

PLANNING COMMITTEE – 12.02.14

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
13/0784/FULL 04.11.2013	United Welsh Housing Association C/o TKA Architects/GJ Planning Mr J Hurley Sophia House 28 Cathedral Road Cardiff CF11 9LJ	Demolish former primary school and develop site for 26 affordable residential units, access arrangements and associated works Former Aberbargoed Primary School Heol Ysgol Newydd Aberbargoed Bargoed

**APPLICATION TYPE:** Full Application

SITE AND DEVELOPMENT

Location: Former Aberbargoed Primary School, Heol Ysgol Newydd, Aberbargoed,

Site description: The site is located within the settlement boundary for Aberbargoed and encompasses the former Aberbargoed Primary School and associated hard standing. School Street forms the boundaries of the site to the north-west and Heol Ysgol Newydd to the south-west and south-eastern boundaries. The south-western boundary is formed by a nursery and associated car park.

The site is located within a sustainable location in close proximity to local shops, services and amenities. The site is also well located in terms of access to regular and convenient public transport.

Development: Full planning permission is sought in respect of the demolition of former primary school, and development of the site for 26 affordable residential units, access arrangements and associated works. The site provides frontage onto School Street and Heol Ysgol Newydd, which will provide access to the site.

The development consists of:

- 3 x 2 bedroom bungalows.
- 1 x 3 bedroom bungalow.
- 1 x 1 bedroom bungalow.
- 6 x 1 bedroom apartments.
- 8 x 3 bedroom houses.
- 7 x 2 bedroom houses.

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The existing stone boundary wall along the western boundary of the site is to be retained. The remaining boundaries of the site will comprise a 600mm stone boundary wall surmounted with railings along the access onto School Street and Heol Ysgol Newydd and a 1.8m high close-boarded fence to the west and eastern boundaries of the site.

The application is supported by a Design and Access Statement, Preliminary Ecological Assessment and Bat Survey Report.

Dimensions:

House type A - 5.8m x 8.8m.

House type B - 5.8m x 8.8m.

House type C - 5.8m x 9m.

House type D - 5.6m x 8.4m.

House type E - 5.6m x 8.4m.

House types F & G - 9m x 10.2m.

House type H & I - 9.2m x 7.6m.

House type J (Apartments) - 24m x 9m.

Materials:

Schedule of Materials: Blue/Grey roof tiles, white UPVC fascias and soffits, black upvc rainwater goods, white upvc windows and rear doors, GRP entrance doors with glazed panels, red multi facing brick /heads, yellow multi-facing brick heads, buff colour re-con stone walling, re-con stone cills, black painted metal railings and stained timber sheds/fence panels.

Ancillary development, e.g. parking: 41 car parking spaces equating to 2 spaces per house and 1 space per bungalow and flat.

PLANNING HISTORY

5/5/93/0232 - Replace existing demountable classroom unit with new mobile classroom unit. Granted 08.07.93.

5/5/94/0253 - Erect single mobile classroom unit. Granted 17.02.95.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 - within the settlement boundary.

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Policies: Strategic Policies: SP1 - Development Strategy in the Heads of the Valleys Regeneration Area, SP6 - Place Making, SP15 - Affordable Housing Target and SP21 - Parking Standards.

Countywide Policies: CW1 - Sustainable Transport, Accessibility and Social Inclusion, CW2 - Amenity, CW3 - Design considerations - Highways, CW8 - Protection of Community and Leisure Facilities, CW10 - Leisure and Open Space Provision, CW11 - Affordable Housing Obligation, CW15 - General Locational constraints, supplementary planning guidance contained in LDP1 - Affordable Housing Obligations, LDP2 - Education Obligations, LDP5 - Parking Standards, LDP6 - Building Better Places to Live and LDP7 - Householder Developments,.

### NATIONAL POLICY

Planning Policy Wales, 5th Edition, November 2012.

