

## **RE: SPA/20/0072 - Former Cwmcarn High School, Chapel Farm Terrace To Cwmcarn School, Cwmcarn**

I refer to your enquiry received on 6<sup>th</sup> October 2020:

### **Planning History (since 2005)**

P/05/1471 – Erect new 2 storey performing arts building – Granted – 22/06/06  
18/0974/NOTD – Demolish block A and block B – Prior approval not required –  
23/11/18

### **National Planning Guidance**

- Planning Policy Wales (Edition 10);
- Technical Advice Note 12: Design (2016);
- Technical Advice Note 15: Development and Flood Risk (2004).

### **Development Plan**

The relevant policies of the Caerphilly County Borough Local Development Plan (LDP) Adopted 2010 are as follows:

SP3 (Development Strategy – Development in the Southern Connections Corridor), SP4 (Settlement Strategy), SP5 (Settlement Boundaries), SP6 (Place Making), SP7 (Planning Obligations), SP10 (Conservation of Natural Heritage), CW2 (Amenity), CW3 (Design Considerations: Highways), CW15 (General Locational Constraints).

The policies can be found at the following link:

<http://www.caerphilly.gov.uk/CaerphillyDocs/LDP/written-statement.aspx>

### **Supplementary Planning Guidance**

The relevant supplementary planning guidance is provided:

LDP5: Car Parking Standards,  
LDP6: Building Better Places to Live.

These documents can be found at the following link

<http://www.caerphilly.gov.uk/spg>

### **Initial Assessment**

The proposal is seeking full planning consent for a new school for the relocation of the existing YG Cwm Gwyddon to the former Cwmcarn High School Site, Chapel Farm Terrace, Cwmcarn. The site is a mixture of brownfield land within the defined settlement limits and greenfield land outside of the defined settlement limits. However, it is considered that the principle of development on the site is acceptable and the proposal complies with Policies SP3 and SP5 of the Local Development Plan.

## **Site Layout**

The former school buildings were sited in the south east corner of the site adjacent to the dwellings at Priory Court. The proposal seeks consent for a replacement building which would be sited in the north west corner of the site adjacent to Abercarn Welfare Ground. Principal access to the site would be retained via Chapel Farm Terrace with a secondary access and parent drop off via the existing car park for the bowling green to the north.

The proposed replacement primary school will have capacity for 420 primary aged pupils, 60 Nursery places and 16 SEN pupils. Accommodation will also include spaces for Rising Threes main assembly hall, food technology, a library and IT. The building will have improved outside learning space offering external play areas, a tarmac MUGA area and access to a grass pitch.

## **Highways**

Access to the southern entrance illustrate bus usage, a submitted application should include tracking to ensure buses can safely ingress/egress the site and also turn into the bus bay. The northern entrance should provide a footway that caters for pupils who wish to walk to the school safely without the prospect of conflict with motor vehicles.

Active Travel links should be promoted and cycle parking provided for pupils and staff who wish to cycle to the premises. A travel plan should also be provided for pupils/staff to ensure car borne journeys are kept to a minimum as per TAN 18.

A transport statement should be submitted illustrating the likely impact upon the highway of the proposed development. This should also include projected staff numbers and catchment area for the school. Parking should be in compliance with LDP5.

## **Planting Design and Landscaping**

Having studied the information submitted and visited the locality, I note the site lies adjacent to the settlement boundary, on an unallocated extensive flat greenfield / former comprehensive school site and is bounded by the former schools associated mixed 2 plus meter high steel perimeter fencing. Mature deciduous tree and shrub vegetation is also located primarily along perimeters which assists to soften and integrate the site.

### Existing trees and vegetation

Although largely limited to the perimeter with the exception of a group of mature trees adjacent to the existing building, existing mature trees provide both visual integration, filtering, screening and wildlife habitat and existing trees or groups of trees of category C and above will require retention and protection.

### Proposed development

This comprises an extensive new building as well as associated outdoor surfaced areas for play and hard surface footpaths and parking provision. On the whole this development represents a considerable development within the context and would need to show that the whole development site can be accommodated successfully including visual appearance, its scale and relationship to the surrounding area and context. It is worth pointing out that this site is highly visible from the A467 road, when traversed in either direction, as well as seen in the context of adjacent steeply wooded Myynddislwyn Special Landscape Area (SLA), Abercan VILL and mature riparian vegetation associated with the River Ebbw SINC backdrop.

