposed development subject to the imposition of a condition

to require a biodiversity strategy to be submitted to enhance and mitigate for biodiversity and habitat potential in line with the recommendations contained within the report. On that basis it is therefore considered that the proposed development would comply with the requirements of Policies SP10 and CW4.

PLACE MAKING, DESIGN AND LAYOUT

In line with national planning policy, 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. The accompanying drainage strategy and landscaping scheme indicates that the proposed drainage design maximises the use of multiple swales and attenuation basins with soft SuDS features which in turn will create habitats that are self-sustaining and resilient to climate change and link with the local natural and semi-natural species and habitats within the wider area together with retaining and improving existing landscaping, where possible. Those technical details will require consideration from the Sustainable Drainage Approval Body (SAB), an independent approval process outside of planning legislation.

In terms of the design the most significant addition is the two storey extension and this is located to the west of the existing school building on the existing car park. The two storey extension has a limited footprint and its careful siting on an existing hard surface has minimised the overall impact to the existing landscaping and trees within the site. Whilst the two storey extension is not subservient to the host building, it would not appear visually intrusive or incongruous in that its overall scale and relationship is considered appropriate whereby its positioning does not dominate the host building upon arrival to the site. The proposed single storey link building and freestanding building within the site have also been designed and sited to pay adequate regard to the character and context of the existing school setting.

In terms of the external finishes, the site wide proposals seek to utilise a palette of materials which combines traditional and contemporary materials that will reflect a modern learning community setting together with being efficient in energy and resources by using natural or locally sourced materials. The planning system has to play a role in making the development resilient to tackling the climate emergency through the decarbonisation of the energy system, improving air quality and the sustainable management of natural resources along with shaping the social, economic, environmental and cultural factors which determine health and which promote or impact on well-being in line with the Healthier Wales goal as part of the Well-being of Future Generations Act. The two extension will achieve a BREEAM "Very Good" rating with "Excellent" for Energy credits and the design focuses on maximising daylight, solar gain and carbon capture opportunities as well as providing an enjoyable learning

environment for the pupils and the wider community outside of school hours. The proposed development is therefore considered acceptable in design terms in accordance with Policy SP6.

AMENITY

Policy CW2 (Amenity) states that development proposals should have no unacceptable impact on the amenity of adjacent properties or land; should not result in the over-development of the site; and the proposed use is compatible with surrounding land-uses. The proposed development can accommodate the relevant levels of car parking and operational space along with providing soft landscaping areas within the site and as such is not considered to represent over-development. Having regard to the existing use of the site as a school and land to the rear of the community centre as former hard surfaced playing pitches given the distances away the proposed development is considered to be compatible with the surrounding land uses and would not result in any significant harm in terms of visual amenity of the surrounding area or residential amenity given the separation distances to the rear elevations of the neighbouring properties measuring between from between 25-30 metres.

It is noted that the neighbour representation received is concerned about new screening to be erected along the eastern boundary and the lack of maintenance to the trees and vegetation, with particular concern to those overhanging the public footpath and neighbouring gardens. The residential properties to the east are located at a lower level however a 2 metre boundary treatment enclosing the site following diversion of the footpath would be permitted development. It is acknowledged that such details do not appear to accompany the submission details however their suitability in visual amenity terms can be appropriately considered through the imposition of a condition imposed to any consent. However, it is not considered that a 2 metre boundary treatment would give rise to unacceptable neighbouring impacts.

It is therefore considered that the proposed development complies with Policy CW2.

TRANSPORT AND ACCESS

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, most pupils would walk to school however as with all schools there will be a number of children who travel to school by car. For staff, the site is in a sustainable location close to bus stops but it is anticipated that there would be a high number staff car users. Pedestrian and cycle route highway improvements are proposed and this accords with the aim of increasing the use of more sustainable transport modes.

It is acknowledged that the proposed development will generate new trips to and from the school site, however this would be off-set by the trips currently made to and from Lancaeath Junior School, particularly where there are siblings from the same household attending both schools in Nelson. Subject to the implementation of the off-site highway improvement works the proposed development will be served by a range of accessible and sustainable travel choices to and from the school site and therefore accords with Welsh Government's sustainable transport aim of reducing the number of car borne journeys.

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 Assessment confirms that the main pedestrian and cycle access will remain unchanged, and pedestrians/cyclists will continue to gain access from Bryncelyn Avenue with a new pedestrian crossing point located on Bryncelyn Avenue adjacent to the school gates. Furthermore a secondary site access will be located on the eastern edge of the school utilising the diverted public footpath.

Off site proposals to improve the safety of pedestrians near the school by implementing new crossing infrastructure also include the installation of an uncontrolled flat top hump on Bryncelyn and an uncontrolled flat top hump on Fford Trawsgae. These measure would aim to regulate vehicle speeds and offer increased protection for pedestrians. The chosen locations for the infrastructure align with the paths commonly used by pedestrians entering or exiting the school from the north and south. Additionally, a new shared use cycle/ pedestrian path will be constructed, connecting Bryncelyn to Fford Trawsgae.

