

Application Number: 21/1192/OUT

Date Received: 07.12.2021

Applicant: Caerphilly Homes

Description and Location of Development: Erect residential development comprising of up to 99 No. units and associated works with all matters reserved - Land At Grid Ref 318082 197935 Central Avenue To Groveside Road Oakdale

APPLICATION TYPE: Outline Application

SITE AND DEVELOPMENT

Location: The application site is located on the western side of Oakdale Terrace and to the north of Penmaen Estate.

Site description: The application site comprises of the former Oakdale comprehensive school and grounds and has an area of approximately 3.6 hectares. The site is located in a predominantly residential area and the former school buildings have now been demolished. Crushed materials associated with the demolition of the buildings remain on site along with the former school car parking area, other areas of hard standing and a multi-use games area. The latter is located in the south-eastern corner of the site and remains in use by the public. Whilst much of the site has previously been disturbed, there are some areas of less disturbed land, particularly to the west. There are also a number of existing individual, and groups, of trees, including a group on the northern part of the site which are covered by a tree preservation order (TPO No. 119/81/GCC). The site falls steeply from east to west with terraces evident on parts of the site. There are existing accesses into the site from Oakdale Terrace, Penmaen Estate and The Rhiw.

The residential houses of Penmaen Estate primarily adjoin the southern boundary of the site, while the eastern site boundary abuts the highway of Oakdale Terrace with residential properties beyond. A short section of the northern boundary adjoins a lane (The Rhiw) while the remainder of this boundary adjoins a wooded area. The western boundary of the site also adjoins a strip of woodland with the land beyond sloping steeply down to the B4251 Road. A number of public rights of way are also located to the south, west and north of the site.

Development: Outline planning permission is sought for a residential development comprising of up to 99 units and associated works. The proposed mix of units would be split equally between 50% affordable and 50% market houses. The indicative plans submitted with the application indicate that the proposed development would comprise of a mixture of houses and apartments and would be served by a single vehicular access off Oakdale Terrace. Several pedestrian links to surrounding streets and the public rights of way network are also shown on the indicative plans, along with on site

public open space and a water attenuation basin functioning as a sustainable drainage feature.

All matters have been reserved for future consideration and as such, only the principle of the proposed residential development is being considered at this stage.

Dimensions: The scale parameters for the proposed houses are as follows:

Length - Min. 8m and Max. 9.5m
Width - Min. 5m and Max. 10m
Height to eaves - Min. 3m and Max. 9.5m
Height to ridge - Min. 5m and Max. 12.5m

The scale parameters for the proposed apartment buildings are as follows:

Length - Min. 7m and Max. 48m
Width - Min. 7m and Max. 23m
Height to eaves - Min. 5.5m and Max. 9.5m
Height to ridge - Min. 8.5m and Max. 12.5m

Materials: To be determined at reserved matters stage.

Ancillary development, e.g. parking: To be determined at reserved matters stage.

PLANNING HISTORY 2010 TO PRESENT 17/0841/NOTD - Demolish all single and multi storey buildings on site excluding youth club - Prior Approval Not Required - 25.10.2017.

POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Site Allocation: The site is within settlement limits.

Policies: Policy SP2 (Development Strategy - Development in the Northern Connections Corridor), Policy SP4 (Settlement Strategy), Policy SP5 (Settlement Boundaries), Policy SP6 (Placemaking), Policy SP7 (Planning Obligations), Policy SP8 (Minerals Safeguarding), Policy SP10 (Conservation of Natural Heritage), Policy SP14 (Total Housing Requirements), Policy SP15 (Affordable Housing Target), Policy CW2 (Amenity), Policy CW3 (Design Considerations - Highways), CW4 (Natural Heritage Protection), Policy CW5 (Protection of the Water Environment), Policy CW6 (Trees, Woodland and Hedgerow Protection), Policy CW8 (Protection of Community and Leisure Facilities), Policy CW10 (Leisure and Open Space Provision), Policy CW11 (Affordable Housing Planning Obligation); Policy CW15 (General Locational

Constraints); Policy NH3 (Site of Importance for Nature Conservation); and Policy SI1 (Green Wedges).

Supplementary Planning Guidance: LDP1 Affordable Housing Obligations (Revision) and LDP4 Trees and Development.

Future Wales: Policy 2 (Shaping Urban Growth and Regeneration - Strategic Placemaking), Policy 3 - (Supporting Urban Growth and Regeneration - Public Sector Leadership), Policy 7 (Delivering Affordable Homes), Policy 9 (Resilient Ecological Networks and Green Infrastructure), Policy 12 (Regional Connectivity) and Policy 13 (Supporting Digital Communications).

NATIONAL POLICY Planning Policy Wales (Edition 11, February 2021), Technical Advice Note 2: Planning and Affordable Housing (June 2006), Technical Advice Note 5: Nature Conservation and Planning (September 2009), Technical Advice Note 11: Noise (October 1997) and Technical Advice Note 24: The Historic Environment (May 2017).

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Yes but the Site Investigation Report submitted with the application confirms that only a thin intact coal seam was encountered on the site with no evidence of working. As such, the Report has adequately proven that the site is safe and stable from a mining legacy perspective. The Coal Authority has also raised no objection to the proposed development.