Sustainability: 4.3 Sustainable development forms a key consideration central to all policies contained within Planning Policy Wales (PPW). Paragraph 4.4.2 of PPW sets out a series of objectives which development proposals should seek to achieve - those of key relevance to the application include the following:-

- Promote resource-efficient and climate change resilient settlement patterns that minimise land-take and urban sprawl, especially through preference for the re-use of suitable previously developed land and buildings, wherever possible avoiding development on Greenfield sites.
- Locate developments so as to minimise the demand for travel, especially by private car.
- Play an appropriate role to facilitate sustainable building standards that seek to minimise the sustainability and environmental impacts of buildings.

Housing: 4.4 It is highlighted at Paragraph 9.3.4 of PPW that "In determining applications for new housing Local Planning Authorities should ensure that the proposed development does not damage an area's character and amenity. Increases in density help to conserve land resources, and good design can overcome adverse effects, but where high densities are proposed the amenity of the scheme and surrounding property should be carefully considered."

Good Design: 4.5 It is set out within PPW that "meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales, from the construction or alteration of individual buildings to larger development proposals." (Paragraph 4.10.2).

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4.6 PPW advises at Paragraph 4.10.9 "the visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations." PPW goes on to advise that Local Planning Authorities should reject poor design, however "they should not attempt to impose a particular architectural taste or style arbitrarily."

4.7 Development proposals should give consideration to addressing climate change, as set out within Paragraph 4.10.6 of PPW as follows: "Good design should ensure that development contributes to tackling the causes of climate change (by reducing greenhouse gas emissions) and to effective adaptation to the consequences of climate change. An integrated and flexible approach to design, including location, density, layout and built form, will be an appropriate way of contributing to climate responsive development."

Sustainable Building: 4.8 PPW sets out a series of standards, which it expects should be met in order to assist in moving towards more sustainable building in Wales. Paragraph 4.11.4 of PPW sets out the following standards in regards to residential development:

Applications for 5 or more dwellings received on or after 1st September 2009 and applications for 1 or more dwellings received on or after 1st September 2010 to meet Code for Sustainable Homes Level 3 and obtain the following credits under issue Ene1 - Dwelling Emission Rate:-

- 6 credits where Version 2 (May 2009) of the "Code for Sustainable Homes - Technical Guide" applies to the development on registration under the Code;
- 1 credit where Version 3 (November 2010) of the "Code for Sustainable Homes - Technical Guide" applies to the development on registration under the Code.
- Technical Advice Note 2 (TAN) 2 - Planning and Affordable Housing, Technical Advice Note (TAN) 12 - Design (2002), Technical Advice Note 16 - Sport Recreation and Open Space, Technical Advice Note (TAN) 18: Transport (2007), Technical Advice Note (TAN) 22: Planning for Sustainable Buildings (2010), Manual for Streets.

#### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? No.

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COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not an issue in respect of this application.

CONSULTATION

Countryside And Landscape Services - Requests conditions are attached to any consent requiring a demolition method statement to take account of possible roosting bats, the protection of birds during the bird breeding season and bat roost provision and bird nest provision as biodiversity enhancements. An advisory note is provided to be conveyed to the developer.

Principal Valuer - No adverse comments.

CCBC - Mr Bleddyn Hopkins - Requests an education contribution of £38,080 based upon 16 qualifying dwellings.

Head Of Public Protection - Requests conditions are attached to any consent to deal with any contamination of the site.

CCBC Housing Enabling Officer - The proposals meet the strategic housing needs of the housing department.

Senior Engineer (Land Drainage) - Requests a condition is attached to any consent requiring comprehensive proposals showing how surface water and land drainage flows from the site will be dealt with. He provides advice to be conveyed to the developer in respect of land drainage matters.

Outdoor Leisure Development Officer - Requests, in accordance with the conditions set out in Policy CW10 of the LDP, the provision of a well designed useable open space as an integral part of the development, appropriate formal children's play facilities either on or off site, and adequate outdoor sports provision or financial contribution to enhance local sports facilities. In this instance the council would be seeking a financial contribution in respect of formal play and outdoor sports of £850 per dwelling.

