

Application Number: 24/0120/LA

Date Received: 23.02.2024

Applicant: ISG Ltd On Behalf Of Caerphilly County Borough Council

Description and Location of Development: Erect new leisure and wellbeing hub including swimming pool, studios and fitness suite, along with associated car parking and landscaping - Land At Grid Ref 316303 186554 Caerphilly Business Park Caerphilly

APPLICATION TYPE: Local Authority Application

SITE AND DEVELOPMENT

Location: The site is to the west of Caerphilly Business Park.

Site description: The site is currently vacant land. It was previously used as a railway goods yard and scrapyards and has subsequently been regenerated into a plateau to accommodate future development. This included woodland planting on the site boundaries although the development plateau has re-vegetated as scrub in the intervening period. The site is approximately 1.7 hectares in size.

Development: A new leisure and wellbeing hub is proposed, which includes a swimming pool, studios, sports hall, squash courts, health suite, fitness suite, adventure play, tag active area and café.

Dimensions: The proposed building has a frontage width of 68 metres and is 69.5 metres in length at its longest point. The gross internal floor space of the building that is proposed is 5581 square metres. The building would have two floors, although the sports hall and pool hall have a double height ceiling. The building is 13 metres in height to its highest point.

Materials: The building is proposed to be finished in a range of materials, including metal cladding, timber or timber effect cladding, composite cladding panels, and aluminium curtain walling and glazing. A green roof is also proposed on part of the building.

Ancillary development, e.g. parking: The external area will largely be taken up by car parking, and areas for landscaping, habitat and Sustainable Drainage (SUDS) are also proposed. Cycle parking is proposed as part of the development, with stands outside the building and a separate cycle "shed" in the car park area. The existing pathway from the site access to Caerphilly Business Park is proposed to be removed and re-provided within the site to the north of its existing location.

PLANNING HISTORY 2010 TO PRESENT None.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021.

Site Allocation: The site is in the settlement boundary and is allocated for employment uses under policy EM1.12 of the Local Development Plan.

Policies: SP3 - Development Strategy - Development in the Southern Connections Corridor (SCC), SP4 - Settlement Strategy, SP5 - Settlement Boundaries, SP6 - Place Making, SP10 - Conservation of Natural Heritage, SP21 - Parking Standards, CW1 - Sustainable Transport, Accessibility and Social Inclusion, CW3 - Design Considerations – Highways, CW6 - Trees, Woodlands and Hedgerow Protection, CW13 - Use Class Restrictions- Business and Industry; CW15 - General Locational Constraints.

Supplementary Planning Guidance LDP 4 – Trees and Development (2017), LDP 5 – Car Parking Standards (2017), Caerphilly Basin Masterplan (2018).

NATIONAL POLICY Future Wales 2040: The National Plan (2021): Policy 1 (Where Wales will grow), Policy 2 (Shaping Urban Growth and Regeneration – Strategic Placemaking), Policy 3 (Supporting Urban Growth and Regeneration – Public Sector Leadership), Policy 6 (Town Centre First), Policy 9 (Resilient Ecological Networks and Green Infrastructure), Policy 12 (Regional Connectivity), Policy 13 (Supporting Digital Communications), Policy 33 (National Growth Area – Cardiff, Newport and the Valleys)

Planning Policy Wales (Edition 12, 2024)

Technical Advice Notes: 5 – Nature Conservation and Planning (2009), 11 – Noise (1997), 12 – Design (2016), 16 – Sport, Recreation and Open Space (2009), 18 – Transport (2007), 23 – Economic Development (2017).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? Yes.

Was an EIA required? No.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes, the site is partially within an area considered at high risk due to past coal mining activities. However, a Coal Mining Risk Assessment has been submitted and the Coal Authority have not raised an objection.

CONSULTATION

The Coal Authority - No objection raised.

Senior Arboricultural Officer (Trees) - No comments made.

Natural Resources Wales - Have concerns, but are satisfied these can be overcome by attaching conditions to any planning permission granted.

Environmental Health Manager - No objection, subject to conditions.

Estates Manager - Property Division - No comments to make.

Waste Strategy And Operations Manager - The bin storage area would be preferred nearer the main access, but as long as the access is kept clear on collection day then the location should be satisfactory. The compound will need to be large enough to accommodate a number of bins/sacks to comply with the recycling regulations for businesses.