CONSULTATION

Transportation Engineering Manager - CCBC - No objection to the proposed residential development subject to conditions relating vehicular access, site layout, car parking, residential travel plan, construction management plan and new pedestrian crossing facility.

CCBC - 21st Century Schools - In isolation there is sufficient capacity within both primary and secondary catchment schools to meet the needs of future children arising from the proposed residential development. However, when the proposed development is considered alongside all other planning applications for this area, it appears that at this stage there could be a potential shortfall in places at Islwyn High School.

Heritage And Placemaking Officer - No objection to the proposed residential development as the indicative layout shows a positive design intent with strong street

frontages, good active street development with appropriate parking and good levels of natural surveillance. An enhanced approach to sustainable design is also welcomed.

CCBC Housing Enabling Officer - The proposed residential development is supported and it is advised that the proposal would benefit from Welsh Government grant funding and is included in the Council's 2021/22 Programme Development Fund.

Parks And Open Spaces - No comments received.

Head Of Public Services - No comments made.

Dwr Cymru - It has been confirmed that no problems are envisaged in relation to water supply or the treatment of domestic foul water discharges from the proposed residential development. Attention is also drawn to the existence of a public sewer crossing the site and it is highlighted that there is currently no agreement to communicate surface water flows to the public sewerage network.

Police Architectural Liaison Officer - No comments received.

Western Power Distribution - Advised that a separate application will need to be made to Western Power Distribution if a new connection or service alteration is required.

Landscape Architect - CCBC - No objection is raised to the proposed residential development. It is, however, advised that careful consideration should be given to the removal of trees with category A and B trees ideally retained. Advice is also given in respect of mitigating tree loss through landscaping proposals and detailed requirements are provided for any future reserved matters application.

Ecologist - No objection raised to the proposed residential development subject to conditions relating to a reptile strategy, biodiversity enhancement strategy, construction environment management plan and bats.

The Coal Authority - No objection raised in relation to the proposed residential development. Advice also provided in relation to mine gas and the implications of sustainable drainage.

Rights Of Way Officer - It is has been confirmed that the proposed residential development would not directly affect the Public Rights of Way (PRoW) adjacent to the site. It is also advised that the proposed links to the PRoW would result in additional usage and as such, improvements to the existing infrastructure would be required. Subject to such improvements to the PRoW being secured, no objection is raised the proposed residential development.

Strategic & Development Plans - No objection raised in relation to the proposed residential development subject to the adequate replacement of the existing multi-use games area.

Head Of Public Protection - CCBC - No objection raised in relation to the proposed residential development subject to conditions relating to land contamination, floodlighting, dust and noise mitigation during construction, noise mitigation in respect of the development and air quality mitigation measures.

Senior Engineer (Land Drainage) - Concerns are raised in relation to the proposed residential development based on surface and ground water issues and the acceptability of the proposed drainage strategy.

Senior Arboricultural Officer (Trees) - No objection is raised to the proposed residential development. Any future reserved matters application would, however, need to be supported by, among other things, an updated Arboricultural Impact Assessment, Tree Protection Plan, Arboricultural Method Statement and Tree/Woodland Management Plan.

Natural Resources Wales - No objection to the proposed residential development subject to a condition relating to a pre-commencement survey relating to bats.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of site notices, a press notice and neighbour letters.

Response: A local ward member has raised a number of matters for consideration but is neither objecting to, or supporting, the proposed residential development. Objections from thirteen members of the public have also been received as a result of the public consultation exercise.

Summary of observations: The matters raised by the local ward member are as follows:

- The existing layby to the front of the former school site should be retained to support local car parking.
- Pedestrian access to the proposed houses from the main road should be restricted to prevent additional parking on the road.
- The development layout should prevent loss of privacy to residents of Vancouver Drive.
- Views to the west for residents of Penmaen Villas should be retained.
- The existing Multi-Use Games Area (MUGA) must be relocated within the Penmaen Ward.
- Highway safety improvements should be considered alongside this development to allow safe egress from Penmaen Estate.

The matters raised by members of the public are as follows:

- The existing highway network is considered to be dangerous with cars already parking near junctions, resulting in a lack of visibility when turning out of Penmaen Estate and a nearby private access lane.

- Vancouver Drive should not be used for vehicular access into the proposed development.
- Existing highway safety issues would be exacerbated by having three junctions in such close proximity to one another, the additional volume of traffic and increased parking on the highway.
- The loss of the layby to the front of the former school site would result in less parking provision for local businesses and church.
- Traffic survey is considered to be flawed.
- Additional highway safety measures are required, such as double yellow lines, dedicated resident parking, speed bumps, 20 mph speed limit, speed cameras, alterations to existing junctions and the potential introduction of a mini roundabout.
- Any additional parking restrictions by Penmaen Villas, post office and public house would detrimentally impact local businesses and residents.
- Insufficient capacity within local schools, GP surgeries and dentist practices to accommodate additional children and patients respectively.
- The loss of the MUGA is unacceptable as it is a vital, well-used local facility.
- Already too much housing in the area and there is a lack of infrastructure to accommodate it.
- Proposed play spaces within the site will be out of sight with the potential for an increase in anti-social behaviour.
- Concerns over site subsidence, due to previous mining activities.
- Loss of views to the west across the valley.
- Overlooking of the rear gardens at Vancouver Drive.
- Impact on the residential amenity of surrounding residential properties during the construction phase as a result of noise, dust etc.
- Increase in noise, light and air pollution as a result of the additional residents and associated traffic generation.
- The density of the proposed development should be reduced.
- Local properties would be de-valued.
- Concerns over the impact on existing water pressure in the local area and the lack of capacity within existing drains.
- Land should be used for a community use.
- Concerns over the loss of well-developed trees.
- Impact on local wildlife.
- Proposed path at the side lane (The Rhiw) would become an area of anti-social behaviour.
- Proposed flats would have an unacceptable visual impact.

