

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
14/0814/LA 11.12.2014	Caerphilly County Borough Council Ms S Aspinall Ty Penallta Tredomen Park Ystrad Mynach Hengoed Caerphilly CF82 7PG	Erect a three/two and a half storey secondary school on an undeveloped, reclaimed site, including school buildings, external works, soft landscaping, full size 3G floodlit pitch and parking/bus waiting areas. The area of land included as part of the application to the east of Waterloo may be used as earthworks balancing area if required during development of main site and if this area is used it will be re-landscaped, to existing standard, on completion Oakdale Business Park Plateau 3 Waterloo Oakdale Blackwood

APPLICATION TYPE: Local Authority Application

SITE AND DEVELOPMENT

Location: The application site is a plateau created for employment purposes on the site of the former Oakdale Colliery. The Sirhowy Enterprise Way (SEW) runs along its western side, whilst Waterloo runs along the eastern side and provides access to Oakdale itself to the south. The residential streets of Bronwydd, Nant Gau and Y Cedrwydden lie to the south at a level approximately 10m higher than the site.

Site description: The site is flat following its reclamation some 20 years ago, and has regenerated with scrub and grass. A belt of semi-mature tree planting separates the site from the SEW, which is at a lower level. The land rises beyond the application site to the south much of which is woodland, and is also owned by the Council. There is an existing access into the site off Waterloo.

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Development: It is proposed to erect a new secondary school. The building would be L-shaped in plan and located at the southern end of the site. The main teaching part of the school would run parallel with the southern boundary and would be three storeys high, with the sports hall of similar height running parallel with Waterloo. Those two parts would be linked by a two-storey structure that would accommodate the dining facilities. The building would be modern in design, resembling similar schools recently built in the borough, incorporating an array of solar panels along the south facing roof of the teaching block.

A floodlit 3G pitch incorporating a 200m athletics track would be located in the northwestern part of the site. Next to that would be a floodlit MUGA for netball and tennis. There would be a garden, a small amphitheatre, and a pond in the southwest corner of the site.

A storage and refuse building would also be erected adjacent to the sports hall.

Ground levels would be raised across the site by up to approximately one metre particularly where the pitch and the MUGA would be located.

The application is supported by a design and access statement (DAS), a ground investigation report, an acoustic assessment, an ecological assessment, a bat survey, transport statement, a carbon reduction report, a flood risk assessment, and a tree survey.

Dimensions: The site has an area of 4.2 hectares

The main building would be 105m long, 23m wide and 15.8m high (11.2m to eaves), whilst the leg containing the sports hall and dining area would be 50m long, a maximum of 35m wide, and 12.2m high (10.2m to eaves).

The single-storey ancillary building would have floor area of 20m by 7m.

Materials: The buildings would be finished in a mixture of red brickwork on the ground floor, with the remainder finished in a buff coloured render. The windows would be grey, and roof would be aluminium with an anti-glare coating.

Ancillary development, e.g. parking: The parking would be along the Waterloo and southern boundaries of the site, and would consist of 95 spaces for teaching and other staff, with a further 15 spaces for visitors and a special resources base. There would be 6 motorcycle spaces, 40 cycle spaces, 24 parent drop-off spaces, and 12 bus or delivery spaces.

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A new vehicular access would be provided in the southwest corner of the site, with the existing access used for egress only.

An area of 0.3ha of land on the east side of Waterloo is included within the application site for storing material extracted from the main site during development. It will be re-profiled and landscaped on completion of the development.

PLANNING HISTORY

2/10229 - Site investigation to assist in the design of land reclamation proposals - Granted 16.08.91.

2/11090 - Land reclamation to include general site clearance, pitshaft capping, minor earthworks and trial trenching to local buried hazards - Granted 29.01.93.

2/11988 - Land reclamation to include bulk earthworks, drainage works, river improvements, road diversion, grassing, tree planting and landscaping - Granted 14.09.94.

2/12610 - Construction of a "permanent" 7.3m wide access road with 2m wide footpaths together with a "temporary" 6m wide (average) link road - Granted 20.12.95.

P/98/0127 - Erect industrial development (B1,B2 & B8 uses) and associated highway infrastructure - Granted 09.04.98.