Having studied the submitted Proposed Layout Plan I have a number of recommendations; I welcome the indicative tree planting shown which will need further expansion with a robust mix of standard and hedgerow planting included with any future proposals. I'd expect to see the soft landscape developed further to provide a strong unified green infrastructure to ensure that the site and development are integrated into the context with visual and physical connectivity to adjacent existing perimeter vegetation, providing both improvements to visual amenity and biodiversity. In addition I recommend that provision for the creation of smaller scale soft landscape spaces is also accommodated in order to provide shade, shelter and diversity. Including for example a forest school and outdoor classrooms area with sensory garden, wildflower meadow grass and orchard areas, bog garden and or pond, as well as soft landscaped play provision including both willow tunnels, mown grass paths through meadows and fixed play equipment.

With the above in mind, if a full application was to be submitted I would expect to see the following to accompany such an application, for further consideration and comment;

- An overall landscape master plan, to be accompanied by full soft landscape detail plans along with management and maintenance plans and schedules.
- Trees and hedgerows should be retained as part of any development and enhanced to improve screening and integration. The application will need to include an arboricultural tree survey and should refer to LDP4 Trees and Development for further guidance on the protection and incorporation of trees and hedgerows within developments.
- Comprehensive proposals should include a new robust mix of standard tree planting and mixed hedgerow screening and integrating planting to minimise any adverse visual amenity and include improvements to existing soft boundaries / hedgerows and fence lines.
- Due to the size and scale of the development, visuals and elevations of the proposed building and setting will be required.
- Details of the materials and colour of all proposed new buildings and structures will be required to ensure visual amenity is regarded and to ensure that the designs are in keeping with the local setting and SLA to the west and VILL to the east.
- Roofing and wall materials will need to be non-reflective materials to minimise the effect of glare, with subtle muted colours carefully considered and selected which would assist any new development to blend and complement the locality and adjacent wooded slopes of the SLA's and VILL's wider setting.

- Similarly I recommend that SuDS and soft landscaping is developed in the form of open channels and swales. The latter, should be connected to a (wildlife) pond(s) that could be designed to not only provide a sustainable drainage solution but become part of the wider landscaping enhancement and resource for the facility.
- Details of all hard and soft surfacing including, paths and car parking areas and materials.
- Details of all boundary treatments including heights, materials and colours would also be required .

## Land Drainage

**The applicant should be aware that Schedule 3 of the Flood and Water Management Act 2010 commenced on 7th January 2019, enacting the Sustainable Drainage Approval Body. The applicant should account for this within development proposals, and proposed Sustainable Drainage systems are required to be included and meet the requirements of National Standards. Further information is available on our website [https://www.caerphilly.gov.uk/Services/Roads-and-pavements/Flood-risk-management/SAB-\(Sustainable-Drainage-Approval-Body\)](https://www.caerphilly.gov.uk/Services/Roads-and-pavements/Flood-risk-management/SAB-(Sustainable-Drainage-Approval-Body))**

### General Requirements:

When submitting a scheme for drainage the applicant should consider the following, please note that these recommendations should not be regarded as exhaustive, and each application will be considered on a site specific basis:

1. The applicant should incorporate Sustainable Drainage principles into their drainage design where possible, to minimise the impacts to existing/proposed drainage infrastructure/receiving watercourses. Particular reference should be given to the requirements and advice contained within the following documents:
  - i. Recommended non-statutory standards for sustainable drainage (SuDS) in Wales – Published by Welsh Government, January 2016.
  - ii. The SUD's Manual C753, Published by Ciria, 2015.
  - iii. Code of practice for surface water management for development sites, BS 8582:2013.
  - iv. Rainfall Runoff Management for Developments, Published by the Environment Agency – Report SC030219.
  - v. Sewers for Adoption 7th Edition, published by WRc plc, August 2012.
  - vi. Technical Advice Note 15: Development and Flood Risk, Published by Welsh Government, July 2004.
2. A detailed drainage strategy should be provided which demonstrates the proposed surface water drainage complies with the discharge hierarchy specified within Part H of the Building Regulations/Sustainable Drainage hierarchy. As much of the runoff as possible should be discharged to each hierarchy element before a lower hierarchy element is considered. Collection and infiltration methods of drainage are required to be considered in the first instance.
3. Soakaways will only be permitted if the applicant can satisfy the authority that permeability tests have been carried out that comply with the requirements of