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

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No, but there are trees with moderate potential to support roosting bats. Such trees should therefore be subject to a precautionary bat check prior to felling.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Yes, the application site is located in the higher viability area where CIL is charged at £25 per square metre plus indexation.

ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The vast majority of the application site is located within the settlement boundary within which development is normally permitted subject to the requirements of other relevant LDP policies and material planning considerations (Policy SP5). The main area of the site within the settlement boundary is not covered by any allocations or designations according to the LDP proposals Map.

A small strip of land running along the western edge of the site falls outside of the settlement boundary and is covered by two designations, namely a green wedge (Policy SI1.9 - Blackwood, Oakdale and Penmaen) and minerals safeguarding area (Policy SP8 - sandstone). However, the submitted illustrative site layout plan clearly indicates that this western edge of the site would be retained as woodland and would therefore remain largely unaffected by any proposed built development. As such, it is not considered that the proposed residential development would adversely affect, or conflict with, these designations in land use terms.

The application site was previously occupied by the former Oakdale Comprehensive School and is therefore classified as brownfield land. Among other things, Policy SP2 supports significant development on brownfield sites that have regard to the social and economic function of the area. As the surrounding area is primarily residential in character, it is considered that the proposed residential development would accord with the role and function of the settlement within which it is located (Policy CW15 - criterion A), while also being compatible with surrounding land uses (Policy CW2 - criterion C). As such, the proposed development is considered to be acceptable in principle.

Notwithstanding this general land use acceptability, regard must also be had to the existing Multi-Use Games Area (MUGA) located in the south-eastern corner of the site, which would be lost as a result of the proposed residential development. The MUGA is classified as a community/leisure facility that is protected by Policy CW8. The latter states that the loss of a community/leisure facility will only be permitted where a

comparable replacement facility can be provided within easy and convenient access on foot or by bicycle, or it can be demonstrated that the facility is surplus to requirements.

In order to address this matter, the applicant has provided supporting information which indicates that a replacement MUGA of a similar size and function to the existing facility would be provided on land within the grounds of Islwyn High School. Whilst the school would have access to the replacement MUGA during the day for use by school pupils, it would be available during evenings, weekends and school holidays for wider public use. A letter has also been received from Islwyn High School confirming their willingness to accommodate the replacement MUGA within the grounds of the school and the applicant has demonstrated that a significant proportion of the local community would live within a 15-minute walk of the facility. It is also noted that Policy CW8 indicates that it is also acceptable for a replacement facility to be within convenient access by bicycle which increases the acceptable travel distance for more local residents. Finally, the applicant has stated that the existing MUGA would not be closed before the replacement MUGA is available to ensure the continuity of local provision and it is considered that this requirement can be secured via a suitably worded condition.

It is therefore considered that there is a reasonable prospect of a comparable replacement MUGA being provided within the local ward to meet the needs of the community. Moreover, a suitably worded condition can prevent the loss of the existing MUGA prior to the replacement facility being provided. Accordingly, the proposed residential development meets the requirements of Policy CW8.

With regards to highway matters, the submitted indicative site layout plan indicates that the proposed residential development would be served by a new vehicular access to the east of the site off Oakdale Terrace. The submitted Transport Statement (TS) also indicates that the existing pedestrian crossing at Oakdale Terrace would be relocated a short distance to the north and would comprise of either a zebra or signal controlled arrangement. The existing vehicular access from Penmaen Estate to the former school car park would become a pedestrian only access and a number of additional pedestrian links to the adjacent streets and rights of way network to the west and south of the site are also proposed. The application site is considered to be located within a reasonably sustainable location with good access to bus services and certain local facilities. Oakdale local centre is located approximately 700m to the north-east.

In relation to trip generation, the submitted TS indicates that the proposed residential development is likely to generate 46 and 44 two-way vehicle movements during the AM and PM peak periods respectively. A total of 437 two-way vehicle movements is also estimated throughout the day. In comparison, the TS indicates that the previous comprehensive school use would generate 183 and 37 two-way vehicle movements during the AM and PM peak periods respectively, while a total of 636 two-way vehicle movements are estimated throughout the day. It is therefore evident that the proposed residential use would generate significantly less vehicle movements during the AM peak period and as a total throughout the day. Moreover, whilst an additional 7 vehicle movements are anticipated during the PM peak period, this is not considered to be

significant, equating to an additional vehicle movement every 9 minutes. The Council's Highway Engineer has reviewed the findings of the TS and has raised no objection to the proposal on highway capacity or safety grounds.