Dwr Cymru - Request conditions in respect of not bringing the building into use until reinforcement works have been undertaken to the public sewerage system, providing a grease trap and providing a potable water scheme. Request advisory notes in respect of a range of issues.

Strategic & Development Plans - No objections raised on policy grounds.

Heritage Officer - Peter Thomas - No comments made.

Placemaking Officer - Douglas McGlyn - Provides design advice, including the need for more soft landscaping in the parking area, and revisions to the materials used on the exterior of the building.

Van Community Council - No comments made.

Caerphilly Town Council - No comments made.

Police Architectural Liaison Officer - Have provided design advice in respect of the security of the proposed development.

Glamorgan-Gwent Archaeological Trust - No objections.

Chief Fire Officer - No objection.

CADW - No comments made.

Transportation Engineering Manager - CCBC - No highway objection raised subject to conditions.

Landscape Architect - CCBC - Requests a revision to the plans to address a discrepancy in the number of trees shown, also requests further details in respect of planting, an increase in the size of shrubs proposed and conditions in respect of the proposed off-site woodland planting, on-site tree protection, hard landscaping and changes to the materials proposed for the outside of the cycle shelter

Ecologist - Recommends the inclusion of planning conditions to secure biodiversity conservation and enhancements on site.

Senior Engineer (Drainage) - The updated drainage layout is agreed, but there is a discrepancy between the drainage plans and the landscape plans in respect of the trees shown. The engineer's drainage details have not been submitted. Request advice notes in respect of the potential need for approval under the Land Drainage Act 1991 and Land Drainage Byelaws 2018 and the need for Sustainable Drainage Approval (SAB consent). Request additional information in the form of a Drainage Statement.

ADVERTISEMENT

Extent of advertisement: The application has been advertised by a press notice, site notices and letters to neighbouring properties.

Response: One Councillor has submitted a representation of support. One neutral representation has been submitted from a member of the public.

Summary of observations: The Councillor's representation of support advises that they have absolutely no objections and fully support the scheme.

The member of the public's representation advises that the facility sounds fantastic but the depth of the main swimming pool at 1.1 metres is too shallow for teaching higher level swimming classes or allowing competitive swimming to take place.

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?

The Gwent Police Designing Out Crime Officer has not raised any objections to the application. Advice provided in respect of security that has been passed on to the applicant for consideration. A condition is also recommended for mitigation at the front of the building to prevent vehicle encroachment in this area. It is noted that the Police Counter Terrorism Security Advisor for Wales was also consulted but has not responded.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? An ecological assessment has been submitted. The Council's Ecologist has requested conditions for biodiversity

conservation and enhancement measures, which have been recommended. Subject to these conditions, the proposal is not anticipated to have a significant impact on any protected wildlife species.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes. A café is proposed on the ground floor of the building. Any floor space within an A3 use would be liable for a CIL charge of £25 per square metre.

ANALYSIS

Policies: The site is allocated as a primary employment site under Policy EM1 of the Local Development Plan (allocation EM1.12).

Principle of the Use: The need to refurbish or replace the existing leisure centre at Virginia Park as it is “ageing with high maintenance liabilities and in its current form is incapable of offering the varied range of services demanded in the 21st century” is recognised in the Caerphilly Basin Masterplan. This application proposes the replacement of the existing leisure centre with a modern leisure and wellbeing hub.

The proposal is considered to be a D2 use. Policy CW13 of the Local Development Plan states that on sites allocated or identified as primary employment sites, development will only be permitted if it is:

- i. within uses classes B1, B2 or B8;
- ii. an appropriate sui generis use (examples include a builder’s merchant, a freight contractor’s yard, vehicle depots and taxi control offices);
- iii. to provide an ancillary facility or service to the primary employment use.

The proposed use of the site would therefore be a departure from the adopted development plan. It is however acknowledged that the site has remained vacant since the adoption of the LDP in 2010.

As part of the of the evidence base for the 2nd Replacement LDP the Council commissioned an employment land review for the plan which was concluded in 2020. The purpose of this study was to assess the future suitability of existing and proposed sites for employment use, based upon 3 factors, namely accessibility, environmental factors and market attractiveness. The study considered the application site and concluded that the site should be retained for class B uses. However, the assessment conceded that viability issues may exist in terms of bringing this site forward under the employment allocation, and due to its scale and value it would be limited to satisfying local need through the provision of smaller business units.