BRE Digest 365 (2016). A feasibility report including test reports and calculations is required which demonstrates that the use of soakaways or other infiltration systems will not adversely affect the development, adjacent land, structures or highways. Soakaways should be designed to a minimum storm return period (RP) of once in ten years (with consideration given to an appropriate factor of safety).

4. Any proposal to discharge surface/ground water flows to existing watercourses is likely to be limited to minimum rates of discharge which will be determined by this authority. The applicant should indicate how these requirements will be met. These details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15 (TAN15).
5. Development layout should take into account exceedance of the drainage system by demonstrating safe overland flows paths and flood routing. Runoff for the 1 in 100 RP event (plus climate change allowance) should be managed within the site at designated temporary storage locations and not adversely affect the development or surrounding infrastructure.
6. It is recommended the applicant open early dialogue with Dwr Cymru Welsh Water (DCWW) with regards to foul / surface water drainage arrangements and secures the necessary permissions / adoption agreements, where interaction with DCWW infrastructure is proposed.
7. The applicant must ensure that during the development period and thereafter that surface water, groundwater, soil and other site debris is contained and dealt with within the curtilage of the site and is prevented from running on to or being otherwise deposited on adjacent land or highways. This may entail the installation of permanent or temporary cut off drainage.
8. The applicant should also demonstrate that appropriate pollution control measures are in place prior to discharge and confirm the proposals for adoption and long-term maintenance of the drainage system, where appropriate.

Please note that no discharge of surface water from the proposed development will be permitted to drain to the public highway or any highway drain. If the applicant intends to discharge surface water runoff from new highway areas submitted for adoption to the local highway drainage system he may be required to demonstrate that this system has adequate capacity to deal with anticipated additional flows generated by the proposed development. Permission to discharge to the existing highway drainage system may be conditional on the applicant carrying out upgrading works at his own expense or connecting to a point of adequacy within the system.

## Public Health

No comments received. You may wish to speak directly with colleagues in Public Health and Protection with regard to any potential contamination of the site and any other matters such as noise and dust during demolition and construction. It is likely that noise and dust mitigation will need to be detailed in a Construction Environmental Management Plan which should be submitted with any application. The Public Health Officer for this area is Abbie Brown.

## Ecology

The planning application should be accompanied by a Preliminary Ecological Appraisal (Extended Phase 1 survey) of the site.

The development must demonstrate biodiversity enhancement, to include but not exclusively limited to:-

- Wildlife friendly drainage
- Gaps under fences / through walls for hedgehog access
- Native species in the planting scheme
- Biodiversity features such as bird or bat boxes
- Lighting scheme to enable movement of nocturnal species around the site

***The main criteria to consider in the determination of this application would be those contained in the Development Plan Policies provided above.***

## Conclusion

### Strategy Policies

The site is located within the Southern Connections Corridor (SCC). Policy **SP3 Development Strategy – Development in the SCC** requires development proposals within the SCC to promote sustainable development. Specifically, proposals in this area should:

- be targeted to previously developed land within settlement boundaries in the first instance
- reduce car borne trips by promoting more sustainable modes of travel,
- make the most efficient use of existing infrastructure,
- have regard to the social and economic function of the area and protect the natural heritage from inappropriate forms of development.

**SP5 Settlement Boundaries** promotes resource efficient settlements, indicating where growth will be permitted through the delineation of settlement boundaries. Settlement boundaries define the area within which the principle of development would normally be allowed, subject to all relevant planning policy and material planning considerations. Part of the site is located outside of the settlement boundary of Abercarn. When the settlement boundary was drawn in this location it included the school buildings but excluded the playing fields and ancillary open space, in order to protect them from inappropriate development. Consequently, part of the school site is within the settlement boundary and part is located outside. It should be noted that the

former school, including the playing facilities and ancillary open space, form a single planning unit with an established educational use.

