

Delegated Decision Report

Application No:	25/1033	Statutory Period Expires:	6th February 2026
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Site:	<i>Caerleon Comprehensive School Cold Bath Road Caerleon Newport South Wales</i>		
Proposal:	<i>PRIOR APPROVAL FOR DEMOLITION OF BUILDINGS D1, D2, L G, H, A (PARTIAL), K AND D3</i>		
Applicant:	<i>Newport City Council</i>		
Type:	Prior Approval - 56 Day	Ward:	Caerleon
Decision:	Prior Approval is Granted		

1. BACKGROUND

- 1.1 A prior notification for demolition of these buildings was considered under 25/0812 and the LPA confirmed prior approval was required for the following reason:

The submitted CEMP and associated Method Statement and Risk Assessment contains insufficient or imprecise information. Further or amended information regarding the following matters is required to ensure the measures set out to manage and mitigate impact are proportionate and appropriate:

- HGV/trip generation information
- frequency and duration of works
- demolition worker parking
- details of demolition compound including provision for delivery/demolition vehicles to turn and therefore access and egress the highway in a forward gear
- demolition vehicle management plan – to ensure that there is no conflict between demolition traffic and vehicles associated with the drop off and collection of children
- clarification of the parking proposals for existing displaced vehicles and operatives including information relating to numbers of spaces, management of conflict and revised school drop off arrangements
- a commitment to a wheel wash is necessary and reference to any mitigation or recommendations in the CEMP or Method Statement by terms such as “if necessary” or “if required” are imprecise and not acceptable
- the CEMP and demolition compound set up must be compatible with the tree protection measures set out the Arboricultural Method Statement.

- 1.2 The agent was also notified of a post decision response from NRW raising additional concerns with the CEMP and was advised that NRW will also be a consultee on this prior approval submission.

- 1.3 Caerleon Comprehensive school's built form and learning spaces are dated. As a result, there is an urgent need to deliver a modern, fit for purpose, replacement learning block and sports facilities, including upgrades to existing spaces, in order to provide a modern learning environment for pupils to thrive and enjoy their learning experience whilst also offering a facility that the local community can use and benefit from. This proposal forms part of a wider initiative that seeks to improve the existing facilities at the school with the first phase being the demolition of some on site buildings at end of life.

2. SITE LOCATION AND CONTEXT

- 2.1 The school is located at the southern edge of the town of Caerleon, in the Caerleon Ward. The school site is accessible from Cold Bath Road and an unnamed road directly west of Caerleon AFC football pitch. Its west and north-west boundaries are defined by mature vegetation, whilst groups of trees and bushes define the eastern boundary.

- 2.2 The school consists of various buildings ranging from 1 to 3 storeys. The original buildings date back to the 1960's, with alterations and extensions added since.

- 2.3 The application site is bound to the north by the Caerleon Cemetery, the Cold Bath Road

allotments and the Caerleon A.F.C football pitch. The extensive Caerleon golf course bounds the site to the west and south. Caerleon Rugby club is located to the east of the site, whilst the Roman Barracks sit to the north-east of the site. This is a very important historical site, which forms part of the Caerleon Roman Civil Settlement. The site is located adjacent to the Caerleon conservation area and several scheduled monuments.

- 2.4 The site is situated approximately 150m from a watercourse which is likely to be hydrologically connected to the River Usk Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) approximately 450m away.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 This is a prior approval submission pursuant to a prior notification and seeks LPA approval for the method of demolition and any proposed restoration of the site associated with the demolition of Blocks D1, D2, L G, H, A (Partial), K and D3 at the school site in accordance with Part 31 of the Town and Country Planning (General Permitted Development Order) 1995 (as amended).

4. RELEVANT SITE HISTORY

25/0812 Prior notification of demolition of buildings D1, D2, L, G, H, A (partial) K and D3. Prior approval is required 12/11/25

25/0748 Placement of temporary sports hall. Granted with conditions 30/10/25

18/1123 Erection of weldmesh fence and gates up to 2.4 metres. Granted 01/05/2019

18/0482 Replacement of 1no. pair of automated vehicular entrance gates and posts, installation of additional CCTV camera to pedestrian gate and installation of car reader intercom post. Granted 10/08/2018

11/0571 Extension with pitched roof to existing standalone gymnasium and replacement of a window unit with a door in the headteacher's block. Granted 02/02/2012

09/1158 Erection of external canopies for outdoor play. Granted 13/01/2010

08/0945 Siting of portacabin. Granted 21/08/2008

5. PLANNING POLICY

- 5.1 THE NATIONAL DEVELOPMENT FRAMEWORK: FUTURE WALES - THE NATIONAL PLAN 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

- 5.2 PLANNING POLICY WALES (EDITION 12) 2024

3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise.

3.4 - Meeting the objectives of good design should be the aim of all those involved in the development process and should be applied to all development proposals at all scales.