In terms of expected vehicle trip rates for the enlarged school this has been derived from the existing school pupil numbers. The proposed amalgamation of the two schools would increase existing school numbers of 117 pupils across all age groups and 28 members of staff to 319 pupils and 47 members of staff.

The vehicle trip generation derived from existing school numbers shows that the development proposal is forecast to produce 199 two-way vehicle trips in the morning peak school hours, with 115 arriving and 85 departing and 145 two-way vehicle trips, with 44 arriving and 101 departing in the afternoon peak school hours. The development is therefore forecast to generate a net increase of 126 vehicles in the morning peak school hours and 92 in the afternoon peak school hours.

A Junction Capacity Assessment was also undertaken at the junctions of Bryncelyn / Heol Tasker T-junction, Heol Tasker / Bryncelyn Avenue School Access Northern and Heol Tasker / Bryncelyn Avenue School Access Southern with the capacity modelling forecasting 1, 2 and 5 years ahead. The modelling confirmed that all of the junctions have operating capacity and the forecasted increase in traffic to the school site would generate minimal queuing and delays with a worst case scenario generating a delay or queue between 5 and 9 seconds. Such impacts are considered to be minimal.

The Council's Transportation Engineering Services Manager has reviewed the Transport Assessment and raises no objection subject to conditions, however they have requested one condition that would involve the applicant revising the car parking layout to provide a coach/mini bus parking and a drop off/pick up area for children. In that regard the site is constrained and it would not be reasonable to request the applicant to revise the layout particularly when there does not appear to be scope to do so without removing a number of trees which offer significant amenity and biodiversity value. Furthermore, it should be noted that the existing school site does not currently have any designated drop off areas and no children arrive by coach or mini bus to the school. Whilst it is accepted that the number of school children and staff at the school will increase and the Transport Statement makes it clear that there will be an increase in vehicle movements to and from the school, it should also be noted that the merger of two schools within a 0.5 miles of one another will inevitably relieve the pressure around the surrounding highway network, it will also reduce the number of journeys if there is more than one child per household attending each of the schools.

The proposed development does provide a number of off-street highway improvements to improve active travel and there is a car park associated with the Bryncelyn Community centre adjacent to the school that is available for use, therefore such matters need to be weighed in the planning balance. Planning Policy Wales (PPW) states that, among other things, car parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a shift to walking, cycling and public transport. Moreover, it states that well designed schemes which keep parking levels down, especially off-street parking, must be supported by planning authorities.

Whilst the amalgamation of two schools would not present an opportunity to provide a car-free development that would support a shift to more sustainable modes of transport, in combination with the active travel highway improvements, the high percentage of children attending the school locally, provision to wait and park off-road in the adjacent community centre car park and the ability for the school to control a staggered approach to start and finishing times, the proposal is considered to comply with the general thrust of national planning policy in respect of car parking matters. 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 Nelson. The proposed development complies with both local and national planning policies, and will provide a highly sustainable 21st Century School that will serve children from early years including wrap around on-site child care through to Key Stage 2 on a single school site provide continuity and progression in learning in addition to providing an out of school hours community hub. Having regard to the above

observations, subject to conditions the proposed development is considered acceptable in planning terms.

Comments from Consultees: The consultee comments have been addressed in the above report.

Comments from public: The comments received have been addressed in turn below:

1. The areas identified as H2 and H3 state that they provide good screening, however the trees within both areas have been left to grow without any maintenance and control over them which in turn reduces the amount of sunlight to the neighbouring properties and this is exacerbated by the difference in levels between the adjacent footpath and school grounds and the neighbouring properties.

The concerns raised appear to be an existing issue not pertinent to the determination of the application. The neighbour is however advised to contact the Property Services department and advise of such concerns.

2. There is little relationship with the school and neighbours in terms of communication in relation to the neighbour's requests to maintain the trees, with the schools relying on budget cuts as to why the trees cannot be maintained.

This is not a material planning consideration.

3. The increase in the number of pupils will inevitably lead to more users of the footpath and therefore security and lighting of the footpath and neighbouring residents should be improved to prevent anti-social behaviour and littering.

Whilst there may be an increase in users of the footpath should that be a preferred route for some parents and children, the majority of the footpath is outside of the application site with a section of the footpath to be diverted into the school grounds. Therefore some properties will no longer be directly adjacent to the footpath. In the unlikely event that the diversion of the footpath would create anti-social behaviour issues, this would be a matter for the police to enforce against.

4. Objects to the 2 metre screening indicated if sited next to the footpath as it would be unsightly and impact upon existing views. Also requests further details in respect of the screen to be provided and location.