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Head Of Public Services - The Authority does provide a kerbside collection service for refuse, recycling, food waste and garden waste. The developer has provided bin storage areas but these need to be sufficient to store 2 wheeled bins and a recycling box per property (the onus is on the resident to place the containers at the kerbside for collection on the set days, returning them to the store thereafter). Council refuse vehicles will only travel over adopted highway. Containers would need to be brought out to a collection point where the highway is not adopted.

Transportation Engineering Manager - No objection to the development subject to conditions being attached to any consent in respect of visibility splays and off-street parking provision. The developer will also be required to enter into a Section 106 Agreement to secure £10,000 in respect of highway improvements, namely the implementations of a one-way traffic regulation order along Heol Ysgol Newydd. He advises that an additional parking space is required in respect of plot 25 and the turning head areas throughout the estate should be in accordance with the Authority's Highway Design Standards.

Dwr Cymru - Provides advice to be conveyed to the developer in respect of foul water and surface water discharges from the site.

Police Architectural Liaison Officer - No objections to the development but would ask that the site be developed to the standards found within Secured By Design.

Wales & West Utilities - Confirm the existence of their apparatus within the vicinity of the site and provide advice to be conveyed to the developer in respect of the same.

Glam/Gwent Archaeological Trust - The proposed works will permanently remove the building rather than alter its layout and therefore it is their opinion that a photographic record of the interior and exterior should be made prior to the commencement of the development. They do not have any objection to the positive determination of the current application, but recommend that a condition ensuring that a photographic record is made, which will ensure the building's preservation by record to mitigate the negative impact of the development.

ADVERTISEMENT

Extent of advertisement: The application has been advertised in the press, on site and 51 neighbouring properties have been consulted.

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Response: None.

Summary of observations: Not applicable.

### SECTION 17 CRIME AND DISORDER ACT

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

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

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

### ANALYSIS

Policies: The application has been considered in accordance with local plan policies and national planning guidance as referred to above.

The main issues considered to be relevant to the determination of this planning application are in terms of the compatibility of the residential use with surrounding land uses, highway safety and design.

In terms of the compatibility of the use with surrounding land uses, it is noted that the site is located within the settlement boundary for Aberbargoed therefore it is considered that in policy terms the residential development of the site is consistent with Policy SP5 of the LDP i.e. it promotes the full and effective use of urban land and serves to concentrate new development within the existing settlement.

General development control considerations are set out in policies SP6 (Place making), CW2 (Amenity) and CW3 (Design considerations: Highways) of the LDP.

Strategic Policy SP6 sets out criteria relating to place making, notably that development should seek an appropriate mix in respect of the role and function of its settlement, seek a high standard of design, designs out crime, seek locations that make the most of sustainable transport and accessibility principles and realises the efficient use of land.

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The proposed development site lies to the west of the A4049 within the settlement area of Aberbargoed and offers the opportunity to provide housing, which will be close to residential areas and local facilities. The redevelopment of the site to allow for the more efficient use of the land is supported in principle in policy terms. The proposal is considered to be acceptable in terms of design elements, scale, use, density, and layout and adequate off-street parking and amenity is provided in respect of each dwelling. In consideration of policy SP6 the proposal is considered acceptable.

Policy CW2 sets out criteria relating to amenity. In this respect it is considered that the proposed development is compatible with the surrounding residential land uses and does not result in the over-development of the site. In terms of the impact of the development upon the amenity of adjacent properties, it is considered that the proposed development does not result in the amenity of the occupiers of neighbouring properties being adversely affected.

In terms of highway safety, Policy CW3 of the LDP is relevant. Transportation and Engineering Manager has raised no objection to the development subject to the imposition of conditions referred to above and subject to the developer entering into a Section 106 Agreement to secure £10,000 in respect of highway improvements in the form of improved traffic management along Heol Ysgol Newydd, to include appropriate signage and road markings.