In addition to the above, Policy 6 (Town Centre First) of Future Wales requires that significant new commercial, retail, education, health, leisure and public service facilities

must be located within town and city centres. It further requires that they should have good access by public transport to and from the whole town or city and, where appropriate, the wider region. This development falls outside the defined Principal Town Centre boundary for Caerphilly. In this circumstance, Future Wales and Planning Policy Wales require the type of development proposed here to be subject to a sequential approach to its site selection, to ensure all potential retail and commercial centre options and then edge of centre options for the development are thoroughly assessed before out of centre sites are considered.

The site is considered to be an edge of centre site due to the relatively short walk from it to the Principal Town Centre as defined by the LDP and to Caerphilly's transport interchange, with the site being approximately 600 metres from these.

An assessment has been carried out of sites for the purpose of the sequential test and submitted as part of the planning application. A number of sites in Caerphilly were identified for consideration. The assessment concluded that there are no alternative potentially suitable and/or available sites which could accommodate the proposed development either located within or on the edge of Caerphilly Town Centre. This conclusion is accepted.

It is noted that the Town Centre First Policy requires developments to have good access by public transport, this being a reason for the policy preferring the location of significant new developments including leisure proposals in town centres. The relatively short distance of approximately 600 metres from the site to the Caerphilly Transport Interchange (also see below) means the site is in a good location to take advantage of the town centre transport links.

To conclude, the development of this site would be a departure from the Local Development Plan. However, given the need for and benefits to the community provided by a modernised leisure and wellbeing facility, that the site has been allocated as an employment development site and not developed for this purpose during the Local Development Plan period, the uncertainty regarding its viability for this purpose going forward, the lack of sequentially preferable sites available for a leisure development, and the site's proximity to the town centre and interchange, it is considered that the principle of developing the site for a leisure and wellbeing hub is acceptable as a departure from the development plan.

Transport Considerations: Criterion D of Policy SP6 of the Local Development Plan favours sustainable transport, and Criterion Bi of Policy CW3 (Design Considerations – Highways), requires the promotion of the interests of pedestrians, cyclists and public transport before that of the private car. As set out above, the site is located approximately 600 metres from Caerphilly's Transport Interchange. This provides opportunities for access by public transport and active travel, although it is acknowledged that there is currently no continuous footway connecting the site to the interchange via the most direct route to this. The site is also a similar distance to the Principal Town centre as defined by the LDP.

A transport assessment, including a travel plan, has been submitted with the application. One of the targets of the travel plan is to reduce car trips by 5%, and therefore encourage trips to the site by more sustainable means. A condition is recommended for the final version of the travel plan.

The development of the site will result in the removal of the existing pathway from the site access to Caerphilly Business Park, and its replacement with an active travel route that crosses in the site in front (to the south of) the building. A short section of this route will need to be provided off site in order to connect the route with the Business Park. This is shown on the proposed site layout plan. An email has been provided by the applicant from the Business Park Management advising that subject to certain design details they are happy in principle with what is proposed. A condition is recommended to secure the provision of this link.

Subject to the above mentioned conditions and others to secure access, parking and active travel arrangements, the proposal is considered to be acceptable in respect of its transport impacts. The conditions recommended reflect those requested by the Council's Transportation Engineers. This is with the exception of the condition recommended in respect of surface water run-off not discharging on to the public highway nor connecting to the highway drainage, which has not been recommended as it is considered this matter is more appropriately addressed through the SAB process (see below).

Design and Placemaking: Placemaking principles are set out in the Placemaking Wales Charter in Planning Policy Wales.

Policy SP6 (Place Making) of the Local Development Plan requires that development proposals should contribute to creating sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features.

The design of the proposed building is considered an acceptable contemporary design for the leisure and wellbeing building proposed, with the overhanging rising roof, cladding and circular seating area at the southwest corner providing visual interest and a focal point for the building. It is however considered that the final details of the type, extent and arrangement of finishing materials should be agreed through a condition, which has been recommended. It should be noted that although the plans suggest that cladding on the building could be either timber or timber effect, natural wood cladding would be expected to be used on the north west and south west elevations as this represents an important design feature positively contributing to the appearance of the building.