Details in relation to new screening/ boundary treatments have been addressed in the above report. With regards to impact upon existing views it should be noted that loss of view is not a material planning consideration however in that the neighbour is at a lower level and has already raised an issue in respect of overgrown council owned trees, the situation at present would indicate that the existing view is limited.

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. P01 Rev A Location and Existing Site Plan received on 25.07.2023;
Dwg No. P05 Rev B Proposed Site Plan received on 26.09.2023;
Dwg No. P06 Rev A Proposed Floor Layouts received on 27.07.2023;
Dwg No. P07 Rev A Proposed Elevations - Site received on 25.07.2023;
Dwg No. P08 Rev A Proposed Elevations - Site received on 25.07.2023;
Dwg No. P09 Rev A Proposed Elevations - Childcare received on 07.07.2023;
Dwg No. P09 Rev A Proposed Elevations - Childcare received on 07.07.2023;
Dwg No. P10 Rev A Existing and Proposed Roof Plan received on 07.07.2023;
Dwg No. P11 Rev A Tree Constraints and Demolition Plan received on 07.07.2023;
Dwg No. 22-074 Tree Constraints Plan received on 07.07.2023;
Transport Assessment received on 07.07.2023;
Tree Survey, Categorisation and Constraints Report received on 07.07.2023;
Ecological Impact Assessment Report received on 18.09.2023; and
Design Stage Acoustic Review Report received on 07.07.2023;
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) 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.

- 04) 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.

- 05) 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.

- 06) Prior to the commencement of development, a Biodiversity Strategy shall be submitted to, and approved in writing by the Local Planning Authority. The strategy shall include details of replacement (compensatory) scrub and semi-improved grassland habitats, with aftercare details; a wildlife-sensitive site clearance strategy and details of measures for biodiversity enhancement. The strategy shall be implemented as agreed.

REASON: To secure mitigation, compensation and enhancement measures for biodiversity on site, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2021) and Tan 5 Nature Conservation and Planning (2009).

- 07) No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

- Proposed landscape masterplan/strategy;
- Hard surfacing materials;
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); and
- Proposed and existing functional services and above ground drainage.

The soft landscape details shall include:

- Planting plans;

- Written specifications (including cultivation and other operations associated with plant and grass establishment);
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- Implementation timetables;
- Detail of 5 year maintenance operations and a maintenance schedule for approval; and
- Suitably scaled detailed hard landscape general arrangement plan and information on paving and hard boundaries including materials.

REASON: To ensure appropriate landscaping provision in accordance with policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 08) All planting, seeding, turfing and hard landscaping works comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the practical completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, 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: To ensure that the works are carried out as approved 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.
- 09) Prior to the commencement of the development, a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.
REASON: To safeguard the health and safety of trees during building operations and the visual amenity of the area in accordance with policies CW2 and CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 10) In this condition a "retained tree" is an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building or the commencement of use of the approved development for its permitted use.
- a, No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998.
- b, If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and

shall be planted at such time, as may be specified in writing by the Local Planning Authority.

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

- 11) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the development is 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.

- 12) 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.

- 13) 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.

- 14) The development shall not be occupied until the areas indicated for the parking and turning of vehicles have been completed in permanent materials and laid out in accordance with Dwg No. P05 Rev B Proposed Site Plan 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: To ensure that adequate parking is provided within the curtilage of the site in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 15) Prior to commencement of the development full details of the cycle shelters as indicated on Dwg No. P05 Rev B Proposed Site Plan 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 development 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.
- 16) The vehicle access point into the site shall be constructed in accordance with the details indicated on Dwg No. P05 Rev B Proposed Site Plan. This shall include the repositioning of gates and the introduction of a pedestrian crossing facility and shall be made available for use prior to beneficial occupation of the development.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 17) Prior to occupation of the development the off-site Active Travel Improvements indicated on Dwg No. P05 Rev B Proposed Site Plan shall be carried out in accordance with the agreed details.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 18) Prior to occupation of the development 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 sustainable transport options in accordance with Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.
- 19) The development hereby approved shall make provision for gigabit capable broadband infrastructure to serve the approved development. The necessary infrastructure required shall be installed prior to beneficial occupation of the development.
REASON: To provide the necessary infrastructure to serve the development in accordance with Policy 13 of Future Wales: The National Plan 2040.

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.

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 advice is also provided.

The applicant should be made aware that the off-site works will require highway licences/agreement and no work shall be undertaken on or adjacent to the adopted highway until such have been agreed in writing. It is therefore advised that the applicant enter into discussions with the highway authority as soon as possible.

The applicant is also advised that they will need to enter into discussions with the highway authority to progress the stopping up of the highway.

WARNING:

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

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

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

Phone: 01443 866511
Email: drainage@caerphilly.gov.uk
Website: www.caerphilly.gov.uk/sab

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.