Policy SP7 of the LDP relates to planning obligations and the Council will seek to secure Section 106 Agreements (S106) accordingly, where they are considered necessary to remove obstacles to planned development, meet local needs and make development more sustainable. In this respect the applicant will be required to enter into a Section 106 Agreement in respect of education provision. Based on 16 qualifying dwellings this will amount to £38,080.

Policy CW10 requires that all new housing sites capable of accommodating 10 or more dwellings or exceeding 0.3ha in gross site area will be required to make adequate provision for leisure and open space provision. In this respect the applicant is required to make a contribution to support off site children's play facilities and sport provision, and a figure of £850 per dwelling is considered appropriate. .

Comments from Consultees: The concerns of the statutory consultees referred to above may be addressed by attaching appropriate conditions to any consent.

Comments from public: None.

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Other material considerations: Following the introduction of the Community Infrastructure Levy, a Planning Obligation must meet all of the following tests.

(a) It is necessary to make the development acceptable in planning terms.

A Section 106 Agreement will be sought because this development will add pressure on local schools, and the sum required - £38,080 is based on the Council's Adopted Supplementary Planning Guidance LDP2 Education Obligations. Highway concerns can be overcome by the introduction of a one-way system, and the £10,000 is needed to promote that. Policy CW10 of the LDP requires the provision of adequate leisure facilities, and that will be secured through a contribution of £850 per dwelling.

(b) It is directly related to the development.

The need to address school provision, highway matters, and leisure provision arise directly as a result of the proposed development.

(c) It is fairly and reasonably related in scale and kind to the development.

The total sum is reasonable when compared to the costs of construction and the value of the houses. The total contribution is based on the number of dwellings, which means that the larger the development, the greater the impact on the education facilities, road network, and leisure facilities, and therefore the higher contribution.

In conclusion, it is considered that the proposed development does not conflict with local plan policies and subject to the imposition of appropriate conditions is acceptable in planning terms.

**RECOMMENDATION:** that (A) the applicant enters into a Section 106 Agreement under the Town and Country Planning Act to pay a commuted sum of £38,080 in respect of education facilities, £10,000 in respect of highway improvements and £850 per unit to support offsite children's play facilities and sport provision. (B) that following the completion of the Agreement Officers be authorised to GRANT planning permission subject to the following conditions.

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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) Prior to the commencement of works on site a scheme of land drainage shall be submitted to and agreed in writing by the Local Planning Authority. All works that form part of the agreed scheme shall be carried out before any part of the development to which they relate is occupied.  
REASON: To ensure the development is served by an appropriate means of drainage.
- 03) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority to deal with the contamination of the site. That scheme shall include a ground investigation and a risk assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the occupants of the development when the site is developed. The development shall be carried out in accordance with the approved scheme.  
REASON: In the interests of public health.
- 04) Before any soils or hardcore that do not fall within the green category set out in Table 2 of the WLGA document 'Requirements for the Chemical Testing of Imported Materials for Various End Uses and Validation of Cover Systems 2013' are brought on to site, a scheme for their importation and testing for contamination shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.  
REASON: To prevent contamination of the application site in the interests of public health.
- 05) No building approved by this permission shall be occupied or approved uses commence until a report has been submitted to and approved in writing by the Local Planning Authority which verifies that the required works have been undertaken in accordance with the remediation strategy.  
REASON: To protect public health.