**SP6 Place Making** requires development proposals to contribute to the creation of sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features. The visual appearance of the proposed development, its scale and its relationship to its surroundings and context are material planning considerations. The proposal will therefore need to be assessed against national design guidance contained in TAN 12 Design and against **LDP 6: Building Better Places to Live** in order to ensure that the requirements of SP6 can be fully met.

**SP8 - Minerals Safeguarding** requires the safeguarding of known resources of coal, sand, gravel and hard rock whilst maintaining a minimum ten-year bank of permitted aggregate reserves in line with national guidance. Whilst part of the proposal area is located within a minerals safeguarding zone, the site already has an established educational use and its redevelopment would not result in the sterilization of the mineral as that has already occurred when the original permission was granted. As such there are no objections in respect of this policy.

### **Countywide Policies**

**CW2 - Amenity** indicates that development proposals must ensure that the proposal would not result in over-development of the site and/or its surroundings.

Furthermore, the policy indicates that the proposed use would need to be compatible with the surrounding land uses and not constrain the development of neighboring sites for their allocated use. The proposed school is located on a site of a former school, albeit the building is relocated on the site. The school building is being relocated further away from residential properties and closer to an employment site and leisure facility. As such the proposal satisfies this policy.

**CW3 Design Considerations – Highways** requires that development proposals can be accessed appropriately without detriment to highway safety. The proposal can be accessed from two locations, both of which connect to the A467. The first access point to the north of the proposal area will be primarily used by parents as a drop off point, which can be accessed from the road adjacent to the Gerry Jones Industrial Unit and connects to the A467 via its junction with Darren Drive. In addition, the existing car park contains 61 parking spaces to be utilized for pupils who will need to travel to the site by car. The second access is to the south of the proposal area, utilizing the access to the existing car park. This car park will be used for staff parking and for school buses. This access point to the north of Priory Court connects to a junction with Chapel Farm Terrace, which connects to the A467 to the south east of the proposal area.

## Area Specific Policies

The north of the proposal area borders with the Prince of Wales Industrial Estate which is classified as a Secondary Employment Site Under Policy EM2 Employment Sites Protection. Prince of Wales has been allocated as EM2.27 under the adopted LDP. EM2 sites protect against unsuitable development within these areas, allowing only B1, B2 and B8 as permitted uses. The proposed school building is being located closer to this employment site and, as such, comments should be sought from environmental health in respect of noise impact.

A small area in the south west of the proposal area crosses into a Site of Importance for Nature Conservation (SINC). The SINC designation is identified as NH3.12 (River Ebbw) in the adopted Local Development Plan. SINC's are important biodiversity resources which cover significant areas of priority habitats and species. Development will normally be permitted where it would not cause unnecessary harm to the designation. Where potential harm would be unavoidable it should be minimized by effective mitigation measures. Where this is not possible compensation measures designed to conserve, enhance and manage habitats should be provided. The proposed school is being located in the north western part of the site, away from the area designated as a SINC. As such, the proposal is not considered to have a detrimental impact on the SINC given the small area of overlap between the two boundaries.

The River Ebbw is located to the west of the proposal area. The south western corner of the site is located within a flood zone C2. Flood Zones are defined in Technical Advice Note 15, with flood zone C2 being an area liable to flooding that do not have any significant flood defences. Within Flood Zone C2 highly vulnerable developments should not be permitted. Education development is classed as highly vulnerable development under TAN 15. It should be noted, however, that the proposed new school building is located outside of flood zone C, which would be acceptable in terms of TAN 15. However, the existing access and parking area to the south of the site is located within the flood zone C2 area and as such the views should of Natural Resources Wales should be sought in respect of flood risk.

## Analysis

Part of the proposal area, the area proposed for the new school building, is located outside of the settlement boundary of Abercarn. The settlement boundary at this location was drawn around the existing school buildings and excluded the playing pitches and ancillary open space to protect them from inappropriate development. The proposed redevelopment of the site is for a replacement school for the one that has been demolished. As such the proposed redevelopment is not an inappropriate form of development as it seeks to maintain the educational use of the site. The former school and its playing field and ancillary open space comprise a planning unit that has an established educational use on it. As such the principle of the redevelopment of the site for a replacement school is acceptable, even though the proposed location for the replacement school building is located outside of the existing settlement boundary. Given this there are no policy objections in respect of Policy SP5.