P/98/1021 - Construct Oakdale village link road - Granted 08.02.99.

POLICY

LOCAL DEVELOPMENT PLAN

Site Allocation: The site is within the settlement boundary and allocated as a primary location for employment uses (Policy EM1.5). The landscaped areas surrounding this plateau and the neighbouring ones are protected by policy LE5.4 for informal recreation and community use.

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Policies: Policies SP2 (Development Strategy in the Northern Connections Corridor), SP5 (Settlement Boundaries), SP16 (Managing Employment Growth), SP21 (Parking Standards), Policy SP22 (Community, Leisure and Education Facilities), CW1 (Sustainable Transport, Accessibility and Social Inclusion), CW2 (Amenity), CW3 (Design Considerations: Highways), CW4 (Natural Heritage Protection), CW5 (Protection of the Water Environment), CW6 (Trees, Woodlands and Hedgerow Protection), CW13 (Use Class: Business and Industry), CW15 (General Locational Constraints).

NATIONAL POLICY Planning Policy Wales 2014, TAN 11: Noise (1997), TAN 12: Design (2014), TAN 18: Transport (2007), and TAN 23: Economic Development (2014).

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. A coal mining risk assessment has been prepared and The Coal Authority is satisfied with its contents and recommendations.

CONSULTATION

Head Of Public Protection - No objections subject to conditions concerning illumination, noise, odour, site control - dust and noise suppression during construction, waste from the premises, drainage - grease trap, contamination, soil import testing, and validation of remediation works.

Senior Engineer (Land Drainage) - No objections subject to a condition concerning surface water and land drainage.

Head Of Public Services - No objections subject to the provision of appropriately sited refuse facilities.

Transportation Engineering Manager – He is still considering the Transport Assessment but has no objections in principal subject to conditions.

Dwr Cymru - No objections subject to conditions concerning drainage. Advice is also offered to the applicant.

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Wales & West Utilities - Details have been provided of their facilities in the area.

Natural Resources Wales - No objections subject to the appropriate drainage of the site and recommend that a condition is imposed to ensure that the scheme to dispose of surface water is submitted and approved in writing, to prevent flooding elsewhere by effective management of surface water run-off resulting from the development. Advice is also provided about contamination, biodiversity, and pollution prevention.

Countryside And Landscape Services - No objections subject to conditions concerning compliance with the recommendations in the submitted wildlife survey, the proper treatment of Japanese Knotweed on the site, and a light mitigation strategy for bats.

The Coal Authority - After initially objecting to the scheme, it became clear they had done so on the basis of the historic use of the site, and did not have up to date records of the remediation. That objection has now been overcome following discussions between the Authority and the applicants.

Glam/Gwent Archaeological Trust - No objections.

Strategic & Development Plans - No objections on the basis that the development of the site is acceptable in principle, and a study has revealed that there is adequate employment land in the borough.

ADVERTISEMENT

Extent of advertisement: The application has been advertised on site, in the press, and 63 neighbouring residents have been consulted.

Response: One letter has been received expressing concern about the impact of the development on horseriders in the area, particularly in the lane to Argoed, and on bridlepaths opposite the site.

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?

None. The DAS confirms that the applicants have had discussions with the Gwent Police Designing Out Crimes Officer and confirm what security measures would be incorporated into the scheme, including a 2.1m high mesh fence, defensive planting, and the elimination of troublesome meeting areas from the proposal.

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EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: The application site is a brownfield parcel of land in the Northern Connections Corridor (NCC) located to the north of Oakdale village. It is one of four plateaux at the Oakdale Business Park. It is an allocated primary site within the LDP and thus the principle of development on this land is acceptable.

Policy SP2 Development Strategy (NCC) requires development proposals within the NCC to promote sustainable development. Specifically, proposals in this area should be targeted to both greenfield and brownfield sites having regard to the social and economic functions of the area, reduce car borne trips by promoting more sustainable modes of travel, make the most efficient use of existing infrastructure, and protect the natural heritage from inappropriate forms of development.

The LDP in allocating Oakdale Business Park for employment use recognises this area as a sustainable location for new development. Notwithstanding this allocation, the use of the site for the provision of a secondary school needs to be considered against the requirements of SP2.