- 5.3 NEWPORT LOCAL DEVELOPMENT PLAN (2011-2026)

- SP1 Sustainability
- SP2 Health
- SP3 Flood Risk
- SP8 Special Landscape Areas
- SP9 Conservation of the Natural, Historic and Built Environment
- SP12 Community Facilities

- SP14 Transport Proposals
- SP18 Urban Regeneration
- GP1 Climate Change
- GP2 General Amenity
- GP4 Highways and Accessibility
- GP5 Natural Environment
- GP6 Quality of Design
- GP7 Environmental Protection and Public Health
- SP4 Water Resources
- SP9 Conservation of the Natural, Historic and Built Environment
- T4 Parking
- W3 Provision for Waste Management Facilities in Development

5.4 SUPPLEMENTARY PLANNING GUIDANCE

Archaeology & Archaeologically Sensitive Areas (August 2015)

Parking Standards (August 2015)

Wildlife and Development (August 2015)

Trees, Woodland Hedgerows and Development Sites (January 2017)

Development Management Air Quality (February 2018)

6. CONSULTATION RESPONSES

6.1 Natural Resources Wales:

No response received.

6.2 Local Highways Authority:

No objection.

6.3 Environmental Health Officer:

No response received.

6.4 Senior Scientific Officer:

No response received.

6.5 Tree Officer:

The application is supported by a Tree Protection Method Statement by Steve Ambler and Sons Tree Specialist, dated September 2025. Proposed works are internal to the site and with sufficient space that existing trees both and around the site can be fully protected during the proposed work operations. Trees proposed for removal are those which are dead or in decline and proposed for removal for reasons of health and safety rather than for demolition or implementation reasons.

Conclusion: This phase of the project will have no impact on existing trees within the site.

6.6 PROW Officer:

No response received.

6.7 Landscape Officer:

No objection.

6.8 Ecology Officer:

No response received.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

8.1 This application comprises of the following documents:

- Construction Environmental Management Plan Rev 4
- Demolition Method Statement and Risk Assessment prepared by Willmott Dixon

- Arboricultural Method Statement prepared by Ambler Associates
- Caerleon Comprehensive School, Preliminary Ecology Appraisal prepared by Ecology Wales
- Caerleon Comprehensive School, Bat Emergence Survey prepared by Ecology Wales
- CCS-HLM-00-00-DR-L-00008-Existing Site Plan - P06 prepared by HLM Architects
- CCS-HLM-ZZ-00-DR-A-10101-P01-Demolition Plan prepared by HLM Architects
- 24-043 Caerleon Comprehensive TPP-Layout1 prepared by Ambler Associates
- CCS-HLM-00-00-DR-A-00001-P05-Site Block Plan – Existing prepared by HLM Architects
- CB2183-CAM-XX-XX-DR-C-0204-S2-P01_Vehicle Tracking
- CB2183-CAM-XX-XX-DR-C-0203-S2-P02_Vehicle Tracking
- Caerleon School Draft Demo Logistics Plan 29-04-25 rev01 prepared by Willmott Dixon

- 8.2 From visual inspection there is clear merit in the demolition of end of life units on site which is required to facilitate the construction of a new building intended to offer enhanced educational facilities on an existing school site. There is no objection in principle to the proposed demolition works but this submission requires consideration of the method of demolition and any proposed restoration of the site as the LPA has already confirmed that its prior approval is required for these elements.
- 8.3 The works and site are impacted by several constraints. These include heritage, landscape, ecology and highways/air quality matters.
- 8.4 No heritage related objections were made to the proposed demolition works. In relation to transport/highway matters, concerns were raised at prior notification stage and these were clarified in the relevant report as follows:

The demolition works will utilise the existing main access off Cold Bath Road and the secondary access to the north of the site will be used for the relocation of staff and visitor parking. Whilst the proposals will not increase the number of pupils and staff at the site, the proposed parking arrangement will increase the number of spaces being accessed through the secondary access point. The section of highway which links this access to Cold Bath Road is narrow, unlit and has no dedicated footway. This section of highway forms part of an active travel route, any increase in vehicle movements along this section of road will increase the likelihood of conflict between multi modal users and is therefore considered detrimental to highway safety. It's noted that there is an existing public right of way (389/4/1) and active travel route (NP-CAE P0020) which runs from the main access to the secondary access. This route does not benefit from a hard surface and therefore it would not be suitable in inclement weather. To address the concerns raised it has previously been suggested that a PROW/active travel route is upgraded and hard paved so that the section of road subject to an increase in traffic can be circumnavigated by cyclist and pedestrians. The applicant will need to discuss this matter with the active travel team and public right of way officer.