No details are provided with regard to the scale and design of the building and in that regard it is not possible to comment on such matters. Notwithstanding the comments of the Landscape Architect, given the scale and design of the previous buildings on the site and the footprint of the proposed building indicated by the submitted site layout plan it is considered that the proposal is likely to be in keeping with the character of the area. However, as part of the site is outside of the defined settlement limits every effort should be made to ensure that there is not a significant reduction in the green space within the site in order to maintain its relatively open appearance.

The proposals should also not lead to the loss of any public amenity areas or playing facilities and the proposal to make the proposed play facilities available for public use is welcomed.

### **Pre Application Consultation (PAC)**

The proposed development is Major Development as defined in section 61Z(1) of the Town and Country Planning Act 1990. The requirements for consultation are set out in The Town and Country Planning (Development Management Procedure) (Wales) Order 201 which states:-

### **Publicity before applying for planning permission**

2C.—(1) The applicant must publicise the proposed application by—

(a) giving requisite notice—

(i) by site display in at least one place on or near the land to which the proposed application relates for not less than 28 days; and

(ii) in writing to any owner or occupier of any land adjoining the land to which the proposed application relates; and

(b) making the following information available for inspection at a location in the vicinity of the proposed development for not less than 28 days beginning with each day on which each of the notices referred to in sub-paragraph (a) or article 2D(2) are given—

(i) any documents and particulars or evidence that would be required for a subsequent application, in the same or substantially the same form, to be a valid application except certificates in relation to notices of applications for planning permission required by article 11;

(ii) a plan which identifies the land to which the proposed application relates;

(iii) any other plans, drawings and information necessary to describe the development which is the subject of the proposed application;

- (iv) in a case to which article 7 applies, the design and access statement; and
- (v) subject to article 8(2), the particulars or evidence required by the local planning authority under section 62(3) of the 1990 Act.
- (2) Any plans or drawings required to be provided by paragraph (1)(b)(ii) or (iii) must be drawn to an identified scale and, in the case of plans, must show the direction of north.
- (3) The applicant must have complied with paragraph (1) before an application is submitted.
- (4) Where the notice referred to in paragraph (1)(a)(i) is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 28 days has elapsed, the applicant will be treated as having complied with the requirements of the relevant paragraph if the applicant has taken reasonable steps to protect the notice and, if need be, replace it.
- (5) In this article “requisite notice” (“*hysbysiad gofynnol*”) means notice in the form set out in Schedule 1B or in a form substantially to the like effect.

### **Consultation before applying for planning permission**

2D.—(1) The following persons or descriptions of persons are specified for the purposes of section 61Z(4) of the 1990 Act—

- (a) any community consultees; and
- (b) any specialist consultee.
- (2) Where an applicant is required to consult a community consultee, the applicant must give the community consultee requisite notice in writing of the proposed application.
- (3) Where an applicant is required to consult a specialist consultees the applicant must give the specialist consultee requisite notice in writing of the proposed application and enclose each of the documents referred to in article 2C(1)(b) or provide a link to a website on which those documents can be found.
- (4) The applicant must have complied with paragraphs (2) and (3) and have given the specialist consultee time to respond in accordance with article 2E(1) before an application is submitted.
- (5) In this article, “requisite notice” (“*hysbysiad gofynnol*”) means—
- (a) in relation to a community consultee notice in the form set out in Schedule 1B; and
- (b) in relation to a specialist consultee notice in the form set out in Schedule 1C,

or a form substantially to the like effect.

Specialist Consultees are set out in the Table in Schedule 4 to that document.

The requirements of the Transportation Engineering Services Manager are largely set out above but you may wish to seek the views of external bodies such as NRW in respect of their requirements. It should be noted that the Local Planning Authority is not a consultee in this instance and as such has no involvement in the PAC process.

### **Any other material planning considerations**

- The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place. Guidance should be sought from the Coal Authority.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

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

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

I trust this information is of assistance to you and please do not hesitate to contact me if you need to discuss any of the issues above.

Regards

**Carwyn Powell**

Prif Gynllunydd | Principal Planner

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council