The relocation of the school from Pontllanfraith to Oakdale Plateau 3 could have the potential to increase car borne trips as a consequence of parents transporting children to school from the Pontllanfraith area. Conversely the location of the new school could reduce car borne trips for children from the Oakdale and Croespenmaen area given the central location of the proposed school. It is inevitable that the reduction of two schools to one will result in some pupils having to travel further to access these facilities, therefore in line with Policy SP2 it is important that adequate provision is made to promote sustainable modes of travel through the provision of school buses and also by making adequate provision through the design and layout of the site for cycling. The design of the proposal reflects that need.

Policy SP5 (Settlement Boundaries) is the key policy mechanism for achieving resource efficient settlements within the 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 also promotes the full and effective use of urban land and concentrates development to within existing settlements. The application site is identified for development and is located within the settlement boundary for Oakdale. The principle of development on the site is therefore acceptable.

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Policy SP16 (Managing Employment Growth) makes provision for 101.9 hectares of employment land across the county borough to meet the needs of business up to 2021. This compares to the projected land required for employment use of approximately 64.2 hectares over the plan period. At 4.2 hectares, the application site is one of a range and choice of sites that contribute to the overall employment land supply. It is acknowledged that the plan makes a significant over-provision of employment land; however, this is necessary to create the conditions to facilitate development and drive forward economic growth in the county borough.

Notwithstanding the oversupply of employment land, consideration needs to be given to the potential loss of this site as an employment site, as not only is the amount of land available important, but so is the location and quality of that land. Modern businesses and developers looking to acquire land for employment use generally seek to acquire prominent, easy to develop greenfield sites close to arterial roads or motorways, as irrespective of sustainable transport policies, private transport still dominates in most industrial sectors. A healthy property market should provide a mix of options including speculative developments, design and build schemes, and freehold plots for owner-occupiers to self-build.

Plateau 3 at Oakdale Business Park offers a brownfield site for self-build within the NCC served directly by the Sirhowy Enterprise Way. In addition to the application site, there are three other plateaux remaining within Oakdale Business Park that contribute to the employment land supply for the county borough, all of which would meet the needs of modern business. There are approximately 28 hectares remaining at Plateau 1, 7 hectares on Plateau 2, and 4.3 hectares on Plateau 4. Plateau 2 has full planning permission (12/0649/FULL) for a demonstration track and media centre.

In total Oakdale Business Park together with Penyfan industrial estate amount to approximately 106 hectares of existing and planned employment land that aims to make provision for a blend of properties to meet the needs identified by modern business. Even with the loss of the current application site to an alternative use, approximately 39 hectares of land supply will remain for employment use at Oakdale Business Park.

The NCC contains the majority of existing industrial floorspace in the county borough at approximately 68,010 sq m across 30 units. Of that, a significant number of units of different sizes are available to let at any one time. On balance it is considered that the loss of approximately 4.2 hectares of land from the employment land supply would not have an adverse impact on the county borough's ability to meet the requirements of modern business.

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Policy SP22 (Community, Leisure and Education Facilities) safeguards suitable land for school development. The current site is not included, but it is reasonable to expect the needs of the Education Authority to change over the period of the LDP, and in view of the over supply of employment land, there are no objections to a school in this location.

In terms of Policy CW1 (Sustainable Transport, Accessibility and Social Inclusion), cycle facilities are provided, and the applicants have been in discussion with the Council's highway engineers about ensuring that the school is accessible to pedestrians. Extensive parking for buses will also be provided.

With regard to Policy CW2 (Amenity), the nearest plateau that accommodates industrial development is some 250m to the east and at a significantly higher level with a high degree of intervening landscaping. Therefore the amenity of the school should not be harmed by that neighbouring use. The housing to the south is approximately 50m away from the site and at a higher level, and therefore there would be no harm to the amenity of those neighbours as a result of the development. As a matter of principle, from a planning point of view, schools are historically located in or adjacent to residential areas, and so there would be no significant conflict between the two uses.

Extensive discussions have taken place between the highway engineers and the applicants to overcome any concerns with regard to Policy CW3 (Design Considerations Highways) resulting in the provision of adequate parking facilities, and off-site improvement works such as pedestrian crossings.