It is noted that a number of concerns have been raised by local residents in relation to existing parking and highway safety issues, particularly near the junction between Penmaen Estate and Oakdale Terrace. The proposed vehicular access to serve the residential development would be located approximately 120m north of this junction and whilst the issues raised by local residents in terms of difficulties turning right and vehicles parking inappropriately are appreciated, the key consideration is whether the additional vehicular movements generated by the proposed development have an unacceptable impact on the safe, effective and efficient use of the highway network. The submitted TS has confirmed that the amount of traffic generated by the proposed residential development would in most scenarios be significantly less than when the site was used as a comprehensive school. Moreover, other than the relocation of a pedestrian crossing, no additional highway safety measures have been identified as being necessary by the applicant's transport consultant or been requested at this stage by the Council's Highway Engineer. In respect of the concerns over the loss of the use of the existing layby on Oakdale Terrace, this part of the highway is located outside of the application site boundary and the illustrative plans submitted do not indicate that any significant changes would occur in this location.

In summary, the proposed residential development is considered to be located in a reasonably sustainable location and the surrounding highway network is considered to have sufficient capacity to accommodate the increase in vehicular movements without having a detrimental impact on highway safety. Detailed highway design matters would be addressed at reserved matters stage and accordingly, the proposed development would meet the requirements of Policy CW3.

In relation to the historic environment, immediately opposite the north-eastern boundary of the site lies the Grade II Listed Penmaen House. As such, the proposed residential development falls within its setting. Planning Policy Wales (PPW) advises that there is a statutory requirement to have special regard to the desirability of preserving the setting of a listed building (paragraph 6.1.10). Technical Advice Note (TAN) 24: The Historic Environment also explains that the setting of a historic asset includes the surroundings in which it is understood, experienced and appreciated embracing present and past relationships to the surrounding landscape (paragraph 1.25). Moreover, TAN 24 goes on to state that the extent of any setting is not fixed and may change as the historic asset and its surroundings evolve.

The submitted indicative site plan indicates that the north-eastern corner of the site, which sits opposite this listed building, would accommodate a residential car parking area, due to the difference in ground levels between this part of the site and Oakdale Terrace. As such, the proposed car parking area would be positioned lower than the adjacent highway and is indicatively shown to be well-screened by soft landscaping, which would further reduce its visual prominence. Whilst it is acknowledged that these

development details are only indicative at this stage, it is evident that a sensitively designed housing scheme which respects the character and appearance of the street scene at Oakdale Terrace would preserve the setting of Penmaen House. The full details of the development's layout, scale, appearance and landscaping can be adequately controlled at reserved matters stage and accordingly, it is considered that the proposed residential development meets the requirements of PPW and TAN 24 in respect of this matter.

In terms of residential amenity, it is noted that objections have been received stating that the proposed residential development would overlook the rear gardens of adjacent residential properties to the south at Penmaen Estate. Whilst the exact details of the development's layout, scale and appearance are reserved for future consideration, the indicative site plan shows the potential location of proposed dwellings and their associated curtilages adjoining the existing properties at Penmaen Estate. This plan demonstrates that the rear elevations of the proposed dwellings can be set approximately 15m from a shared boundary with these existing neighbouring properties, which is considered to be sufficient to prevent any unacceptable impact by means of overbearing, overshadowing or overlooking.

Additional concerns have been raised by local residents in relation to noise impacts and impacts on amenity during the construction phase of development. It is not, however, considered that the proposed residential development would generate unacceptable levels of noise given that it would be compatible with surrounding residential uses. Moreover, any amenity impacts during the construction phase of the development would be temporary and capable of being adequately controlled through the implementation of a construction working method statement.

It is therefore considered that the application site is capable of accommodating the proposed residential development without having an unacceptable impact on the amenity of the occupiers of neighbouring properties and accordingly, the proposal would meet the requirements of Policy CW2.

In respect of trees, the submitted Arboricultural Impact Assessment (AIA) indicates that a total of 21 trees, four groups of trees and sections of four groups of trees have the potential to be removed based on the indicative site layout plan submitted. This would include a number of individual trees and groups of trees assessed as being category A (high quality) or category B (moderate quality). However, the AIA also highlights the fact that the majority of trees within and adjacent to the site will be retained around the central, western and northern parts of the site.

The Arboricultural Officer has reviewed the AIA and raised no objection to the proposed residential development based on its findings and recommendations. It is, however, advised that the loss of any more trees should be avoided at reserved matters stage through a sensitively designed layout. Similarly, the Council's Landscape Architect has raised no objection to the proposed development and acknowledges that a large percentage of trees are to be retained and protected, notably category A tree groups

along the northern and western perimeters and central area of the site. The potential loss of trees as a result of the proposal is, however, also considered to be significant and the Landscape Architect recommends that detailed layout design proposals at reserved matters stage should seek to maintain as many category A and B trees as possible. Where it is not possible to retain such trees, it is advised that mitigation measures will be required as part of a robust landscaping scheme that incorporates suitably sized native and non-native mixed species tree planting.