The proposal is not considered to have any significant impacts on the historic environment. Matters related to the natural environment are discussed below.

Green Infrastructure: A tree survey and arboricultural impact assessment have been undertaken. A number of trees will have to be removed to facilitate the development.

These have all been classified in the report as Category C (fair quality) trees. A green infrastructure statement has also been submitted with the application.

Ponds have been introduced into the scheme to provide compensatory habitat for an existing pond which is to be removed. Marshy grassland planting has been proposed around the proposed ponds and a green roof is proposed with a species mix that provides habitat for dingy skipper butterfly, which is a priority species under Section 7 of the Environment Act (Wales) 2016. The Council's Ecologist has requested conditions to ensure biodiversity compensation and enhancement measures are secured, and conditions have been recommended in respect of ecology to reflect those requested by the Council's Ecologist.

Paragraph 6.4.42 of Planning Policy Wales Edition 12 requires compensatory tree planting for trees lost. While the existing woodland planting around the site boundaries has been largely retained within the scheme, some is proposed to be lost to accommodate the scheme. A plan has been submitted which shows 2,321 square metres of woodland planting as being lost in this respect. In addition, scrub trees that have grown in the centre of the site are proposed to be cleared to accommodate the development.

Landscaping plans have been provided showing additional tree planting, but due to site constraints it is not considered possible for sufficient compensatory tree planting to be provided on site. As such a condition is recommended providing for compensatory tree planting off site. Such planting will be accommodated on an existing Council owned site elsewhere within the County Borough.

Paragraph 6.4.42 of Planning Policy Wales requires woodland or shelterbelt areas lost to be replaced at a scale, design and species mix reflective of the area of that lost. The proposed off-site compensatory planting here is 4910 square metres of broadleaved woodland planting to compensate for the loss of the woodland planting on site. The additional 2589 square metres to be provided is to compensate for the 5178 square metres of scrub to be lost on the development site. The area of off-site compensatory planting to be provided for this purpose is less than the area of scrub lost as the broadleaved woodland planting would be considered of greater biodiversity value than self-seeding scrub. The proposals for compensatory planting are considered acceptable in principle and the details of this will need to be submitted via the recommended condition.

In respect of the Landscape Architect's comments, a revised proposed site plan has been submitted to correct a discrepancy with the landscape plan in respect of the number of trees shown in the car park. It is considered that the other matters raised by the Council's Landscape Architect can be addressed through the recommended conditions for a final landscaping scheme, landscape and biodiversity management plan, compensatory tree planting, an arboricultural method statement and details of finishing materials.

Comments from Consultees: In respect of Natural Resources Wales's concerns regarding contaminated land, conditions have been recommended to address these matters. Conditions have also been recommended to reflect those requested by the Council's Environmental Health Officers.

In respect of the comments made by the Council's Drainage Engineers, the requested informatives have been recommended. It is considered that further matters related to drainage are most appropriately addressed through the SAB process. Should the SAB process require any further alterations to the tree planting or other landscaping proposed, this can be addressed through the recommended final landscaping condition. Conditions and informatives have been recommended to reflect the matters that Dwr Cymru Welsh Water have raised.

Comments from public: In respect of the concern raised regarding the depth of the swimming pool, this is a specific matter regarding the internal design of the facilities and is not considered to be a matter relevant to the determination of the planning application.

Other material considerations: In accordance with Future Wales, conditions are recommended for the provision of electric vehicle parking spaces and gigabit capable broadband infrastructure.

In addition, while the proposed site levels are considered to be broadly acceptable, a condition is recommended for the final details of these.

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 12 has also been published on 7th February 2024. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 12 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 12.

RECOMMENDATION that Permission be GRANTED

- 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:

AL004-WBA-XX-00-DR-A-20_100 Rev P7 L00 Floor Plan – Proposed.

AL004-WBA-XX-01-DR-A-20_101 Rev P6 L01 Floor Plan – Proposed.

AL004-WBA-XX-RF-DR-A-27_100 Rev P3 Roof Plan – Proposed.

AL004-WBA-XX-XX-DR-A-20_200 Rev P6 Elevations – Proposed.

AL004-WBA-XX-XX-DR-A-20_302 General Arrangement Sections.