A detailed construction management plan is essential to the effective management of the site over the demolition period and should include the following:

- Construction worker parking
- Compound - including provision for delivery vehicles to turn and therefore access and egress the highway in a forward gear.
- Delivery/construction vehicle management plan – to ensure that there is no conflict between construction traffic and vehicles associated with the drop and off and collection of children. This should include any other schools in the wider area.
- Wheel wash facilities
- Dust suppression measures

- 8.5 An updated CEMP (revision 4) and tracking drawings have been provided that address previous concerns raised by the Highways Officer. Furthermore, Landscape and Tree Officers confirm satisfaction with the information submitted.
- 8.6 Biodiversity matters were fully addressed in the supporting information accompanying the prior notification submission and the demolition works are confirmed as impacting a bat roost (building K) that will require appropriate mitigation and a License from NRW. The

NCC Ecologist supported the methodology used for the Ecological Appraisal and associated survey work and this was not a reason for prior approval being required. NRW was consulted on the previous submission and this prior approval submission, however the Ecologist confirmed previously such a consultation is not necessary in this case. In accordance with the NRW Approach to Bats and Planning Good Practice Guide 2015, the confirmed bat roost constitutes a 'Low Risk Case', and so the standing advice is that NRW is not required to be a consultee on the application. This is with the proviso that the recommendations of the Bat Survey Report are implemented.

An EPS Licence issued by NRW will still be needed prior to demolition of the affected building. That licence will be issued subject to a series of conditions, which will include the implementation of the mitigation measures set out in Section 6.1 & Appendix II of the Bat Survey Report, together with any other that NRW require.

The Advisory Note recommended by the Ecologist will be included on any decision the LPA issues and apart from potential impacts upon roosting bats and nesting birds, no other concerns are raised in the Preliminary Ecological Appraisal Report dated 19th June 2024, assuming the trees and hedgerows which bound the site are unaffected by the proposed works.

8.7 To conclude, in ecology terms, the information previously provided was satisfactory and the Local Planning Authority put its mind to the derogation tests in accordance with section 6.4.36 of PPW12 and having regard to the case of R (on the application of Simon Woolley) v Cheshire East Borough Council. This court judgment makes it clear that, notwithstanding the licensing regime, the LPA must also address its mind to these three tests when deciding whether to grant planning permission for a development which could harm an EPS. A LPA failing to do so would be in breach of Regulation 3(4) of the 1994 Regulations which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.

8.8 These Derogations were considered as follows and this assessment is still applicable:

(1) there are no satisfactory alternatives to the proposal.

The buildings are at end of life and in very poor condition. The Council has taken the view that to continue providing acceptable education provision from the site, a new build alternative is necessary. Whilst, short term repairs are, strictly speaking, an alternative, such short term repairs are likely to have already occurred over the lifespan of these buildings and in any case, would in themselves potentially impact EPS matters. In this case, in order to provide acceptable education accommodation on this existing school site, the demolition of these buildings is necessary and no satisfactory alternatives exist.

(2) the proposal is for imperative reasons of overriding public interest.

The school is required to provide an acceptable standard of school accommodation and education service. The buildings proposed for demolition have been recognised as falling short of these expectations and their demolition is necessary to achieve an acceptable replacement building arrangement. The proposed restoration of the site which includes the new school building and associated works, will serve the public interest and both maintain and enhance the standard of school accommodation on this site. There are approximately 1,500 pupils on the school roll. There are some 150 members of staff, including 88 teaching staff, 26 teaching assistants and support staff. This test is considered to be met.

(3) the derogation is not detrimental to maintaining a favourable conservation status for the bat population.

In terms of the favourable conservation status test, this is a low-risk case with a suitable bat survey report and appropriate mitigation proposed. As the notification is accompanied by the information that confirms both survey and appropriate mitigation, this test is met and the applicant is bound by such information in the exercise of any permitted development rights.

8.9 In relation to drainage matters, the updated CEMP addresses this and no comments have been received from NRW on this matter.

9. OTHER CONSIDERATIONS

9.1 ***Crime and Disorder Act 1998***

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 ***Equality Act 2010***

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 ***Planning (Wales) Act 2015 (Welsh language)***

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 ***Newport's Well-Being Plan 2018-23***

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. **CONCLUSION**

10.1 The details provided are acceptable and prior approval can be granted for the works described.

11. **DECISION**

PRIOR APPROVAL IS GRANTED

NOTE TO APPLICANT

01 This decision relates to plan Nos and documents:

- Construction Environmental Management Plan Rev 4
- Demolition Method Statement and Risk Assessment prepared by Willmott Dixon
- Arboricultural Method Statement prepared by Ambler Associates

- Caerleon Comprehensive School, Preliminary Ecology Appraisal prepared by Ecology Wales
- Caerleon Comprehensive School, Bat Emergence Survey prepared by Ecology Wales
- CCS-HLM-00-00-DR-L-00008-Existing Site Plan - P06 prepared by HLM Architects
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- Caerleon School Draft Demo Logistics Plan 29-04-25 rev01 prepared by Willmott Dixon

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies SP1 SP2, SP3, SP8, SP9, SP12, SP14, GP1, GP2, GP4, GP5, GP6, GP7, T4, W3 were relevant to the determination of this application.

03 The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

04 It is considered that the decision has been made in conformity with the Marine Policy Statement (2011) and in accordance with marine national planning policy contained within the Welsh National Marine Plan (2019) as demonstrated in the assessment of this proposal.