It is therefore considered that subject to a sensitively designed layout and appropriate landscaping proposals at reserved matters stage, the proposed residential development would not have an unacceptable impact on the site's existing trees and woodlands. Moreover, an updated AIA, tree protection plan and arboricultural method statement can be further considered at reserved matters stage along with landscaping scheme details that include appropriate mitigation measures. Accordingly, it is considered that the proposed residential development would meet the requirements of Policy CW6.

In terms of local ecology, a number of surveys and assessments have been submitted which relate to a Preliminary Ecological Appraisal (PEA), a Habitats Regulations Screening Assessment (HRSA) and various individual species surveys relating to bats, badgers, great crested newts and reptiles. The application site is not covered by any statutory or non-statutory nature conservation designations and the PEA indicates that the main habitats on the site comprise of open mosaic on previously development land, neutral grassland and other lowland mixed deciduous woodland. In respect of surrounding designations, the site's northern boundary adjoins a Site of Importance for Nature Conservation (SINC NH3.87 - Penmaen Woodlands) and Aberbargoed Grasslands Special Area of Conservation / Site of Special Scientific Interest / National Nature Reserve lies approximately 1.8km to the north-west of the site.

The HRSA has been undertaken in relation to Aberbargoed Grasslands and the screening process has found that the proposed residential development would not have a likely significant effect on the conservation condition of the qualifying features of this site. The Council's Ecologist agrees with the findings of the HRSA and as such, it is considered that a further Appropriate Assessment is not required in relation to this European protected site.

In relation to individual species surveys, it is noted that no badger setts, or other signs of badger, were found on site or within a 30m survey buffer area. Similarly, no suitable waterbodies to support great crested newt were found on the site or within a 500m survey buffer. As such, badgers and great crested newts are considered to be absent and do not therefore pose a constraint to the proposed residential development.

In respect of bats, a Ground Level Bat Roost Assessment has been submitted which indicates that on the application site a total of 20 trees have the potential to be bat roost features suitable of supporting roosting bats. Of the 20 trees, 7 are considered to have moderate potential while 13 are considered to have low potential. A further 8 trees within 30m of the site have also been assessed as having a low potential to support

roosting bats. As trees of moderate potential for supporting roosting bats were identified on site, dusk emergence and dawn entry surveys were undertaken. The associated Dusk Emergence and Dawn Re-entry Bat Survey Report submitted with the application confirms that no bats were observed emerging from or returning to these trees and as such, concludes that bats are likely to be absent and no mitigation measures are required. The Survey Report also indicates that bats may be using the site and wider area for commuting and foraging.

Natural Resources Wales has reviewed the bat related reports and raised no objection to the proposed residential development subject to the imposition of a condition that secures either a further bat roost assessment of the trees or an emergence/re-entry bat survey prior to any works with the potential to impact trees with moderate bat roost potential. The Council's Ecologist also concurs that a condition of this nature should be imposed if planning permission were to be granted.

With regards to reptiles, the submitted reptile survey indicates that slow worm was the only reptile recorded on site with a total of four slow worms recorded across seven site visits. The slow worm population is therefore classed as small and in order to prevent any harm to the species a Reptile Mitigation Method Statement (RMMS) has been submitted with the application. Whilst the mitigation measures set out within the RMMS are considered broadly acceptable, a revised/updated method statement is required setting out the exact mitigation measures proposed which will not be known until the detailed development proposals have been finalised. The Council's Ecologist recommends that such mitigation measures should be secured in the form of a reptile strategy via condition.

In addition to the above, the Council's Ecologist has indicated that habitat suitable to support dormouse, such as woodland, would be retained on site and has raised no objection to the proposed residential development. Two further conditions are, however, recommended which relate to a construction environmental management plan and a biodiversity enhancement strategy. Whilst it is agreed that a construction environmental management plan condition is necessary at this stage, it is considered that biodiversity enhancement measures can be incorporated into detailed design proposals at reserved matters stage. It is therefore considered that subject to relevant ecological conditions, the proposed residential development would not have an unacceptable impact on protected or local species. Accordingly, the proposal would meet the requirements of Policies SP10 and CW4.

In terms of air quality, an Air Quality Technical Note (AQTN) has been submitted with the application, which states that a detailed air quality impact assessment is unlikely to be required based on the indicative air quality assessment criteria published by the Institute of Air Quality Management and the amount of vehicle trips generated by the proposed residential development. The AQTN also indicates that a more detailed air quality screening assessment will be provided at reserved matters stage in order to confirm whether or not this current judgment is correct. The Council's Environment Health Officer has reviewed the AQTN and indicated that the proposed screening

assessment should also consider the wider air quality impacts having regard to other applications for housing developments within the local area. A condition is also recommended relating to the submission and approval of air quality mitigation measures. It is not, however, clear at this stage whether such mitigation measures are necessary given that the detailed screening assessment has not yet been considered. It is therefore recommended that air quality matters are considered further at reserved matters and if necessary, air quality mitigation measures can be secured at that time.

In relation to noise, an Environmental Noise Assessment (ENA) has been submitted with the application which has split the site into two broad groups of differing noise exposure levels: areas on the western and southern parts of the site that are categorised as Exposure Level 1, where noise levels are above 48dB(A); and areas on the eastern part of the site that are categorised as Exposure Level 2, where noise levels are 48dB(A) and below. Whilst the proposed houses located in the Exposure Level 1 areas would require higher sound insulation performance, the ENA concludes that both areas fall within the acceptable noise exposure categories for dwellings as set out in Annex A of Technical Advice Note (TAN) 11. In accordance with the requirements for TAN 11, consideration should be given to securing higher sound insulation performance requirements for proposed houses within the Exposure Level 1 areas via a condition.