AL004-WBA-XX-XX-DR-A-90_100 Site Location Plan.

AL004-WBA-XX-XX-DR-A-90_201 Proposed Cycle Hub.

CLC-WBA-XX-XX-D-A-90102 Rev P10 Site Plan Proposed.

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 Working Method Statement to control the environmental effects of the demolition and construction work shall be submitted to and agreed in writing by the Local Planning Authority.

The scheme shall include:

(i) control of noise,

(ii) control of dust, smell and other effluvia,

(iii) control of surface water run off,

(iv) site security arrangements including hoardings,

(v) proposed method of piling for foundations,

(vi) construction and demolition working hours,

(vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site.

The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

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.

- 04) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority, to accommodate:

(a) Parking of vehicles of site personnel, operatives and visitors,

(b) Loading and unloading of plant and vehicles,

(c) Storage of plant and materials used in constructing the development,

(d) Wheel cleaning facilities;

and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (d) above without the prior written agreement of the Local Planning Authority.

REASON: In the interests of amenity and highway safety in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 05) Prior to the commencement of development, a Construction Environment Management Plan (CEMP) to prevent impacts on wildlife shall be submitted to and agreed in writing by the Local Planning Authority. The CEMP shall be implemented as agreed throughout the construction period.
REASON: To protect the environment, and in accordance with Policy SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021, Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2024), Tan 5 Nature Conservation and Planning (2009) and BS5837:2012.
- 06) Prior to the commencement of the development hereby approved, an arboricultural method statement for works to trees and the protection of trees during construction shall be submitted to and agreed in writing by the Local Planning Authority. This shall include the method for thinning the woodland to the west of the building hereby approved, which shall be undertaken following the advice of a qualified arborist. The works shall be carried out in accordance with the agreed details.
REASON: To ensure the protection of the trees on the site, and in accordance with Policy CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) Prior to the commencement of development, a Biodiversity Strategy shall be submitted to and agreed in writing by the Local Planning Authority. The strategy shall include, but not be exclusively limited to: a clear timetable for site clearance (to include reptiles, hedgehog, amphibians, birds and orchid translocation); a strategy for the protection of reptiles (including, but not exclusively limited to: habitat management/ enhancement and remedial measures); ensuring wildlife access under fences/boundary features; and a post development monitoring strategy for a period of no less than 10 years from the first beneficial use of the building. The strategy shall be implemented as agreed.
REASON: To secure mitigation, compensation and enhancement measures for biodiversity on site, and in accordance with Policy SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021, Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2024) and Tan 5 Nature Conservation and Planning (2009).
- 08) 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 and in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.

- 09) 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.
- 10) 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.
- 11) If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and agreed in writing by the Local Planning Authority. The remediation strategy shall be carried out as agreed.
REASON: To protect public health and in accordance with Policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 12) Notwithstanding the submitted plans, development shall not commence until details of the full engineering design of the access to the existing highway network and proposed active travel provisions within the development and linking to Caerphilly Business Park have been submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented on site prior to beneficial use of the development.
REASON: To ensure the adequacy of the proposed access and active travel route, in the interests of highway safety and the free flow of traffic, and in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 13) No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and agreed in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the agreed details.

REASON: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development, and in accordance with Policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 14) Prior to the commencement of the development hereby approved, the final details of the ground levels and finished floor level of the building shall be submitted to and agreed in writing by the local Planning Authority. The development shall be carried out in accordance with the agreed details.
REASON: In the interests of visual amenity, in accordance with Policies SP6 and CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 15) No buildings on the application site shall be brought into beneficial use until such time as reinforcement works to the local public sewerage system, into which the development shall drain, have been completed as identified in a Hydraulic Modelling Assessment and written confirmation of this has been issued to the Local Planning Authority.
REASON: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and in accordance with Policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 16) No development shall take place until a potable water scheme to serve the site has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the agreed details.
REASON: To ensure the site is served by a suitable potable water supply, and in accordance with Policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 17) Prior to the commencement of the use of the building hereby approved, a scheme of odour/effluvia/fume control, including the erection of any associated stacks or vents, shall be submitted to and agreed in writing by the Local Planning Authority and thereafter the development shall be carried out and operated in accordance with the agreed scheme.
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.
- 18) Prior to the first beneficial occupation of the development hereby approved a scheme for on-site refuse storage (including any open air storage facilities) and for waste material awaiting disposal (including details of any screening) shall be submitted to and agreed in writing by the Local Planning Authority. Such facilities

shall be provided in accordance with the agreed details prior to the first beneficial occupation of the development.