The proposal is contrary to Policy CW13 (Use Class Restrictions Business and Industry) because that limits the development of the site to use classes B1, B2 or B8, an appropriate sui generis use, or to provide an ancillary facility or service to the primary employment use. However, for the reasons set out above, in this case, the proposed development is considered acceptable. There is competing demand for scarce land within the NCC and whilst the development of this site for a school is contrary to the provisions of Policy CW13, the provision of a modern secondary school has been identified by the Education Authority.

Comments from Consultees: The comments of the consultees can be accommodated by condition.

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Comments from public: Concern has been expressed about the impact of the development on horseriders crossing the road from the lane leading down to Cwm Argoed. There are quite a number of horse riders in the area and there are two bridleways either side of the Yard Coal Rise (SEW). Highways and public rights of way officers have met representatives of the horseriders on site where they identified the problems and an agreement has been reached to erect signage encouraging drivers to slow down. Further measures could be secured by condition, but it should be borne in mind that the application site is allocated for development and would generate more traffic if developed for employment purposes than it does at present. Schools tend to generate peak traffic at the start and the end of the day. Employment uses do so as well, but there would also be a steady stream of other traffic during the day, including heavy goods vehicles depending on the nature of the businesses.

Other material considerations: None.

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) Prior to the commencement of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority for external site lighting, including any floodlights at the approved 3G pitch and MUGA, 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 nature conservation.
- 03) Prior to the commencement of the development hereby approved a scheme of odour/effluvia/fume control, including the erection of any associated stacks or vents, shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be carried out and operated in accordance with the approved scheme.
REASON: In the interests of the amenity of the area.

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- 04) 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.
- 05) 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.
- 06) The storage, collection and disposal of any commercial waste associated with the school hereby approved shall be implemented in accordance with a scheme to be agreed in writing with the Local Planning Authority.
REASON: In the interest of public health.
- 07) A grease trap, details of which shall be agreed with the Local Planning Authority prior to installation, shall be installed in the foul drainage system prior to the commencement of any activities at the building hereby approved that would result in the grease entering the drainage system.
REASON: To prevent pollution.
- 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, the results of which shall include a table showing the soil sample results and the relevant screening levels they have been compared with and further gas monitoring and assessment in line with CIRIA C665, 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.

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- 09) 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.
- 10) 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.
- 11) 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 cut and fill operation on the site, including the ground works associated with the settlement tanks. That scheme shall include how the operation will be carried out and what contamination testing will be undertaken. The development shall be carried out in accordance with the approved scheme.
REASON: In the interest of public health.
- 12) Prior to the commencement of works on site a scheme of surface water and 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.
- 13) The development shall not be occupied 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.
- 14) The development hereby approved shall be carried out in accordance with the recommendations made in Section 10 of the Ecology Report dated April 2014, prepared by the Principal Ecologist for Caerphilly County Borough Council, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure adequate protection for protected species.

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- 15) Prior to the commencement of works on site that affect any areas of Japanese Knotweed, a method statement shall be submitted for approval to the Local Planning Authority detailing the treatment of Japanese Knotweed on the site. The treatment of Japanese Knotweed shall be carried out in accordance with the approved details.
REASON: It is an offence under the Wildlife and Countryside Act 1981 (as amended) to introduce, plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act. Japanese Knotweed (*Fallopia japonica* / *Polygonum cuspidatum*) is included within this schedule. All Japanese Knotweed waste (the plant itself or material containing its rhizome) is classed as controlled/special waste and therefore must be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.
- 16) 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 at the buildings hereby approved 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 provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales and TAN 5 Nature Conservation and Planning.
- 17) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of integral nest boxes and nest cups at the buildings hereby approved 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 provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning Policy Wales and TAN 5 Nature Conservation and Planning.
- 18) 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 completion 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.

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- 19) Prior to commencement of work on site a scheme for the protection of trees during the carrying out of the development within and adjacent to the application site shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.
REASON: To protect trees in the interests of visual amenity.

Advisory Note(s)

Please find attached the comments of Dwr Cymru/Welsh Water that are brought to the applicant's attention.

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, CW3, CW4, CW5 and CW6.