The Council's Environmental Health Officer has reviewed the ENA and has raised no objection to the proposed residential development subject to two noise related conditions that ensure acceptable noise levels are achieved both internally within the proposed houses and externally within garden areas. Given the findings of the ENA in relation to Exposure Level 1 areas, such conditions are considered necessary to meet the requirements of TAN 11.

With regards to contamination, the submitted Site Investigation Report (SIR) indicates that asbestos fibres have been identified at shallow depths within made ground and asbestos containing materials have also been identified at the site surface. The Council's Environmental Health Officer has reviewed the SIR, and other associated reports, and indicated that the site has the potential to contain widespread contamination across the site, due to re-profiling works that were undertaken post demolition of the school buildings. As such, it is recommended that a further detailed site investigation is undertaken after any site re-profiling/cut and fill works are carried out as part of the proposed residential development. This would enable any potentially exposed contaminants that may pose a risk to future residential users to be identified and allow for a final remediation strategy to be submitted for approval prior to implementation. It is also recommended that further ground gas monitoring is undertaken as part of any future site investigation works and a materials management plan is included as part of the remediation strategy. It is considered that these requirements can be secured via the imposition of land contamination related conditions.

In relation to public rights of way, the application site is located adjacent to four public rights of way (footpaths 64, 65, 68 and 69) which broadly run alongside the southern,

western and northern boundaries of the site. The proposed residential development would create pedestrian links to footpaths 64 and 65 but would not directly affect them as confirmed by the Council's Countryside and Rights of Way Officer. The latter has also requested a financial contribution via a Section 106 agreement to improve the existing footpath infrastructure given that future residents from the proposed residential development would increase pressure on the network as a result of additional use. Whilst it is possible that the proposed improvement works could meet the three planning obligation tests, a Section 106 agreement is not an appropriate mechanism for securing a financial contribution in this instance, as the applicant is Caerphilly Homes (i.e. the Council).

In respect of drainage, the submitted SAB Strategy and Foul Drainage Report (SSFDR) indicates that foul drainage would be conveyed to the combined sewer located within the site, while surface sustainable drainage measures would comprise of a mixture of swales, detention basins and bioretention / rain gardens. Only general details of the sustainable drainage proposals have been provided at this stage, which indicate that controlled surface water discharge off site would potentially be via an existing part overland / part culverted discharge to the Sirhowy River or via a connection to an existing public surface water sewer. The SSFDR confirms that a full sustainable drainage application will be submitted to the Sustainable Drainage Approval Body (SAB).

Dwr Cymru/Welsh Water (DCWW) has raised no concerns in respect of the capacity of the public sewerage network to accept foul flows from the proposed residential development and the applicant would need consent from DCWW in relation to diverting any public sewer on the site, if necessary. DCWW has also confirmed that a water supply can be made available to service the proposed development.

The Council's Drainage Engineer has raised concerns in relation to the proposed development on the basis that the limited information provided does not demonstrate compliance with the statutory sustainable drainage standards. However, he has also acknowledged that separate sustainable drainage pre-application advice has been provided to the applicant by the Sustainable Drainage Approval Body and it is considered that as only the principle of development is being considered at this stage, there is sufficient scope to incorporate any necessary changes to sustainable drainage proposals into the final residential development scheme. Additional concerns raised in relation to the contamination of ground and/or surface water can be addressed by the contamination related condition highlighted above and the potential for any groundwater flooding at lower levels on site can also be considered in more detail at reserved matters stage when the exact ground reprofiling works and development plateaus are known. Finally, it is noted that a request has been made for a small flood consequences assessment to be undertaken in relation to flooding from surface water and small watercourses. However, there is currently no national or local planning policy requirement for an assessment of this nature to be undertaken and to require such an assessment via a planning condition would fail to meet the tests set out in the Welsh Government Planning Conditions Circular.

In terms of leisure and open space provision, Policy CW10 requires all new housing sites capable of accommodating 10 or more dwellings or exceeding 0.3 ha to make adequate provision for useable open space, appropriate formal children's play facilities and adequate outdoor sport provision. The play facilities and sport provision can be provided on or off site. The indicative site layout plan shows an area of open space with a play area, a surface water detention basin that can also be used as open space and a green corridor through the centre of the site. The provision of appropriate levels of public open space to serve the proposed development in accordance with the Fields in Trust standards can be secured by way of condition. It is also noted that there are other play facilities and sports pitches within close proximity to the application site and the Community Infrastructure Levy (CIL) contributions from the market housing element of the proposed development are capable of being used for off-site leisure facilities if deemed to be necessary. As such, it is considered that the proposed residential development would meet the requirements of Policy CW10.