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

- 19) Prior to the first beneficial occupation of the development hereby approved, a scheme shall be submitted to and agreed in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.
REASON: In the interests of residential amenity and biodiversity, and in accordance with policies SP10 and CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 20) Notwithstanding the submitted details, prior to the commencement of the development a scheme depicting hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be carried out in the first planting and/or seeding season following the first beneficial use of the development. Any trees or plants which within a period of 5 years from the completion of the development die or are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area in accordance with policies CW2 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 21) A Landscape and Biodiversity Management Plan for a period of no less than 10 years from the first planting season following the first beneficial use of the building, including:
(a) long term design objectives,
(b) management responsibilities,
(c) maintenance schedules for all landscape and habitat areas,
(d) provision for an annual report detailing the results to be submitted to the Local Planning Authority detailing the results and any remedial actions undertaken, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development. The management plan shall be carried out in accordance with the agreed details.
REASON: To ensure that the landscaping and habitat areas are maintained in the interests of the visual amenity and to secure measures for the conservation and enhancement of biodiversity in accordance with policies CW2, SP6 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021, Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2024) and Tan 5 Nature Conservation and Planning (2009).

- 22) The approved use shall not commence until an adequate grease trap has been fitted in accordance with details that have been first submitted to and agreed in writing by the Local Planning Authority. Thereafter the grease trap shall be maintained so as to prevent grease entering the public sewerage system.
REASON: To protect the integrity of the public sewage system and ensure the free flow of sewage, and in accordance with Policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 23) Notwithstanding the submitted details, prior to the construction of the external surfaces of the development hereby approved details of the materials to be used shall be submitted to and agreed in writing by the Local Planning Authority. This shall include the use of natural timber cladding on the leisure and wellbeing hub building. The development shall be carried out in accordance with the agreed details.
REASON: In the interests of the visual amenity of the area, and in accordance with Policy SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 24) At least 10% of car parking spaces within the car parking area shall be provided with electric vehicle charging points in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to the first beneficial use of the building hereby approved. The scheme shall set out a timescale for the provision of all charging points, which shall include at least 5 of the charging points being provided and fully operational on the opening of the building to the public. The charging points shall be provided as agreed.
REASON: To provide appropriate electric vehicle infrastructure to comply with Policy 12 of Future Wales: The National Plan 2040.
- 25) Before any of the development hereby approved is occupied, a travel plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with any timescales contained therein.
REASON: To encourage the use of a variety of transport options in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 26) The development shall not be brought into beneficial use until parking has been provided for 110 cycles in accordance with the details shown on the approved plans AL004-WBA-XX-XX-DR-A-90_201 Proposed Cycle Hub and CLC-WBA-XX-XX-D-A-90102 Rev P10 Site Plan Proposed, and those areas thereafter shall not be used for any purpose other than the parking of cycles.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 27) Prior to the commencement of the use hereby approved a scheme for the ventilation of the premises including any external openings and flues shall be

installed in accordance with details that shall have been submitted to and agreed in writing with the Local Planning Authority.

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.

- 28) No part of the buildings shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for the control of noise emanating from the building(s) and associated plant and equipment. The measures included in the approved scheme shall be implemented prior to the first occupation of the building that they relate to and thereafter the measures shall be operated in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenities of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 29) Prior to the first beneficial use of the building hereby approved, mitigation measures to prevent vehicle encroachment into the area at the front of the building shall be fitted in accordance with details to be first submitted to and agreed in writing by the Local Planning Authority.
REASON: In the interests of site security, and in accordance with Policy SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 30) The development hereby approved shall not be brought into beneficial use until an active travel link has been provided through to the adjacent highway in Caerphilly Business Park as shown on the approved plan CLC-WBA-XX-XX-D-A-90102 Rev P10 Site Plan Proposed.
REASON: To ensure the existing link is appropriately replaced, and in accordance with Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021.
- 31) The erection of the building hereby approved shall not progress beyond slab level until a site has been identified for the provision of at least 0.491 hectares of off-site woodland tree planting to compensate for trees to be felled on the site and the details of this have been submitted to and agreed in writing by the Local Planning Authority. The identified compensation site shall be informed by an ecological survey, which shall be submitted as part of the details for agreement. Prior to the first beneficial use of the development hereby approved, a scheme for the off-site woodland tree planting on the agreed compensation site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include a timescale for planting the trees; detailed suitably scaled planting plans showing the native species mix, plants sizes, planting numbers, planting method and protection of the trees; and a woodland management plan for at least 10 years from the date that the last tree is planted. The scheme shall be carried out in accordance with the agreed details.