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- 06) Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to, and approved in writing by the Local Planning Authority. The resulting photographs should be deposited with the adopted Caerphilly Historic Environment Record, operated by the Glamorgan-Gwent Archaeological Trust (Heathfield House, Heathfield, Swansea, SA1 6EL. Tel.01792655208).  
REASON: As the building is of historic and cultural significance the specified records are required to mitigate the impact of the development.
- 07) 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.
- 08) The development hereby approved relates to the details received on 20.1.14, drwg 002 rev.B, 003 rev.B and 001 rev.A by the Local Planning Authority.  
REASON: For the avoidance of doubt as to the details hereby approved.
- 09) Prior to the commencement of demolition works associated with the development hereby approved, a method statement for demolition of the school that minimises disturbance to nesting birds and, as a precautionary measure to potentially roosting bats, including timing of work, shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved method statement.  
REASON: To ensure proper measures are taken to safeguard protected species, in the interests of biodiversity.

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- 10) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.
- 11) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats into the new buildings along the western edge of the development shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new dwellings hereby approved are first occupied.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, Planning Policy Wales (2012), paragraph 1.4.3 of TAN 5 Nature Conservation and Planning (2009).
- 12) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of nests for House sparrow, House Martin and Swift shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the development hereby approved is first occupied.  
REASON: To ensure that proper measures are taken to safeguard the habitat of priority species, in the interests of biodiversity.
- 13) Unless otherwise agreed in writing with the Local Planning Authority, each dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes (Version 3) Level 3 and achieve one credit under issue 'Ene1- Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide November 2010 or any equivalent subsequent guide updating or replacing that guidance.  
REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.

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- 14) Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of work an 'Interim Certificate' carried out in relation to each dwelling by an accredited body, certifying that each dwelling shall achieve Code for Sustainable Homes (Version 3) Level 3 and one credit under 'Ene1 - Dwelling Emission Rate', shall be provided to and its receipt acknowledged in writing by the Local Planning Authority.  
REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.
- 15) Unless otherwise agreed in writing with the Local Planning Authority, no dwelling hereby permitted shall be occupied until a Code for Sustainable Homes (Version 3) 'Final Certificate' issued by an accredited body, certifying that the dwelling has achieved Code Level 3 and one credit under 'Ene1 - Dwelling Emission Rate' has been provided to and its receipt acknowledged in writing by the Local Planning Authority.  
REASON: To comply with the requirements of Planning Policy Wales 2010 and Technical Advice Note 22: Planning for Sustainable Buildings.
- 16) Notwithstanding the approved plans before beneficial occupation 42 off-street parking spaces shall be provided within the curtilage of the site in accordance with a scheme to be agreed in writing with the Local Planning Authority and shall be maintained thereafter free of obstruction for the parking of motor vehicles only.  
REASON: In the interests of highway safety.
- 17) Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the Local Planning Authority indicating full engineering details of the road layout with sections, street-lighting and surface water drainage and a detailed programme for the provision of the proposed highways. The development shall be carried out in accordance with the agreed details.  
REASON: In the interests of highway safety.
- 18) Prior to the commencement of work on site, 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.

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- 19) Prior to the occupation of the development hereby approved the proposed means of access shall be laid-out, constructed and maintained thereafter, with vision splays of 2.4 metres x 25 metres for both junctions. No obstruction or planting when mature exceeding 0.9 metres in height above the adjacent carriageway shall be placed or allowed to grow in the required vision splay areas.  
REASON: In the interests of highway safety.

Advisory Note(s)

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

The applicant is advised of the comments of Glam/Gwent Archaeological Trust, Head of Public Services, Heddlu/Gwent Police, Wales and West Utilities, Senior Engineer (Land Drainage), Dwr Cymru/Welsh Water, Council' Ecologist and Transportation Engineering Manager.

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**DEFERRED FOR S106 & EXTRA CONDITIONS**

Notwithstanding the submitted plans no demolition or construction work hereby approved shall commence on site until after a Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Traffic Management Plan shall consider the access, parking and delivery arrangements for the development, which shall be agreed and implemented before works commence on site.  
REASON: In the interests of highway safety and residential amenity.

There shall be no vehicular or pedestrian access to the site from Heol Ysgol Newydd during the demolition works or construction works hereby approved. Access shall be provided off School Street only unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of highway safety and residential amenity.