With regards to the need for planning obligations relating to education provision, the 21st Century Schools Officer has indicated that in isolation, there is sufficient capacity within both primary and secondary catchment schools to meet the needs of future children arising from the proposed residential development. However, when the proposed development is considered alongside all other planning applications for this area, it appears that at this stage there could be a potential shortfall in places at Islwyn High School. As indicated above, CIL contributions would be required in relation to the market housing element of the proposed development and if a need did arise for additional offsite school provision in the form of an extension to a school building or an additional building, the potential is there for CIL monies to contribute to its funding.

Comments from Consultees: All relevant matters raised by consultees have been addressed above.

Comments from public: A number of the main concerns raised by local residents have been addressed above. A response to the remaining concerns is provided below.

In respect of concerns over the insufficient capacity of local services and facilities to meet the needs of future residents, matters relating to local school and play provision have been addressed above. Whilst the capacity levels of local GP surgeries and dental practices is unknown, it is considered that the provision of health services for the local community is a matter for the health trust and associated private practice.

In terms of the housing density being too high, the site has an area of approximately 3.6 hectares and would provide up to 99 dwellings. The site's maximum housing density would therefore be 27.5 dwellings per hectare, which is not considered to be a high density.

Matters relating to the scale and appearance of the buildings, the location of play spaces in relation to houses, street lighting and the exact location of pedestrian

footpaths would be determined at reserved matters stage. Members of the public would therefore have a further opportunity to comment on these detailed design proposals at this stage.

Finally matters relating to the loss of views and devaluing of local properties are not material planning considerations.

Other material considerations: The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.

RECOMMENDATION that Permission be GRANTED

- 01) Approval of the details of the access, appearance, landscaping, layout and scale of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 02) Plans and particulars of the reserved matters referred to in Condition 01) above, relating to the access, appearance, landscaping, layout and scale of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 03) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

- 04) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 05) The development shall be carried out in accordance with the following approved plans and documents:
- Site Location Plan, Drawing No. ODSR-HMA-ZZ-00-DR-A-PL0001 (Rev. P01);
- Parameter Plan: Land Use; Drawing No. ODSR-HMA-ZZ-00-DR-A-PL0600 (Rev. P03) (Scale Parameters Only);
- Former Oakdale Comprehensive, Blackwood: Supplemental Site Investigation Report, Document Ref: 12894/GNS/21/SSI, Prepared by Integral Geotechnique, dated October 2021;
- Preliminary Ecological Appraisal: Former Oakdale Comprehensive School, Project No. NWIL233/001/001, Prepared by Thomson Environmental Consultants, dated July 2021;
- Preliminary Ground Level Roost Assessment: Former Oakdale Comprehensive School, Project No. NWIL233/001/002/002, Prepared by Thomson Environmental Consultants, dated September 2021;
- Dusk Emergence & Dawn Re-entry Bat Surveys: Former Oakdale Comprehensive School, Project No. N-WIL233/002, Prepared by Thomson Environmental Consultants, dated September 2021;
- Reptile Mitigation Method Statement: Former Oakdale Comprehensive School, Project No. NWIL233/005/001/001, Prepared by Thomson Environmental Consultants, dated November 2021;
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 06) The development hereby approved shall be served by a primary means of vehicular access onto Oakdale Terrace.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 07) The means of access serving the development hereby approved onto Oakdale Terrace shall be laid out, constructed and maintained thereafter with visibility splays of 2.4m x 43m. No obstruction or planting when mature exceeding 600mm in height above the adjacent footway shall be placed or allowed to grow in the required vision splay areas.
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 08) The development hereby approved shall not be brought into beneficial use until full details of a new pedestrian crossing facility on Oakdale Terrace have been

submitted to and approved in writing by the Local Planning Authority. The new pedestrian crossing facility shall be implemented in full accordance with the approved details prior to first occupation of any of the dwellings approved.

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

- 09) The development hereby approved shall not be brought into beneficial use until a travel plan has been submitted to and approved in writing by the Local Planning Authority. The travel plan as approved shall be implemented in accordance with the details and 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.
- 10) Notwithstanding any details within the approved Supplemental Site Investigation Report, prior to any works progressing beyond ground and re-profiling works 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.
- 11) 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.
- 12) 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.
- 13) Details submitted in relation to Condition 1 of this permission shall include a topographic site survey demonstrating existing and proposed levels and detailed cross section drawings of the site.