REASON: To ensure adequate compensation for trees to be felled, and in accordance with Policy CW6 of the adopted Caerphilly County Borough Local Development Plan up to 2021 and Chapter 6 of Planning Policy Wales Edition 12.

- 32) 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 the first occupation of the building.

REASON: To provide the necessary infrastructure to serve the development in accordance with Policy 13 of Future Wales: The National Plan 2040.

- 33) The development shall not be brought into beneficial use until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.

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

Advisory Note(s)

(1) 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.

(2) In respect of the details required to discharge the landscaping condition (condition 20), the following details would be expected to be submitted (but not exclusively so) as part of final landscaping scheme:

Protection from vehicles for all trees within the car parking area, in the form proprietary steel painted guards;

A suitably scaled plan and detailed drawing showing the below ground load supporting crate system and available rooting volume, means of watering and aeration and soil make up for each tree planted within the car parking area;

Below ground support for trees at the site entrance associated with the new building and Acer campestre 'Streetwise' located in the larger carpark;

Composted bark mulch at 1.2m dia. and 75mm depth and protection with a strimmer guard for all trees located within grass wildflower meadows including SuDS areas;

Larger sizes for ornamental shrubs given the importance of the proposed development and location at the entrance and approach to the building, in a revised planting plan;

Clarification of the planting details along with maintenance details for the green roof;

A landscape specification for all planting and seeding, with details on means of planting and seeding, operations, ground preparation, watering etc;

Details of surfacing materials, boundary treatments and walls;

Suitable habitat for the dingy skipper butterfly;

The recreation of areas of marshy grassland;

Street furniture, including benches, cycle parking, bike shelter, bins, bollards and appearance of lighting, any free standing CCTV.

(3) 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

(4) WARNING – SEPARATE APPROVAL UNDER THE LAND DRAINAGE ACT (1991) / CAERPHILLY COUNTY BOROUGH COUNCIL LAND DRAINAGE BYELAWS (2018) REQUIRED:

Please note that Caerphilly County Borough Council operate Land Drainage Byelaws and that works on a near a watercourse may require Ordinary Watercourse Consent (OWC).

The erection or construction of any Building or Structure within the Byelaws distance is only permitted following written consent from the Lead Local Flood Authority. Planning Permission granted here does not remove the requirement for approval from the Lead Local Flood Authority to be obtained.

You are advised to contact the Lead Local Flood Authority. Their contact details are provided below:

Phone: 01443 866511 Email: drainage@caerphilly.gov.uk

(5) If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru/Welsh Water. Please note that the process for applying for a Discharge Consent is independent of the planning process and an application for consent may be refused even though planning permission may have already been granted.

(6) The applicant is advised that some public sewers and lateral drains may not be recorded on Dwr Cymru/Welsh Water's maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist in dealing with the proposal the applicant may contact Dwr Cymru/Welsh Water. Under the Water Industry Act 1991 Dwr Cymru/Welsh Water has rights of access to its apparatus at all times.

(7) The applicant may need to apply to Dwr Cymru/Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e., a drain which extends beyond the connecting property boundary) or via a new sewer (i.e., serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.

The planning permission hereby granted does not extend any rights to carry out any works permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact DCWW's new connections team on 0800 917 2652 for further information on water and sewerage connections.

(8) In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. It is recommended that the applicant liaises with the Local Authority Building Control Team to discuss their water efficiency requirements.

(9) The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

Natural Resources Wales recommends that developers should:

1. Follow the risk management framework provided in Land contamination risk management (LCRM)
2. Refer to 'Land Contamination: a guide for developers (WLGA, 2017) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to the Environment Agency's (2017) 'Approach to Groundwater Protection'