REASON: To enable the relationship between new and existing buildings to be carefully considered in the interests of residential amenity in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 14) Details submitted in relation to Condition 1 of this permission shall include details of the proposed public open space (a LEAP and/or LAP) to be designed in accordance with the standards set out in Fields in Trust guidance. The development shall be carried out in accordance with the approved details and provided in accordance with the timetable contained therein.
REASON: To ensure the adequate provision of public open space in accordance with policy CW10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 15) The existing multi-use games area on the site shall remain open and in use by members of the public at all times until a replacement facility, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, has been provided within Penmaen Ward and is open and available for public use.
REASON: To ensure that a comparable replacement leisure facility is provided to meet the needs of local residents in accordance with Policy CW8 of the Caerphilly County Borough Local Development Plan up to 2021.
- 16) No development shall commence on site until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
- the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 25% of housing units/bed spaces;
 - the timing of the construction of the affordable housing and its phasing in relation to the occupancy of any market housing;
 - the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing, if no RSL involved;
 - the arrangements to ensure that such provision is affordable for both the first and subsequent occupiers of the affordable housing; and
 - the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- REASON: In the interests of providing appropriate levels of affordable housing in accordance with Policies SP15 and CW11 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 17) Prior to any works progressing beyond ground preparation and laying of the slab details of an acoustic scheme shall be submitted to and approved in writing by the Local Planning Authority. The acoustic scheme shall include glazing systems capable of achieving an internal LMAX level of 45 dB(A) inside bedrooms and 35 dB (A) measured as a 16 hr L(A)eq in all other habitable rooms. The development shall be carried out in accordance with the approved details before first occupation of the dwellings hereby approved.
REASON: In the interests of amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 18) Prior to any works progressing beyond ground preparation and laying of the slab, details of an acoustic barrier system shall be submitted to and approved in writing by the Local Planning Authority. The dimensions and positions of the acoustic barrier system shall be capable of achieving an external noise level of 50 dB (A) measured as a 16 L(A)eq in garden areas. The development shall be carried out in accordance with the approved details before first occupation of the dwellings hereby approved.
REASON: In the interests of amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.
- 19) Notwithstanding any details within the approved Reptile Mitigation Method Statement, prior to the commencement of development a Strategy for the protection of reptiles shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be carried out as approved.
REASON: To prevent killing or injury to reptiles in accordance with the Wildlife and Countryside Act 1981 (as amended), Part 1 Section 6 of the Environment (Wales) Act 2016 and policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 20) Prior to the commencement of any works on site, including site clearance, a further survey of trees with moderate potential to support bat roosts shall be carried out in accordance with Section 6.3 of the approved Preliminary Ground Level Roost Assessment, prepared by Thomson Environmental Consultants, dated September 2021. If the survey confirms the presence of bats the results of the survey together with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be carried out in accordance with the approved details.
REASON: To prevent accidental offences related to bats in accordance with the Wildlife and Countryside Act 1981 (as amended), Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2021), Tan 5 Nature Conservation and Planning (2009) and policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 21) Prior to any works progressing beyond ground preparation and laying of the slab a light mitigation strategy, including measures to ensure that street lighting and security lighting reduces light spillage into foraging habitats for bats, shall be

submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved strategy.

REASON: To ensure proper measures are taken to safeguard the habitat of bats in accordance with the Wildlife and Countryside Act 1981 (as amended), Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2021), Tan 5 Nature Conservation and Planning (2009) and policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 22) The development hereby approved shall make provision for gigabit capable broadband infrastructure to serve all of the approved dwellings. The necessary infrastructure required shall be installed prior to the first occupation of the dwellings.

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

- 23) Details submitted in accordance with Condition 1 of this permission shall include the provision of Electric Vehicle (EV) charging points for all dwellings benefitting from off road parking provision within their curtilage. The EV charging points shall be installed prior to occupation of each of the relevant dwellings.

REASON: In the interests of promoting renewable energy and reducing airborne emissions.

- 24) No development shall commence on site until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The Construction Method Statement shall include details of:

- hours of working;
 - the on-site parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used during construction works;
 - wheel washing facilities;
 - the erection and maintenance of security hoardings;
 - measures to control noise during construction works;
 - measures to control pollution from plant and runoff;
 - measures to control the emission of dust and dirt during construction works;
- and
- details of a scheme for the recycling/disposing of waste resulting from construction works.

Thereafter the construction of the development shall be undertaken in accordance with the approved Construction Method Statement.

REASON: In the interests of amenity in accordance with Policy CW2 of the Caerphilly County Borough Local Development Plan up to 2021.

- 25) Prior to the commencement of the development hereby approved a Japanese Knotweed and Cotoneaster remediation plan shall be submitted to and approved

in writing by the Local Planning Authority. The remediation plan shall be implemented as agreed by a suitably qualified and licenced contractor.
REASON: To prevent possible offences under the Wildlife and Countryside Act 1981 (as amended) by preventing damage to the proposed new building and infrastructure and to prevent the spread of a schedule 9 species.

Advisory Note(s)

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.

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

The applicant/developer is advised that a revised and updated Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement will need to be submitted with the reserved matters application.

The applicant/developer is advised that the ground gas monitoring undertaken (frequency/duration) does not comply with Table 5.5a and 5.5b within Ciria 665 2007. As such, further monitoring will be required as part of further site investigation works.

The applicant/developer is advised that a Materials Management Plan in accordance with the current CL:AIRE protocol will need to be submitted as part of a remediation strategy to ensure that any site won material intended to be utilised from areas of potential asbestos contamination is appropriately managed and dealt with accordingly.

The applicant/developer is advised that biodiversity conservation and enhancement measures should be considered at reserved matters stage including the following:

- the use of native species and local provenance in the landscaping scheme;
- diverse species mixes for open/amenity areas of grassland, with an appropriate management plan;
- landscaping to include rich-in-diversity boundaries such as hedgerows or tree lines;
- refugia/nesting site for birds, bats and hedgehog throughout the development (minimum 25 bird boxes; to incorporate at least 3 No. 3-chamber sparrow terrace boxes, note that a 3-chamber box will count as 3 boxes in the total count);
- provision of refugia such as deadwood/log piles etc; and
- 100mm high continuous gaps under all fence panels.